

## **Scrutiny Committee 25<sup>th</sup> November 2021 - Update**

### **Homelessness prevention and the response to the risk of eviction**

#### **Introduction**

At the meeting of Scrutiny Committee on 8<sup>th</sup> July 2021, it was agreed an update would be provided to members on the concern regarding a potential increase in the number of evictions being received by Burnley residents due to the ban on evictions now being lifted.

Since the ban on evictions was lifted on 1<sup>st</sup> June 2021, up to 31<sup>st</sup> October 2021 the housing needs team have received request for assistance from 749 residents, 36 having received a notice from their landlord. For the same period in 2019 pre-pandemic, we received 610 requests with 18 having received a notice. Due to the previous restrictions an increase on notices had been anticipated, however it is expected this will level out over the coming months.

The Council are to receive additional funding of £42,070 from the Winter 21 Covid – 19 rent arrears financial support. The purpose of the payment is to support low-income private renters with Covid-19 related rent arrears to avoid eviction or help to find a new home where necessary in order to prevent homelessness.

This funding will be used to assist alongside our existing 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 resides 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 Children's 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.

