

# Facing Homelessness

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In Stoke-on-Trent

## Facing Homelessness

This leaflet sets out what you should do if you are facing homelessness. Facing homelessness is stressful. However, most cases of homelessness can be prevented - especially if action is taken early enough.

Stoke-on-Trent City Council works in partnership with various support agencies and Housing Associations to give advice and assistance to people who are homeless or threatened with homelessness.

### *Taking Action*

If you are worried because you think you may be facing homelessness, it is vital that you contact us, and others who may be able to help, as soon as possible. DO NOT wait until you are actually homeless or about to become so.

### *Contacting Our Housing Advice Service Team*

Our Housing Advice Service is the first point of contact if you are homeless or threatened with homelessness and is based in the Housing Advice Centre in Stoke. If you are in need of housing advice please contact the Housing Advice Centre as a matter of urgency.

*Stoke-on-Trent City Council Housing Advice Team*  
*Telephone 01782 233696*

### **Does the Council have to help?**

Homelessness legislation (or Part VII of the Housing Act 1996 (as amended by the Homelessness Act 2002) places a legal duty on all local authorities to assist people who are homeless or at risk of losing their home.

The form this assistance takes varies according to your individual circumstances and the reason(s) for your homelessness. In many cases, the Council may only be under a duty to provide you with advice and assistance to help you find somewhere new to live, or about how you can prevent the loss of your present home.

In some cases we may have to offer you accommodation, but this will depend on your current circumstances and whether or not you are in 'priority need'. This is explained later in this leaflet.

### *What type of advice and assistance do the Council have to give?*

Everyone is entitled to advice and assistance from the Council relating to any aspect of housing. For example, we can give you advice on:

- How to find your own accommodation

- How to prevent yourself from losing your present accommodation
- Your legal rights as a tenant or home owner

We can also give you details of other organisations that can help you with any other housing-related matters (for example, we can suggest where you can go for money or legal advice). Some of these organisations are listed at the end of this leaflet.

### *Coming for an Interview*

If you contact us and tell us that you are homeless, or threatened with homelessness, we will need to make detailed enquires to find out exactly what type of help we can give you.

You will be invited to come for an interview with one of our Housing Options Officers, who will ask you about your current housing situation. You should bring to this interview any documents that help explain your current housing situation; for example, details of your mortgage account or a landlord's notice to quit. If you are about to become homeless and this cannot be prevented, you will be asked to fill in a homelessness application form, and we will use all the information you give us to make our enquiries.

You will be expected to bring a number of documents with you to a Housing Options interview (the list below is not exhaustive and you will be advised in advance of your appointment what else you will be expected to bring).

It is vital that you bring the requested information to your appointment - we are unlikely to offer you any emergency accommodation without sight of certain documents, as outlined below:

### **Identification for each person on your application**

- Full birth certificate
- Drivers licence
- Passport(s)
- Identity cards
- Medical cards
- Marriage certificates
- Confirmation of Income Support or other welfare benefit
- National Insurance card or number
- Home Office documents

#### ➤ **Proof of homelessness**

- Eviction notice
- Notice to quit
- Letter from landlord/parent/friend/relative, if you have been asked to leave
- Summons

- Court order
- Bailiff's warrant

➤ **Proof of residence**

- Official letters and documents showing the addresses you have lived at for the last five years, e.g. rent books, tenancy agreements, Council Tax demands, driving licence, bank statements, utilities bills etc
- Medical cards
- Marriage certificates
- Credit agreements

➤ **Evidence of priority need**

- Antenatal card or pregnancy certificate
- GP/hospital letter or medication details concerning any medical conditions affecting your household
- Children/child's full birth certificate
- Child benefit book
- Pension book
- Documents relating to care of your child, e.g. residence orders/parental responsibility agreement
- Documents that confirm full time attendance at a school or college or training course

➤ **Proof of employment, income and savings**

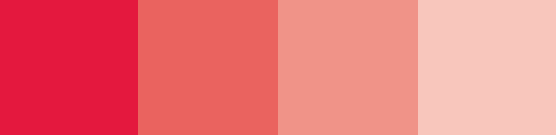
- Employment contract and/or wage slips
- Building society book and/or bank statements and/or savings accounts
- DWP benefit books or evidence of a claim to the DWP
- National Insurance card or number
- Jobseekers Allowance book or evidence of claim

If you are about to become homeless and this cannot be prevented, you may be asked to fill in a homelessness application form. We will use all the information you give us to make our enquiries.

