

Do we have to accept a homeless application?

You work for the local housing authority's homelessness assessment team.

Consider the following scenarios. Then, please decide whether the council must take a homeless application (i.e. commence inquiries under section 184(1) of the Housing Act 1996).

1. Eric

Eric is 21 years old. He is physically disabled and has lived with his mother Jacky all his life. Jacky has always provided Eric with considerable help and support. However, in recent times Jacky and Eric's relationship has become very strained.

Eric phoned the council office earlier today after Jacky asked him to leave. Your colleague spoke to Jacky and asked that she provide written confirmation of notice.

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EXERCISE: Do we have to accept a homeless application?

2. Mack

Mack is encountered by the local authority street outreach team while he is sleeping in a city centre car park. He appears to be using legal highs and has clearly been on the streets for some time.

Mack has confirmed that he only arrived in the area two days ago. His family and support network are in the West Midlands. However he decided on a whim to come to the area, after sleeping rough in Birmingham.

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3. Monty

Monty lives with his wife and three children in a private rented tenancy, for which they pay rent of £870 per calendar month.

Both him and his wife are unemployed. Their benefit has been capped.

Their income is listed below. They're now in arrears of £2,500. Monty presents to the council saying that they need council housing. He's surprised that their landlord hasn't already served notice.

JSA (joint): £114.85

Child Tax Credit: £170.86

Child Benefit: £48.10

Housing Benefit: £50.81

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4. Chantell

Chantell has been excluded by her mother. She's 16. She's come into housing options to ask for help.

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5. Derek

The housing options team has received a referral from a hospital in Staffordshire. However, a week later Derek hasn't contacted the Council. When you've called the number provided on the referral the phone doesn't appear to be working. The hospital has phoned you that Derek was discharged the same day as the referral. An address was also provided.

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6. Tim

Tim is 18 years old. He's always lived with his mother. Tim longstanding girlfriend Kara has just found out that she's pregnant.

Upon finding out Kara's father has asked her to leave home.

Tim's mum Vera is happy to continue accommodating him. However, she's unwilling to put Kara up.

Tim visits housing options with a form he's completed to go on the housing register for social housing. He states he wants to live with Kara.

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7. Annie

Annie visits the council's offices and asks for housing. She's pregnant.

Annie has received a section 21 notice from her landlord, which expires in 40 days' time. Annie's mother paid a deposit to secure the tenancy directly to the landlord.

Annie brings with her a copy of the s.21 notice as well as a 'prescribed information' notice the landlord served 15 days after the deposit was paid. It contains all the necessary information. However you are unable to establish (today) whether her mother also received a 'prescribed information' notice in relation to the deposit.

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8. Annie (alternative facts)

The facts are the same as in (1) above, except for the following.

Seven days after Annie asks for housing you're able to establish that the prescribed information notice received by Annie's mother did not contain confirmation of all the circumstances when all or part of the deposit may be retained by the landlord by reference to the terms of the tenancy.

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9. **Liz**

Liz is an assured shorthold tenant. Her landlord is moving abroad and wants to sell the property with vacant possession. He is very anxious that Liz moves out immediately.

Liz received a notice three months ago which expired yesterday.

Liz has contacted the council today and asked for help with housing. You notice that the landlord did not use the prescribed 'Form 6A' when serving notice.

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