



# PRIVATE RENTED SECTOR TOOLKIT

PART 1

JULY 2016

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## Introduction

Local authorities should seek to support all client groups; both the statutory and the non-statutory homeless. Colleagues should be mindful that the PRS is an open market and highly responsive to changes in supply and demand. It is crucial that services are designed to deliver assistance to *all* clients who are genuinely homeless or threatened with homelessness through statutory and/or voluntary sector partners.

Changes applied to support one client group will have a potentially negative impact on the availability of housing for another - and on the overall success of homelessness prevention in the local area. Services should be strategically aligned to ensure a coherent and effective local approach to working with the PRS. They should not concern themselves solely with households owed a statutory duty.

For ease of reference, this toolkit has been split into 5 distinct parts:

- Part 1: The Localism Act 2011 changes and the Homelessness (Suitability of Accommodation) (England) Order 2012
- Part 2: Maintaining the Prevention Focus
- Part 3: Working with the Private Rented Sector
- Part 4: Developing a Private Rented Sector Offer Policy
- Part 5: Annexe Pack

The overall value of the toolkit derives from the sum of its parts. It is therefore recommended that colleagues consider it as a complete package. This part focuses on the legislative changes that have been introduced by the Localism Act sections 148 and 149, and on the key considerations outlined in the Homelessness (Suitability of Accommodation) (England) Order 2012

To support you to reflect on the key messages captured in this toolkit, Annexe 1 contains two factsheets that provide 'at a glance' synopses of the content.

This toolkit has been produced for local authorities in England by the DCLG funded National Practitioner Support Service in response to local authority questions. We recognise the vital role that local partnerships between housing & homelessness services and the PRS play in meeting housing need.

The toolkit represents only the views of practitioners. It does not represent legal advice or opinion, nor does it represent statutory guidance. Local Authorities are encouraged to seek specific advice to satisfy themselves on any issues or questions raised.

## Background

There has been an historic link between Part 7 and Part 6 of the Housing Act 1996. This link was enshrined in legislation through ‘reasonable preference’ (as prescribed by s.167 of the Housing Act 1996). This requires local authority allocations policies to give priority for social housing allocations to, among other prescribed groups, ‘*people who are homeless within the meaning of Part 7*’ and to people owed the main homelessness duty under s.193.

The changes to homelessness legislation included in the Localism Act 2011 enable local authorities to take a strategic view of all suitable accommodation available in their area in relation to homelessness duties & social housing allocations, with the potential to make better use of available accommodation resources to meet housing need:

*“The intended outcome is to enable local authorities to make better use of the private rented sector to provide suitable accommodation as a settled home that can bring the homelessness duty to an end. This is likely to reduce the need for temporary accommodation and free up more social lets for other people in housing need on the housing waiting list.”* DCLG Equalities Impact Assessment:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6033/1830049.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6033/1830049.pdf)

The Localism Act permits local authorities to meet their homelessness duty by providing good quality private rented homes. This option can provide an appropriate solution for people experiencing a homelessness crisis, whilst freeing up social homes for people in real need on the waiting list. The new provisions represent powers available to local authorities should they choose to adopt them – local authorities will not be under a *duty* to adopt the new provisions.

The new power strengthens the argument that applications for assistance under homelessness legislation should represent the emergency safety net, and will not by definition lead to permanent re-housing in the social sector. Following enactment of s.148 and s.149 Localism Act on 9<sup>th</sup> November 2012, accommodation offers achieved through Part 7 applications may not be any better than the ‘prevention’ or ‘housing options’ offers that are available – with the potential for local authorities to offer PRS accommodation through all routes into the service. Within the *“Developing a Private Rented Sector Offer Policy”* section (Part 4) of this toolkit, we will provide you with advice and suggestions on how to implement the new changes to achieve this.

The National Practitioner Support Service encourages local authorities to focus resources on encouraging early approaches for assistance to prevent homelessness wherever possible, and for services to be targeted at prevention and early intervention. Part 2 of this guide provides three immediate considerations for local authorities that should support *“Maintaining the Prevention Focus”*.

**Sections 148 and 149 of the Localism Act 2011** were enacted on 9<sup>th</sup> November 2012. These provisions do not apply retrospectively. This means that applicants to whom a full duty is accepted prior to the sections coming into force will not be subject to the new power to discharge duty into the private rented sector.

