

Scrutiny Committee 8th July 2021 - Briefing Note

Homelessness prevention and the response to the risk of eviction

Introduction

At the meeting of Scrutiny Committee on 2nd June 2021, some concern was expressed by Members that Local Authorities may begin to see a greater number of evictions over the coming months now the ban has been lifted. There has been a ban on evictions introduced as an emergency measure during the Covid 19 pandemic, which was lifted on 1st June 2021.

Based on the information currently available to the housing needs team it is difficult to say with any certainty whether we will see a significant increase in evictions. The situation will be monitored closely to see if any issues emerge and to ensure the team are able to respond to any increase in demand for our services.

Our services

The Council have a well developed housing needs services that has the following tools and processes available to try and prevent evictions and support those households who become homeless.

- Liaising with the landlord to negotiate the removal of the notice or delay the eviction to give the housing needs team time to find alternative accommodation.
- Work with the tenant and landlord to resolve any housing benefit issues that maybe causing rent payment issues.
- Work with the tenant and landlord to resolve any issues of anti-social behaviour.
- Work with the tenant to assist them with rent arrears, benefits and debt. Refer the tenant to appropriate agencies that may offer further assistance.
- Support the tenant to apply for social housing through the B-With-Us housing. allocations scheme and ensuring they receive the correct banding to allow them to secure accommodation as soon as possible.
- Providing bonds to private landlords to assist move on into the private rented sector.
- Work with the housing benefit team to assess the option of discretionary housing payments for rent in advance.
- Make referrals to supported housing schemes if it is considered to be the best option for the client.
- Make referrals into other agencies to ensure the client receives the appropriate support to meet their health, care and support needs.

If it proves to be impossible to prevent homelessness and the client loses their home then we will carry out an assessment to determine if the Council have a duty to provide temporary accommodation.

If the client falls into one of the five categories below the Council have an automatic duty to provide temporary accommodation.

Priority Need (automatic)

1. a pregnant woman or a person with whom she resides or might reasonably be expected to reside.
2. a person with whom dependent children reside or might reasonably be expected to reside.
3. a person aged 16 or 17 who is not a 'relevant child' or a child in need to whom a local authority owes a duty under section 29 of the Childrens Act 1989.
4. a person under 21 who was (but is no longer) looked after, accommodated or fostered between the ages of 16 and 18 (except a person who is a 'relevant student').
5. a person who is homeless, or threatened with homelessness, as a result of an emergency such as flood, fire or other disaster

For all other clients the housing officer will carry out a test of vulnerability to ascertain if the duty to accommodate is owed. This considers all other potential reasons for vulnerability.

Test of Vulnerability

If homeless, the applicant would be significantly more vulnerable than an ordinary person would be if they became homeless. The assessment must be a qualitative composite one taking into account all of the relevant facts and circumstances and involves a consideration of the impact of homelessness on the applicant when compared to an ordinary person if made homeless. The housing authority should consider whether the applicant would suffer or be at risk of suffering harm or detriment which the ordinary person would not suffer or be at risk of suffering, such that the harm or detriment would make a noticeable difference to their ability to deal with the consequences of homelessness.

If the client is eligible for assistance then in all cases the council will have a minimum duty to provide advice and assistance to prevent and relieve homelessness.