### ***Our Enquiries***

We are required by law to investigate all homelessness applications. During our enquiries we will need to find out:

1. If you are homeless (or about to become homeless)
2. If you are eligible for assistance
3. If you are in priority need
4. If you have made yourself intentionally homeless
5. If you have a local connection with Stoke on Trent



These terms are all explained later in this leaflet. While we make these enquiries, we may have a duty to find you temporary emergency accommodation.

### **Are you Homeless?**

'Homeless' is a legally defined term. The law states that you are homeless if you have no accommodation available in the UK or elsewhere (so you will not be considered homeless if you have suitable accommodation available to you elsewhere in the world).

You may be considered homeless if:

- You have no where to stay tonight, or
- You have been staying somewhere but have no legal rights to stay there and are being told to leave, or
- You have been locked out of your home and told not to go back, or
- You have somewhere to live but are likely to face violence if you return, or
- You are forced to live apart from someone you normally live with, or who the Council considers it would be reasonable for you to live with, or
- You are forced to leave your home because of harassment, or
- It is not reasonable for you to stay in your present home (for example, if it is in very bad condition)
- You cannot afford to stay where you are
- You have a mobile home, caravan or boat but do not have anywhere to put it or that you can live in.

Usually we will not consider you homeless or threatened with homelessness unless you are within 28 days of losing your accommodation - but we will investigate and try to prevent you from becoming homeless before this. To prevent your homelessness we may work with you and your landlord to enable you to remain in your home or find solutions to housing problems, provide you with comprehensive advice to resolve your housing need, or assist you to find alternative accommodation (this list is not exhaustive).

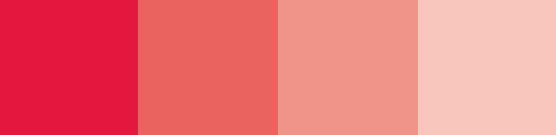
### ***Are you Eligible for Assistance?***

Everyone is entitled to housing advice from the Council. However, some groups of people are not eligible for any further assistance.

Our enquiries will need to establish whether or not you are in one of these groups. Put simply, applicants who are subject to immigration control may not be eligible for assistance (although there are some exceptions). If you think this may apply to you please ask us for more details.

### ***Are you in Priority Need?***





Homelessness legislation defines certain groups of people who can be considered to be in priority need. You may have a priority need if your circumstances are such that they would make you more vulnerable or disadvantaged if you were homeless and would include:

- Households with dependent children.
- Pregnant women.
- If you are homeless as a result of a disaster such as fire, flood or other disaster
- If you are 16 or 17 years old.
- If you are 18 to 21 years old and were looked after, accommodated or fostered between the ages of 16 and 18.
- Those who are regarded as vulnerable.

*You may be 'vulnerable' because:*

- You are an older person (over 60 years old as a guide)
- You suffer from mental illness, disability, or physical illness
- You are at risk of domestic or other violence
- You are at risk as a young person
- You are over 21 but used to be looked after, accommodated or fostered
- You have served a custodial sentence or served in the armed forces.


People who are not in priority need will be provided with advice and assistance to help with housing problems.

### *Are you intentionally homeless?*

You can be considered intentionally homeless if:

- You deliberately gave up accommodation it would have been reasonable for you to have continued to occupy, or
- You deliberately did something, or failed to do something, which you knew would mean losing your accommodation, e.g. lost accommodation due to non-payment of rent or anti-social behaviour, or
- You made arrangements to stay in accommodation on an insecure basis which gave you no legal rights, with the intention of making an homelessness application, or
- You failed to act on legal/financial, advice/assistance that you have been given to help you find alternative suitable accommodation or to help you stay in your home.

If we find that you are intentionally homeless, you will still be entitled to advice and assistance to prevent you from losing your home (if you have not done so already). You may also be entitled to emergency temporary accommodation for a reasonable period of time (usually 28 days) while you find accommodation of your own. If you are not intentionally homeless then you will be entitled to further assistance.



## *Do you have a local connection?*

If you have a local connection to Stoke-on-Trent, we will provide any assistance that we have found you are entitled to. However, if you do not have a local connection, but have a connection elsewhere, we will refer you to the Council where you have the local connection (unless you are at risk from domestic violence there).

### *You have a local connection if:*

- You normally live here, or have done so in the past (generally you have resided in the area for 6 out of the previous 12 months or for 3 of the past 5 years)
- You are employed here
- You have close family living here
- You are connected to the area because of other special circumstances

If you have a local connection to more than one Council, you may choose which one you go to. If you have no local connection anywhere, you will be entitled to receive any assistance due to you from the first Council you applied to as homeless.