Local authorities will continue to have the option to make ‘qualifying offers’ available to households to whom the S193 duty was accepted pre-Localism Act commencement. Some suggestions on approaches local authorities may wish to consider when working with existing accepted households are outlined later in the “Policy Options” section of Part 4 of this toolkit. Please note the policy options that are explored in Part 4 are not recommendations but have been provided to support local decision makers and strategic officers to understand potential considerations that may be relevant in the context of the Localism Act changes.

Sections 148 and 149 of the Localism Act have been included for ease of reference in Annexe 2 of the toolkit.

## Changes to the Homelessness legislation – Summary Overview

Since the enactment of the Localism Act on 9<sup>th</sup> November 2012, local authorities can make offers of accommodation in the private rented sector, to discharge the Section 193 homelessness duty, without requiring the applicant's agreement - S193(7F)

These 'Private Rented Sector Offers' must meet certain criteria:

- 12 month ASTs (or longer if possible)
- Accommodation must be suitable
- Local authorities will be under a 're-application' duty if accommodation provided under the new S193(7F) is lost unintentionally within 2 years - and with no review of priority need
- Decisions on ending the duty in the social sector or PRS will rest with local authorities based on individual circumstances and local housing markets
- Applicants have the right to request a review of the suitability of Private Rented Sector Offers and to appeal to the County Court on a point of law if they remain dissatisfied with the outcome of the review

## Changes to the Homelessness legislation – Further Detail

Section 148 amends Section 193 of the Housing Act 1996 - in particular dealing with the provisions when the duty ends (it does not amend the duty itself).

The basic approach government adopted was to amend the existing provisions on *private accommodation offers* (which apply to restricted cases only) so they become *private rented sector offers* which apply to all applicants. All the provisions relating to *qualifying offers* are deleted. Remember these provisions will not apply retrospectively and cannot be used for households where the main duty was accepted prior to 9<sup>th</sup> November 2012.

The requirement that it must be *reasonable for the applicant to accept an offer* (before the duty can end) is amended so that it can only be unreasonable if the applicant has obligations in connection with his existing accommodation that cannot be brought to an end in time.

The most contentious area in using this power is around the suitability of the accommodation and a review can be requested after the household has moved into the property (potentially having no choice at the time but to do so). This is explored further in the "Other Practical Considerations" section in this part of the toolkit.

There are also some changes to ensure that local housing authorities must make clear to applicants whether they are offering settled or temporary accommodation – and they must make clear the consequences of acceptance as well as refusal (see *Griffiths v St Helens [2006] EWCA Civ 160*)

[www.bailii.org/ew/cases/EWCA/Civ/2006/160.html](http://www.bailii.org/ew/cases/EWCA/Civ/2006/160.html)

Local authorities must also very carefully consider the suitability of any accommodation for any applicant; particularly if the accommodation is out of the local authority area (see *Nzolameso (Appellant) v City of Westminster (Respondent)* [2015] UKSC 22

On appeal from [2014] EWCA Civ 1383

[www.bailii.org/uk/cases/UKSC/2015/22.html](http://www.bailii.org/uk/cases/UKSC/2015/22.html)

(Details from this judgement are included in the section looking at [Suitability of Accommodation](#) later in this part of the toolkit.)

The principal effect of the legislative changes is to modify the way in which the section 193(2) duty to secure accommodation can be brought to an end with an offer of suitable accommodation in the private rented sector. \

## Previous Legislation

Under the legislation prior to the Localism Act, in a restricted case, local housing authorities are required to end the section 193(2) duty with a *private accommodation offer*, so far as reasonably practicable. (A restricted case is where the duty is owed through reliance on a member of the applicant's household who is ineligible for assistance). A *private accommodation offer* must be a fixed term assured shorthold tenancy for a period of at least 12 months.

In any other case, the authority can arrange an offer of a fixed term assured shorthold tenancy which is a "*qualifying offer*" (which can be of 6 months duration); the section 193(2) duty will end if the offer is accepted, but not if refused.

## The revised legislation (as amended by the Localism Act)

The provisions on *qualifying offers* (section 193(7B) to (7E)) are repealed. This means that a local authority will no longer be able to end the duty with a qualifying offer of six months by consent.

