

# Homelessness: how we can help

**We provide a homelessness service on behalf of Solihull Council.**

**We can help you with:**

- ▶ preventing you from becoming homeless
- ▶ applying for housing as a homeless person
- ▶ where to go to get further advice and help.

## Helping to prevent you from becoming homeless

The Housing Options Team can give you advice and information to help prevent you from becoming homeless. Our aim is to get involved as soon as we can and help to prevent people from losing their homes. **Don't wait until you are homeless before asking us for advice.**

If we cannot prevent you or your family from becoming homeless we can help you make a homeless application to us for housing. See the last section of this booklet: **'Where to get advice and help'**.

We can give advice on a range of circumstances that might affect you, such as:

- ▶ if you are experiencing domestic abuse or harassment
- ▶ if your relationship has broken down
- ▶ if you are having a dispute with someone (for example a disagreement with a family member or neighbour that you haven't sorted out or find difficult to sort out)
- ▶ if you are renting a home from a private landlord
- ▶ if you can't afford a deposit to rent a home from a private landlord
- ▶ if you are having difficulty paying your rent
- ▶ if you can't afford to pay your mortgage
- ▶ if you need supported housing (housing that includes extra support such as help with shopping, taking your medication or finding out about your rights).



We also give advice on the following issues:

- ▶ landlord and tenant problems
- ▶ tenancy agreements
- ▶ harassment and illegal eviction (when your landlord forces you to move out of your home, even though they do not have the legal right to do so)
- ▶ rent or mortgage arrears (debts)
- ▶ where to get advice and help on housing and other issues if a relationship breakdown means you may have to leave your home
- ▶ problems with your neighbours
- ▶ finding housing
- ▶ welfare benefits.

## **If you are experiencing domestic abuse or harassment**

Victims of abuse, crime, harassment or threats sometimes leave their homes because they are afraid to stay and face a situation that makes them feel unsafe.

If you are experiencing violence or threats of violence, please contact us as soon as possible. See the 'Where to get advice and help' section at the back of this booklet to find out how we can help you decide what to do next.

We may be able to help by providing emergency housing for you and your children (if you have any). We will also put you in touch with other organisations that may be able to help you deal with any problems you are having, for example, drug or alcohol advice services.

If you are still legally responsible for paying rent for your home and you have left because of violence but you plan to return, you may be able to claim Housing Benefit for both your home and any temporary housing.

## **If your relationship has broken down**

Our officers are experienced in giving help and advice on housing and related issues to people whose relationships have broken down, whether they are married, in a same-sex or civil partnership or living together.

We can help with the following issues:

- ▶ your right to stay in your home if you are a tenant
- ▶ your right to stay in your home if you own it
- ▶ your right to stay in a home you have left temporarily



- ▶ what your legal options could be
- ▶ dealing with any financial problems you have, including giving you advice about benefits, paying your rent or mortgage and dealing with any debts and arrears you have.

As well as contacting us, we will often encourage you to contact Citizens Advice Bureau or a solicitor for advice.

## **If you are a private tenant**

If you rent your home from a private landlord, we may be able to help you in a number of ways.

If you have been given notice to leave your home, we can check that your landlord has given you the correct notice. If they have not, we can contact them on your behalf to explain that they need to give you correct notice. We will also talk to your landlord about why they have given you notice to leave your home and whether or not they can withdraw the notice.

If you are having difficulties paying your rent, you will need to contact your landlord or agent as soon as possible. We can contact the landlord on your behalf. We may be able to come to an arrangement with your landlord for you to pay the rent you owe, and we can make sure you are claiming all the benefits you are entitled to.

We also work closely with Solihull Council's Environmental Health department when people have problems with private landlords, for example when their landlord has harassed them or evicted them illegally or when the property is in poor condition. Environmental health officers may investigate complaints and talk to the tenant and landlord to try to come to an agreement that both people are happy with.

The demand for council housing can mean that the quickest way to find housing in Solihull is by renting from a private landlord. This is a particularly good option if you are looking to find a home in particular areas of Solihull or if you will only consider living in a house, and not a flat, for example. If you would like to consider renting privately please contact us. We can also help you apply for Housing Benefit.



## **If you are having difficulty paying your rent**

Your landlord may try to evict you if you do not pay the rent.

For most tenancies, landlords must go to court before they can evict you. It is very important that you get advice about the type of tenancy you have if your landlord wants to evict you without going to court.

If you do not pay your rent and you are taken to court, your landlord will have to pay the court fee, and will probably claim this back by adding it to the amount you owe. You must stick to any agreement you make as you could lose your home if you do not.

Our Money Advice Team may be able to help you. The team offers free, confidential, fair and independent advice on debt and state benefits. They can also help you find out if you are receiving all the benefits you are entitled to. If you would like to speak to them, please contact us.



## **If you can't afford to pay your mortgage**

If you are worried about your mortgage repayments, talk to your lender. Tell them you are having difficulty paying and ask them what your options are. If you are threatened with repossession, contact our Housing Options Team or Citizens Advice Bureau straight away.

