



You might be surprised by who's considered homeless –

If this is you, or if you're at risk of being made homeless, you should contact the council. They're legally responsible for helping people who are homeless or at risk, but not everyone is entitled to help. This guide covers who's entitled, what help you might get, and what to do if something goes wrong.

Once you've read this guide, you can read our more detailed factsheets if you need more information:

- **Homelessness**
- **Preventing evictions**

Next steps

It's a good idea to find out the number for your local council. They'll be able to provide a lot of the support and information mentioned in this guide.

If you feel you need support, you should contact the housing department of your local council (this could be your district, borough or city council, depending on where you live).

You can find your local council by searching on the GOV.UK website at www.gov.uk/find-local-council. Advice and assistance should be available at all times during normal office hours, with arrangements in place for 24-hour emergency cover.

The council must help you if you meet two criteria:

- **You're homeless or at risk of homelessness.** Homelessness includes your home not being reasonable for you to stay in anymore. Being at risk of homelessness means you're likely to become homeless within eight weeks.
- **You're 'eligible for assistance'.** This concerns your nationality and immigration status. British citizens are usually eligible, but you may not be if you've recently returned from living abroad.

If you're a private tenant and you've received a valid **section 21 notice** that's due to expire within eight weeks, you're automatically considered at risk of homelessness.



A **section 21 notice** is a legal notice that a landlord can use to begin the eviction process. Once the notice expires, the landlord can take the case to court for a decision on whether you must leave. This is for an assured shorthold tenancy – most private renters have this type of tenancy. The landlord can only serve a section 21 notice after the first six months of your tenancy or at the end of a fixed term.

The council must look into your case and decide whether you're entitled to help if it has 'reason to believe' you may be homeless or at risk. This is a low bar for taking action – the council shouldn't turn you away on the basis of a first impression, or without giving you a formal written decision, unless it's very clear that you don't meet the criteria.

Let the council know if you need a place to stay urgently. They must provide emergency accommodation while they look into your case if they have 'reason to believe' you're homeless or at risk, eligible for assistance and 'in priority need'.

Emergency accommodation is likely to be a bed and breakfast or hostel, although the council should take your circumstances

Once you've contacted the council and a case has been opened, you should then have an interview. This is so the council can decide whether you meet the necessary criteria for getting help – being homeless or at risk of homelessness and eligible for assistance. You may be interviewed more than once.

It's the council's responsibility to gather the information they need to make a decision – this may include contacting relevant people such as your landlord or a family member you live with.

Whatever information is gathered, you should have the opportunity to make your own case and challenge any findings you disagree with. It's a good idea to tell the council anything you think is relevant upfront.

At this stage, it doesn't matter why you're homeless or at risk. Unless you're looking for emergency accommodation, your personal circumstances, such as your level of vulnerability, shouldn't matter either.

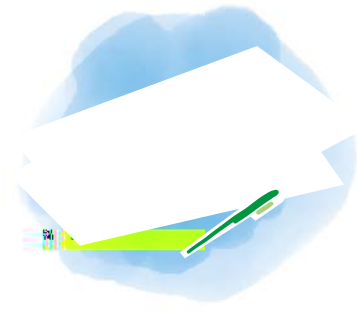
The law is very clear – the council must support you if they're 'satisfied' that you're homeless or at risk and eligible for assistance. This means they agree you meet these criteria. The council must give you a decision in writing, giving clear and full reasons if they don't think the criteria are met. They must tell you how you can request a review of a negative decision and what the deadline is for doing this (usually 21 days).



- 1) **Homelessness doesn't just mean rough sleeping.** There are many different types of homelessness – the council shouldn't refuse to help you because you have a property or tenancy if it's not reasonable for you to stay there.
- 2) **Help should always be available.** Councils should run a full service during normal office hours, with arrangements

The thought of any interview can be daunting. But we've put together this short checklist of things to gather together that can help your application be dealt with faster and with a greater chance of success.





There will also be things included in the plan that you'll be expected to do. The council can withdraw their support if you don't follow these steps.

As the plan is based on your circumstances, the outcome will be individual to you. However, these are some of the steps that the council might take to support you:

- Provide financial or other support to help you secure private rented accommodation.
- Provide a safe place to stay if you're at risk of violence or abuse or if you're sleeping rough.
- Attempt mediation if you've been asked to leave by family.
- Assess whether you might be entitled to anything that can help you pay rent.

Support is usually offered for up to eight weeks. However, this period may be shorter if the council are able to help you resolve your case quickly, or if something goes wrong – for example, you don't follow the steps required in your personalised plan. It may be longer in certain other circumstances. For more information, see our **Homelessness** factsheet.

Good to know

If you're not happy with the steps the council are taking, you can ask for a formal review – but this has to be done within 21 days of being notified. You can't request a review of the steps you're asked to take. If you're in this position, seek advice from Shelter (page 11), an advice agency such as a local Age UK, or a local law centre.

We provide advice and information for people in later life through our Age UK Advice line, publications and website.

Age UK Advice: 0800 169 65 65

Lines are open seven days a week from 8am to 7pm.

www.ageuk.org.uk

In Wales, contact Age Cymru Advice:

Can help you find a community law centre in your area and signpost you to other legal providers.

Tel: **020 3637 1330**

www.lawcentres.org.uk

Provides advice, information and advocacy to people in housing need.

Tel: **0808 800 4444**

www.england.shelter.org.uk



0800 169 65 65
www.ageuk.org.uk