For existing accepted cases, the option of taking a 'Qualifying Offer' in the private rented sector is, however, still available and the existing legislation allows the council to end a homelessness duty in the PRS for existing accepted cases *with* the express consent of the applicant. There will be no qualifying offer option remaining to end the duty in the PRS with a *6 month* fixed term tenancy as this has been *repealed* for new cases - **so ending the duty by consent will require a 12 month Assured Shorthold tenancy.**

The provisions on *private accommodation offers* are amended so that (1) they are now referred to as *private rented sector offers* and (2) they can bring the duty to an end in

all cases, not just in a restricted case. However, in a restricted case, authorities **must** bring the section 193(2) duty to an end with a *private rented sector offer*, so far as reasonably possible; in any other case it is at the authority's discretion whether to arrange a *private rented sector offer*. Of course, this means that a local authority can still end the duty with an offer of social housing.

Under section 193(7A) a local authority shall cease to be subject to the section 193(2) duty, if the applicant, having been informed in writing of the matters mentioned in section 193(7AB) accepts or refuses a *private rented sector offer*. A *private rented sector offer* is defined by section 193(7AC) as an offer of an assured shorthold tenancy made by a private landlord to an applicant in relation to any accommodation which:

- (a) is, or may become, available for the applicant's occupation,
- (b) is made with the approval of the authority, in pursuance of arrangements made by the authority with the landlord with a view to bringing the section 193(2) duty to an end, and
- (c) is a fixed term tenancy (Assured Shorthold Tenancy) for a period of at least 12 months.

The matters which the applicant must be informed of in writing (mentioned in section 193(7AB)) are:

- (a) the possible consequence of refusal or acceptance of the offer,
- (b) that the applicant has the right to request a review of the suitability of the accommodation (*PRSO good practice would be to notify the applicant they can accept the property and request a review of suitability*), and
- (c) the effect under new section 195A of a further application to the authority within two years of acceptance of the offer.

*(Local authorities are encouraged to consider best practice approaches where an applicant accepts a PRSO and requests a review of suitability which is successful. Please see "Other Practical Considerations" later in this part of the toolkit).*

## Re-application within 2 years of acceptance of a private rented sector offer

Under new section 195A(1), the section 193(2) duty will apply regardless of whether the applicant has a priority need where:

- (a) a person makes a re-application for assistance within two years of accepting a private rented sector offer, and

(b) the applicant is eligible for assistance and has become homeless unintentionally.

It should be noted that in these circumstances, the section 193(2) duty will apply regardless of whether the housing authority receiving the re-application is the same authority that arranged the *private rented sector offer*.

Linked to this, section 195A(2) provides that, for the purpose of s195A(1), where an applicant has been given a notice under section 21 of the *Housing Act 1988*, the applicant must be treated as *homeless* from the date the notice expires. Please note that this applies only to those applicants who have made a re-application following a private rented sector offer.

Under section 195A(3), the section 195(2) duty (*owed to eligible applicants in priority need and threatened with homelessness*) will apply regardless of whether the applicant has a priority need where:

(a) a person makes a re-application for assistance within two years of accepting a private rented sector offer, and

(b) the applicant is eligible for assistance and is threatened with homelessness unintentionally.

It should be noted that, in these circumstances, the section 195(2) duty will apply regardless of whether the housing authority receiving the re-application is the same authority that arranged the *private rented sector offer* (although, as outlined below, the receiving authority may be entitled to refer the household back to the authority that arranged the PRSO in the first instance).

*(Under section 195(2), a local housing authority must take reasonable steps to secure that accommodation does not cease to be available for occupation by eligible applicants who have priority need and are threatened with homelessness).*

Linked to this, section 195(4) provides that, for the purpose of section 195A(3), where an applicant has been given a notice under section 21 of the *Housing Act 1988*, the applicant must be treated as *threatened with homelessness* from the date the notice is issued. Local authority staff can check the validity of any notice served by using the NHAS Local Authority Housing Advice Line.

The provisions in section 195A(1) to (4) do not apply in a restricted case. Neither do they apply in a case where the applicant has previously made a re-application which resulted in their being owed the duty under section 193(2) or 195(2) by virtue of section 195A(1) or (3).