## **If you need supported housing**

If you need supported housing we can help you find somewhere to live with support services that meet your needs. We will refer young parents or single people to a specialist supported-housing scheme where they can get help to learn to live independently. They will usually live in a flat temporarily and they will leave the scheme when we feel they are ready to move into permanent housing.

## **We work with other agencies**

We also work with other agencies such as the police, social services, housing associations, agencies offering floating support (support where the service changes to meet your needs) and many others to try and tackle housing problems.



## Applying for housing as a homeless person

Every local council should deal with homeless people in the same way. Under the Housing Act 1996 (as amended by The Homelessness Act 2002), Solihull Council must investigate your circumstances to make sure they meet their legal responsibilities towards you (including housing you if they find you are homeless through no fault of your own).

If you apply to us as homeless, we will interview you to find out about your housing situation and other circumstances. The officer will then check your application and make a decision on whether Solihull Council has a duty to provide you with housing.

When you come to the interview, please bring any documents with you that you think are relevant to your circumstances, for example:

- ▶ proof of Child Benefit
- ▶ proof of any other state benefits
- ▶ proof if you are pregnant (for example, letters or certificates your midwife gives you)
- ▶ documents relating to why you may become homeless (such as a notice from your landlord, a court order and so on)
- ▶ your birth certificate
- ▶ your tenancy agreement or mortgage documents
- ▶ a letter or bank statement proving how long you have lived in Solihull for
- ▶ any other information that you think is relevant to your homelessness application.



After interviewing you, we will check whether you meet any of the following five conditions:

- ▶ if you are eligible for our help
- ▶ if you are homeless now or will become homeless within the next 28 days
- ▶ if you are in priority need for housing (see below)
- ▶ if you are unintentionally homeless (this means you are homeless through no fault of your own and you have not chosen to leave home)
- ▶ if you have a local connection to Solihull.

If you do not meet all of the above conditions we will not have a duty to provide you with housing (though we still have a duty to give you advice). While we are investigating your application we may offer you temporary housing if you are in priority need.



## Eligibility for help with housing

Generally speaking, you are entitled to help from us unless you are under immigration control, or are not habitually resident in the UK (see below).

We will be unable to provide housing for some people who come or return to the UK if they do not pass the 'habitual residence test'. This test is the same one the Department for Work and Pensions use. The test looks at where a person used to live, whether they are working or are likely to be able to find work, family ties (if they have family living in the UK) and their long-term intentions, such as whether they plan to stay in the UK or to leave (for example, if we see their children are enrolled in local schools, we will assume they want to stay in the UK).



## Homeless or threatened with homelessness within the next 28 days

Under the Housing Act 1996 (as amended by The Homelessness Act 2002) you are homeless if you and your family do not have anywhere to live in the UK or elsewhere in the world. But if you have a home, you may also be defined as homeless or threatened with homelessness if:

- ▶ you have been evicted illegally
- ▶ you are experiencing domestic violence or other forms of violence or it is likely that you will be if you continue to live in your home
- ▶ there are exceptional circumstances, for example, you have been the victim of a fire or flood and it is not reasonable for you to stay in your home
- ▶ your landlord has issued you with a notice to quit or a possession order to leave your property, or you don't have permission to stay where you are, for example if you are squatting
- ▶ your home is a boat, mobile home or caravan and there is nowhere you are allowed to put it.

## In priority need

You will be classed as being in priority need if:

- ▶ you have dependent children (children aged 16 years or under or aged between 16 and 18 and in full-time education)
- ▶ you, or a member of your family, are pregnant
- ▶ you are aged between 16 and 17 and are not being looked after by social services (we will assess applications from 16 and 17-year-olds with social services)
- ▶ you are homeless as a result of an emergency such as a fire or flood.



You may be classed as being in priority need if you or a member of your household are vulnerable. We may consider you to be vulnerable if you:

- ▶ are elderly
- ▶ have a physical or mental disability
- ▶ are aged 21 or over and have previously been in care
- ▶ have been a member of the armed forces
- ▶ have served a custodial prison sentence
- ▶ have stopped living in your home for a good reason, for example, because of violence or threats of violence.

We must assess you to work out whether or not you are vulnerable because of one the reasons above. If we decide you are not actually vulnerable, we still have a duty to give you advice and help, but no duty to provide you with housing.

## **Unintentionally homeless**

By law, we must investigate why you are homeless or why you are likely to become homeless. We will contact your previous landlord, building society and anyone else who may be able to provide information to help us to work out whether or not you have deliberately caused your homelessness, or not taken appropriate action to prevent it.

We may consider you to be intentionally homeless if:

- ▶ you chose to leave a home which you could have stayed in
- ▶ it was your fault that you lost your home.

If we find you to be intentionally homeless, we will not have a duty to provide you with long-term housing. However, we may have a duty to provide you with temporary housing (usually for up to 28 days while you find somewhere to live).