## *The decision*

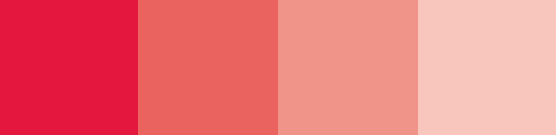
We will make a decision on your homelessness application based on all the evidence we have relating to the enquiries described in this leaflet. Whilst it is not possible to specify exactly how long this will take, we aim to process all applications as quickly as possible. In general, a homelessness application enquiry can take up to 30 days. The more detailed and accurate the information you can provide us with, the quicker the process is likely to be.

You will be notified in writing of our decision within 3 working days of the decision being made.

## *Your right of to request a review of an adverse decision*

If you disagree with our decision, you can ask for a review. This means that you can ask us to reconsider your case and the decision made to ensure we have complied with the law, and that we have acted reasonably and in accordance with our policies. If a review is requested, your case will be reviewed by a senior member of staff not involved with the original decision. However, you must request a review within 21 days of receiving our decision letter. Your request can be made by you or by someone acting on your behalf.

It is important that you include any information you think may assist us in reviewing your circumstances. Please tell us why you do not agree with the decision and provide any supporting evidence that you feel is relevant. The



senior member of staff reviewing your case will look at all the facts, make any enquiries deemed necessary and reach a decision.

### *Review of Decisions*

Generally, your review will be dealt with by the Housing Advice Service Manager at the Council, and you will be told of the result within 56 days from the date you requested the review. If you disagree with the review decision, or are not told of the decision within the time limit above, you can go to the County Court to appeal. You must do so within 21 days of the review decision (or the date when you should have been notified).

### *What happens next?*

There are several possible outcomes to your homelessness application. If we find that you are not homeless (or not threatened with homelessness), not eligible for assistance, not in priority need, or that you are intentionally homeless (or threatened with homelessness) we will still provide you with appropriate advice and assistance.

However, if we find that you are homeless (or threatened with homelessness), eligible for assistance, in priority need and that you did not make yourself homeless intentionally, we are under a duty to help you find accommodation.

If there is no other appropriate accommodation you are able to organise for yourself (for example, with family or friends), we have a duty to ensure that you have suitable temporary accommodation until a more permanent resolution has been secured. Temporary accommodation may be, for example:


- Council owned accommodation
- Housing Association accommodation
- Private sector accommodation
- Hostel accommodation

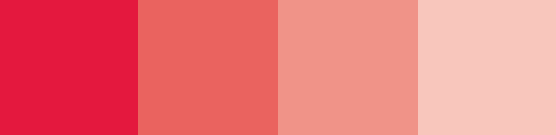
If you are found to be intentionally homeless, and have already lost your home, we may provide you with temporary emergency accommodation for a reasonable period (usually up to 28 days) while you find yourself somewhere to live. This decision is based on the Council's discretion and we are under no legal obligation to do so.

### *Refusing an offer of accommodation*

If you refuse a reasonable offer of suitable accommodation, having been informed of the possible consequences of this, we will no longer have a duty towards you.

You do, however, have the right to request a review of the suitability of the accommodation offered.





*A review of suitability can be requested even if you accept the offer of accommodation and we would generally advise anyone in this situation, save in exceptional circumstances, to accept the offer and request a review to avoid losing all available accommodation.*

*If you are offered any accommodation by the Council and you are thinking of refusing, you should always seek advice before making a decision.*

## **Information and Advice**

### **Citizens Advice Bureaux**

If you would like independent advice on housing or other matters, you can contact your local Citizens Advice Bureau. The Citizens Advice service helps people resolve their legal, money and other problems by providing free, independent and confidential advice. Each Citizens Advice Bureau is a registered charity staffed by trained staff and can offer support and advice on:

- Welfare benefits
- Debt and money problems
- Housing and homelessness
- Legal matters
- Employment
- Discrimination
- Consumer issues
- Relationship and family problems
- Tax
- Immigration

The Stoke-on-Trent Citizens Advice Bureau is located in Hanley, but advice is also available from several other 'advice clinics' located throughout the City. Contact details can be found at the end of this leaflet.