*Re-applications for assistance within two years of accepting a private rented sector offer do not necessarily have to be made by an applicant from the accommodation they had originally been provided with through a PRSO. For example, if an applicant*

*is offered a 12 month AST by way of PRSO and accepts it, the tenancy is ended and they secure alternative settled accommodation on a 6 month AST at a different PRS property – if on expiry of the new 6 month tenancy they subsequently approach a local authority, this will be within 2 years of the PRSO and the re-application duty under S195A is triggered.*

## Interim duty to accommodate

Section 149 of the 2011 Act inserts a new section 188(1A) in the 1996 Act.

Under section 188(1A), a local housing authority (and this is any local housing authority in England where the applicant makes an application) must secure accommodation for an applicant (pending a decision as to what duty, if any, is owed to the applicant under Part 7) regardless of whether the applicant has priority need, if the authority have reason to believe that the duty under section 193(2) may apply in the circumstances mentioned in section 195A(1) (i.e. a re-application within 2 years of acceptance of a *private rented sector offer*).

Authorities should note that the duty under section 188(1A) will apply regardless of whether the housing authority receiving the re-application is the same authority that arranged the *private rented sector offer*.

## Referrals to another local housing authority

Section 149 of the 2011 Act also amends section 198 of the 1996 Act (*referrals to another local housing authority*).

Section 149(6) inserts a new section 198(2ZA). Under section 198(2ZA), the conditions for referral of a case to another local housing authority are met if:

- (a) the application is made within 2 years of acceptance of a *private rented sector offer* made by the other authority, and;
- (b) there would be no risk of domestic violence to either the applicant, or anyone who might reasonably be expected to reside with the applicant, in the district of the other authority.

Section 149(7) and (8) make further amendments to section 198 which mean that the new conditions for referral in section 198(2ZA) are not met if the applicant, or anyone who might reasonably be expected to reside with the applicant, has suffered violence (other than domestic violence) in the district of the other authority and it is probable that return to that district would lead to further violence against them.

## Obligations in respect of existing accommodation

Sections 193(7F) and (8) are amended, such that local housing authorities shall not make a final offer of accommodation under Part 6 or approve a *private rented sector offer* unless they are satisfied that:

- (a) the accommodation is suitable and available for the applicant, and that;
- (b) if the applicant is under contractual or other obligations in respect of the applicant's existing accommodation, the applicant is able to bring those obligations to an end before being required to take up the offer.

The previous requirement (in section 193(7F)) that authorities must be satisfied that it is reasonable for the applicant to accept the offer is repealed. This, of course, does not mean that an authority should not still consider the suitability of the accommodation. The PRSO places some additional requirements around the suitability of the accommodation - see below.

*Please note the review process is described in the "Other Practical Considerations" section later in this part of the toolkit*

## The Homelessness (Suitability of Accommodation) (England) Order 2012

On 9<sup>th</sup> November 2012 the statutory instrument '*Homelessness (Suitability of Accommodation) (England) Order 2012*', came into force. The order sets out a number of key factors that local authorities must have regard to alongside the new powers.

The suitability order sets out the circumstances in which accommodation should not be considered 'suitable' by local authorities in the exercise of their power to discharge the main homelessness duty through '*Private Rented Sector Offers*'. These cover 5 broad areas:

1. Physical condition of the property
2. Health and Safety Matters (e.g. gas, electrical and fire safety)
3. Licensing for Housing in Multiple Occupation
4. Landlord behaviour; and
5. Elements of good management

The suitability order sets out that accommodation used for the purposes of a private rented sector offer to end the main homelessness duty is not to be regarded as suitable when:

- the local housing authority are of the view the accommodation is not in a reasonable physical condition
- the local housing authority are of the view that any electrical equipment provided does not meet with the identified Electrical Equipment (Safety) Regulations
- the local housing authority are of the view that the landlord has not taken reasonable fire safety precautions with the accommodation and any furnishings supplied
- the local housing authority are of the view the landlord has not taken reasonable precautions to prevent the possibility of carbon monoxide poisoning
- the local housing authority are of the view the landlord is not a fit and proper person to act in the capacity of landlord
- a House of Multiple Occupation is subject to mandatory or discretionary licensing and it is not licensed
- the property does not have a valid Energy Performance Certificate
- the property does not have a current gas safety record
- the landlord has not provided the local housing authority with a written tenancy agreement which the local housing authority considers to be adequate.