## **Local connection**

You may have a local connection with Solihull if you:

- ▶ have normally lived in the area for six months in the past year or for three years in the past five years (this does not include being in prison, hospital or other institution)
- ▶ have a permanent paid job in the area
- ▶ have close family (this means parents, brothers and sisters) who have lived in the area for the last five years in a row



- ▶ have some other special reason to live in Solihull, for example you have fled from violence in another area.

If we find that you do not have a local connection to this area, we may refer your homelessness application to a local authority for an area where you do have a local connection.

## Processing your application

If you tell us you are homeless we will see you on the same day or, if you have somewhere to stay, we will give you an appointment within five working days.

We will carry out the investigation (where we look at the circumstances surrounding your homelessness) as quickly as possible. We will try to do this within 33 working days, but sometimes investigations are complicated and may take longer. To help us get through your application quickly, please give us any documents we ask for as soon as you can.

After we have finished our investigation, we will write to you with our decision and the reasons for it.

If we believe that you meet all five conditions on page 6, we will have a duty to rehouse you. We will then contact you to tell you what you have to do next to find a home that will meet your needs through our lettings scheme, 'Solihull Home Options', or we may assist you in finding accommodation in the private sector. If we offer you a suitable home and you refuse it without good reason, we will no longer have a legal duty to rehouse you. This means you will have to secure your own accommodation.

If we decide that you do not meet all five conditions, we will only have a duty to give you advice and help to try and find your own home.

## Right to review

If you are not happy with any decision we make about your application, such as our decision or the offer of a home that we think meets your needs, you have the right to ask for a review. If you want to do this, you must contact us within 21 days of receiving our letter, telling you our decision. You will be given the opportunity to provide any supporting information. When you contact us, you must tell us why you want a review.

An independent officer who was not involved in the original decision will carry out the review and write to you with their decision within 56 days. If you disagree with the review decision, you may be able to appeal to the county court within 21 days of being told the outcome of the review. You may want to contact Solihull Council, a solicitor, or Citizens Advice Bureau if you would like to know more about how you can appeal to the county court.



## Temporary housing

We have a duty to provide you and your household with temporary housing if:

- ▶ you have nowhere to stay while we are investigating the circumstances surrounding your homeless application and you are in priority need;
- ▶ or we have accepted that we have a duty to find you housing and you are waiting for us to offer you a permanent home.

Temporary housing could include shared facilities like kitchens and bathrooms. It may be furnished, so you may need to put your belongings into storage. You may have to pay any costs for storing your belongings.

You may have to pay towards the cost of temporary housing, but you may be entitled to help with the cost if you are receiving benefits.

## Housing we offer you if we accept you as homeless

If we accept your homeless application, you will join the housing register, which works on a band system. We will place you in a band that recognises the urgency of your housing need. We will look to offer you a permanent home that we consider suitable to meet the needs of your household. We will take into account the size of your family and whether your current home needs any special adaptations, like a walk-in shower.

We will take into consideration the areas you would prefer to live in, but there is not enough housing available for us to be able to offer you a choice of areas. We will take any special circumstances you have into account, for example if you are at risk of violence or if you need support.

It may take some time for you to receive an offer of permanent housing. The home we offer you could be a Solihull Council property, or one belonging to a housing association or a private landlord. If we do not have a duty to offer you permanent housing, we will still offer you advice and help.



## Where to get advice and help

The Housing Options Team are based at our Solihull Home Options Office. If you want to meet an officer at the Solihull Connect office in Solihull town centre you will need to make an appointment first.

If you have mobility problems (problems getting around) or if you cannot meet an officer at one of our offices, we can visit you.

### **Solihull Home Options Office**

6-8 Coppice Way  
Chelmsley Wood Shopping Centre  
Chelmsley Wood  
Solihull  
B37 5TX

### **Solihull Connect**

Ground Floor  
Theatre Square  
Touchwood  
Solihull  
B91 3RG

### **Shelter – West Midlands Housing Aid Centre**

4th Floor, Gateway House  
High Street  
Birmingham  
B4 7SY  
Phone: 0344 515 1800  
Website: <http://www.shelter.org.uk>

### **Solihull Council Housing Benefit Enquiries**

Phone: 0121 704 8200  
Email: [benefits@solihull.gov.uk](mailto:benefits@solihull.gov.uk)



## **Citizens Advice Bureau**

176 Bosworth Drive  
Chelmsley Wood  
B37 5DZ  
Phone: 0844 826 976

## **West Midlands Victim Support Scheme**

Phone: 0300 303 1977 for the local Victim Care team  
Phone: 0808 168 911 for the national helpline

## **West Midlands Police**

Phone: 0845 1135000  
Website: [www.west-midlands.police.uk](http://www.west-midlands.police.uk)

## **Birmingham and Solihull Women's Aid**

Phone: 0121 685 8687/8550 or national helpline 0808 800 0028  
Website: [www.bswaid.org](http://www.bswaid.org)  
E-mail: [helpline@womensaid.org.uk](mailto:helpline@womensaid.org.uk)



## To get in touch:



**Freepost RLSS-UEBA-RTUZ**  
**Solihull Community Housing**  
**Endeavour House**  
**Meriden Drive**  
**Solihull B37 6BX**



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