## Useful Contacts

### **Stoke-on Trent City Council Housing Solutions Services**

Housing Advice Centre  
South Wolfe Street  
Stoke  
Stoke-on-Trent  
ST4 4AB

Email: [housingadvice@stoke.gov.uk](mailto:housingadvice@stoke.gov.uk)  
Tel: 01782 232176

### **Stoke-On-Trent City Council Benefit Services**

PO Box 186  
Swann House  
Boothen Road  
Stoke on Trent  
ST4 4RY

Email: [benefitservices@stoke.gov.uk](mailto:benefitservices@stoke.gov.uk)

Telephone: Customer Services team (01782) 232982

### **Stoke-on-Call**

One stop shop for your Council Services.

You can contact us **Monday to Friday between 8 am and 8 pm and also on Saturday between 9 am and 1 pm**. Our trained advisors are able to deal with a wide range of services and are ready to answer your enquiry. We also deal with emergencies services 24 hours a day.

### **You can also contact us by the following methods:**

- Telephone 01782 234234
- Minicom - 01782 238171
- Text - 07786 200700
- Fax - 01782 236588
- Email - [enquiries@stoke.gov.uk](mailto:enquiries@stoke.gov.uk)
- Write to us at - Civic Centre, Glebe Street, Stoke on Trent, ST4 1RN
- Digital TV - access council services through your TV - click on the link on the top right corner of this site for more information



## **Online Services**

You can also contact us by email: [enquiries@stoke.gov.uk](mailto:enquiries@stoke.gov.uk)

Further information is also available on our website:

[www.stoke.gov.uk](http://www.stoke.gov.uk)

## **Stoke-on-Trent City Council Local Centres**

We have nine Local Centres located throughout the city of Stoke-on-Trent. Each Local Centre provides a full range of council services, including:

- Housing information and advice
- Access to housing related services.

Local Centre Opening Hours:

Monday-Thursday: 9am-5pm

Friday: 9am-5pm

Contact the Local Centre nearest you for further details:

### **Abbey Hulton Local Centre**

71 Abbots Road, Abbey Hulton, Stoke-on-Trent ST••••

Telephone: 01782 234234 Fax: 01782 233140 Minicom: 01782 233047

### **Bentilee Neighbourhood Centre**

Dawlish Drive, Bentilee, Stoke-on-Trent ST2 0DH

Telephone:01782 234234 Fax: 01782 235781 Minicom: 01782 235779

### **Blurton Local Centre**

111 Finstock Avenue, Blurton, Stoke-on-Trent ST3 3JU

Telephone: 01782 234234 Fax: 01782 233263 Minicom: 01782 233255

### **Chell Heath/Norton Local Centre**

Cornhill Road, Chell Heath, Stoke-on-Trent ST6 6PN

Telephone: 01782 234234 Fax: 01782 235556 Minicom: 01782 233314

### **Fenton/Stoke Local Centre**

5 Baker Street, Fenton, Stoke-on-Trent ST4 3AF

Telephone: 01782 234234 Fax: 01782 235815 Minicom: 01782 235803

### **Hanley/Burslem Local Centre**


32-34 Old Hall Street, Hanley, Stoke-on-Trent ST1 3RW

Telephone: 01782 234234 Fax: 01782 234135 Minicom: 01782 232331

### **Longton Local Centre**

1 Commerce Street, Longton, Stoke-on-Trent ST3 1NW

Telephone: 01782 234234 Fax: 01782 233175 Minicom: 01782 233163





**Meir Local Centre**

737-739 Uttoxeter Road, Meir, Stoke-on-Trent ST3 5PD

Telephone: 01782 234234 Fax: 01782 337819 Minicom: 01782 311726

**Tunstall Local Centre**

142 High Street, Tunstall, Stoke-on-Trent ST6 5TP

Telephone: 01782 234234 Fax: 01782 233066 Minicom: 01782 233053

**Citizens Advice Bureau**

Advice House

Cheapside

Hanley

Stoke-on-Trent

ST1 1HL

(01782) 408600

Monday, Wednesday and Friday - 9am-2pm Drop In

Tuesday and Thursday Appointments only

The Bentilee Neighbourhood Centre

Dawlish Drive

Bentilee

Stoke-on-Trent

ST2 0EU

(01782) 408604

Monday 4pm-8pm - Drop In

Tuesday and Wednesday 10am-12.30pm - Drop In

**Shelterline** (Free housing advice helpline):

Information and advice on housing-related problems, including:

- Homelessness
- Disrepair
- Housing rights and legal issues

Tel: 0800 800 4444