The detail of these requirements is set out in the suitability order itself, which can be found in Annexe 3. DCLG published guidance explaining this in greater detail in November 2012:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/270376/130108\\_Supplementary\\_Guidance\\_on\\_the\\_Homelessness\\_changes\\_in\\_the\\_Localism\\_Act\\_2011\\_and\\_on\\_the\\_Homelessness\\_Order\\_2012.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/270376/130108_Supplementary_Guidance_on_the_Homelessness_changes_in_the_Localism_Act_2011_and_on_the_Homelessness_Order_2012.pdf)

The present Homelessness Code of Guidance lists a number of different factors in relation to the location of accommodation which a local authority must have regard to when making decisions about the suitability of accommodation. These are contained in paragraph 17.41 which can be viewed here:

[www.gov.uk/government/publications/homelessness-code-of-guidance-for-councils-july-2006](http://www.gov.uk/government/publications/homelessness-code-of-guidance-for-councils-july-2006)

The weight given by authorities to location, and, specifically these factors - is strengthened by specifying them in secondary legislation. This is the government's *preferred approach* as it will help ensure that the location needs of a household and their ability to afford suitable accommodation can be balanced while still taking into account the specific circumstances of an applicant and his or her household. The Order requires that in considering the suitability of accommodation the local authority must take into account location and in particular:

- where the accommodation is situated outside the district of the local housing authority, the distance of the accommodation from the district of the authority;
- the significance of any disruption which would be caused by the location of the accommodation to the employment, caring responsibilities or education of the person or members of the person's household;
- the proximity and accessibility of the accommodation to medical facilities and other support which:
  - a) are currently used by or provided to the person or members of the person's household; and
  - b) are essential to the well-being of the person or members of the person's household; and
  - c) the proximity and accessibility of the accommodation to local services, amenities and transport.

This suitability order was confirmed in the Supreme Court when it considered *Nzolameso v City of Westminster [2015] UKSC 22*. Although the facts of this case concerned a placement in temporary accommodation, the judgement confirmed that local authorities must also very carefully consider the suitability of any accommodation for any applicant; particularly if the accommodation is out of the local authority area.

This decision of the Supreme Court restated the importance of the code of guidance, and the need for it to be clear that in any decision to allocate accommodation proper consideration has been given to the relevant matters required by the statutory provisions in the Housing Act 1996 and the associated guidance. This was emphasised in the judgement at paragraphs 31-35 where the concerns of the Secretary of State were set out: [www.bailii.org/uk/cases/UKSC/2015/22.html](http://www.bailii.org/uk/cases/UKSC/2015/22.html)

## Existing Protections – Other Matters to Consider

### 1996 Suitability Order – Affordability:

Regulations already set out that if a property is unaffordable, it cannot be suitable for an applicant – please see the *Homelessness (Suitability of Accommodation) Order 1996* (SI 1996/3204):

[www.legislation.gov.uk/ukxi/1996/3204/contents/made](http://www.legislation.gov.uk/ukxi/1996/3204/contents/made)

Local authorities need to be mindful of affordability in the context of welfare reform changes to support for housing costs and other benefit income levels.

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The Homelessness Code of Guidance for Local Authorities (2006):

Paragraph 17.39 outlines a range of considerations relating to 'affordability'.

[www.gov.uk/government/publications/homelessness-code-of-guidance-for-councils-july-2006](http://www.gov.uk/government/publications/homelessness-code-of-guidance-for-councils-july-2006)

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Section 208(1) of the Housing Act 1996 – Location:

S208 provides that local authorities must, in discharging their housing functions in relation to homelessness, secure accommodation within their own district, so far as reasonably practicable.

(It also requires under section 208(2) that local authorities securing accommodation outside their district shall give notice to the local authority in whose area the individual/household is being situated).

Section 208 is quoted from the Housing Act 1996 (as amended) below for ease of reference:

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208 Discharge of functions: out-of-area placements.

(1) So far as reasonably practicable a local housing authority shall in discharging their housing functions under this Part secure that accommodation is available for the occupation of the applicant in their district.

(2) If they secure that accommodation is available for the occupation of the applicant outside their district, they shall give notice to the local housing authority in whose district the accommodation is situated.

(3) The notice shall state—

- (a) the name of the applicant,
- (b) the number and description of other persons who normally reside with him as a member of his family or might reasonably be expected to reside with him,
- (c) the address of the accommodation,
- (d) the date on which the accommodation was made available to him, and
- (e) which function under this Part the authority was discharging in securing that the accommodation is available for his occupation.

(4) The notice must be in writing, and must be given before the end of the period of 14 days beginning with the day on which the accommodation was made available to the applicant.

[www.legislation.gov.uk/ukpga/1996/52/section/208](http://www.legislation.gov.uk/ukpga/1996/52/section/208)

## Other Practical Considerations

### Opportunity to view the property offered as a PRSO:

Applicants should be afforded an opportunity to view any property they are offered in discharge of the S193 duty - prior to any expectation that they should sign a tenancy agreement.

Having knowledge of the property in terms of suitability, before accepting the property will be very important for reasons set out below and LAs are encouraged to ensure households are accompanied at any viewing so that any issues may be raised at an early stage.

Paragraph 14.18 of the Homelessness Code of Guidance states that;

*“The Secretary of State recommends that applicants are given the chance to view accommodation before being required to decide whether they accept or refuse an offer, and before being required to sign any written agreement relating to the accommodation (e.g. a tenancy agreement). Under s.202(1A), an applicant who is offered accommodation can request a review of its suitability whether or not he or she has accepted the offer.”*

### Applicant accepts the PRSO, requests a review of suitability, and is successful:

In circumstances where an applicant accepts the PRSO and requests a review of suitability, the local authority will need to consider what measures or arrangements it can put in place with local PRS landlords for when a review or appeal on the grounds of suitability is successful.

The applicant will have signed a 12 month Assured Shorthold Tenancy agreement for accommodation that has subsequently been determined to be ‘unsuitable’.

Whilst the legal contractual arrangement will be between the tenant and the landlord, the local authority should consider how it can engage the PRS landlord to release the applicant from their contractual obligations. Considerations could include:

- *Negotiating with landlords*
- *Providing a new tenant to prevent void costs resulting in financial loss*
- *Cash incentive such as paying any rental period during which the property is not tenanted – to ensure best use of funds this could be linked to an agreement with the landlord that they will offer the accommodation to another priority household who are homeless or at risk of homelessness*
- *Other forms of cash incentive where necessary*

Local authorities are encouraged to undertake robust assessments of individual households and appropriate housing options so that, as far as possible, client matching for PRSOs does not result in suitability challenges. This will improve levels of customer satisfaction with the service, and help avoid the authority incurring additional costs and/or investing officer time to release tenants from accommodation that is determined to be unsuitable subsequent to a PRSO being accepted.

## The link to allocations policies

When considering the Localism Act changes to homelessness legislation, and seeking to adopt the new power to maximum strategic gain, it is important that local authorities do not seek to deal with changes to their allocations policies separately.

The Localism Act 2011 (Commencement Order No. 6 and Transitional, Savings and Transitory Provisions) Order 2012 was made on 6<sup>th</sup> June 2012 and brought into force, among other provisions;

- [Section 153](#) – Relationship between schemes and strategies (homelessness strategies, allocations schemes and tenancy strategies – and in the case of London Boroughs, the current London Housing Strategy) – this section came into force on 7 June 2012.
- [Section 145](#) – Allocation of housing accommodation - this came into force on Monday 18 June 2012
- [Section 146](#) – Allocation only to eligible and qualifying persons: England accommodation - this came into force on Monday 18 June 2012
- [Section 147](#) – Allocation schemes accommodation - this came into force on Monday 18 June 2012

The new statutory Code of Guidance on Allocations was published by DCLG on 29<sup>th</sup> June 2012. For a copy use the link below:

[www.gov.uk/government/publications/allocation-of-accommodation-guidance-for-local-housing-authorities-in-england](http://www.gov.uk/government/publications/allocation-of-accommodation-guidance-for-local-housing-authorities-in-england)

Although there are challenges for local authorities to consult on 2 complex issues at the same time, by adopting coordinated approaches and synergic policies it may be more coherent to deal with both local changes together. This would reflect the government's policy intention to enable local authorities to make better use of the private rented sector to bring the homelessness duty to an end and freeing up more social lets for other people in housing need on the housing waiting list. This is dealt with in more detail later in the "*Policy Options*" section in Part 4 of this toolkit.

## The Toolkit – Next Steps...

Having provided an overview of the forthcoming changes to homelessness legislation when S148 and S149 of the Localism Act are brought into force, and the associated suitability order consultation, Part 2 of the toolkit will encourage early intervention and suggests 3 areas to support local services to maintain the prevention focus.