



National Practitioner Support Service

HOMELESSNESS REDUCTION ACT LETTER TEMPLATES

FOR LOCAL AUTHORITIES

Version 3: May 2018

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These letter templates were legally checked prior to publication however Local Authorities should always seek their own legal advice to satisfy themselves on any issues or questions raised

No Part 7 application – general advice only

Name

Address

Date

Dear

You approached the Council on *(insert date here)* with a request for assistance. With all requests for assistance, the Council is required to ask if the person is homeless, or threatened with homelessness within the next 56 days, and whether the person is seeking accommodation, or assistance in obtaining accommodation.

After careful consideration of your circumstances I am satisfied that the Council does not have a reason to believe that you are homeless, or threatened with homelessness within the next 56 days **OR** I am satisfied that you have requested assistance with a general housing problem and that this is not an approach for accommodation or assistance in obtaining accommodation. *(delete as appropriate)*

The reasons for this decision are as follows:

PLEASE INSERT PARAGRAPH(S) GIVING DETAILED REASONS FOR THE SPECIFIC DECISION.

The Council has a duty to provide or secure the provision of a free advice service for you to access. This advice will provide free information and advice on any of the help that is available from the council or anyone else, and will include information on preventing homelessness, securing accommodation when homeless and the rights of persons who are homeless and threatened with homelessness. This advice will be tailored to meet the needs of particular classes of persons in this area. You can access this free information and advice service at (INSERT DETAILS HERE)

Any challenge to this decision is by judicial review only and I would advise you to seek independent legal advice in this respect.

Yours sincerely

HO Officer

s.184 notice – Not eligible for assistance

Name

Address

Date

Dear

The Housing Act 1996 Pt 7 Section 184 (3), (6)

Your request for assistance on *(insert date here)* under the above Act has been considered. Following careful and extensive enquiries based upon the information you have given us, I am writing to inform you that we have decided the following;

You are not eligible for assistance.

The reasons for this decision are as follows:

PLEASE INSERT PARAGRAPH(S) GIVING DETAILED REASONS FOR THE SPECIFIC DECISION.

We advise you to seek assistance from Social Services by contacting *(insert details here)*, who will assess what duty, if any, is owed to you.

We also advise that you have the right to seek independent legal advice

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with this decision you should tell us why within 21 days of receipt of the decision. We would prefer you to tell us in writing

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to *PLEASE INSERT*. Full details of the review procedure are attached (*ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED*)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number *[telephone number]*.

Yours sincerely

HO Officer

s.184 notice – Not homeless or threatened with homelessness

Name

Address

Date

Dear

Housing Act 1996 Pt 7 Section 184 (3), (6)

Your request for assistance under the above Act has been considered. Following careful and extensive enquiries based upon the information you have given us, I am writing to inform you of our decision.

- 1) You are an eligible person
- 2) You are not homeless or threatened with homelessness within 56 days

The reasons for this decision are as follows:

You approached the Council on *(insert date here)* seeking assistance in obtaining accommodation.

In all cases where a person has approached the Council seeking accommodation or assistance in obtaining it the Council is obliged to consider whether it has reason to believe that he is or may be homeless or threatened with homelessness within the next 56 days. The council accepted that it had reason to believe that you may be homeless or threatened with homelessness and as such is under a duty to carry out enquiries to establish what duty, if any, it may owe you.

After conducting enquiries I am satisfied that you are eligible for assistance. The conclusion I have reached, however, is that I am satisfied that you are not homeless or threatened with homelessness within the next 56 days because you have accommodation which you are entitled to occupy and is available to you and any other members of your household that currently reside or might reasonably be expected to reside with you.

(If suitability is raised as a specific issue – delete as appropriate) Specifically, given your claim that your accommodation is not suitable for you due to *(insert reasons here)*, I have considered this point and from the evidence gathered I am satisfied that your accommodation is reasonable for you to continue to occupy.

(If domestic abuse has been raised as a specific issue – delete as appropriate) Where a local authority has to decide whether it is reasonable for a person alleging domestic violence or other violence to continue to occupy accommodation, the only question the authority may ask is whether it is probable that continued occupation of the accommodation will lead to domestic violence against that person or a threat of violence

that is likely to be carried out. I have considered this test based on the facts of your case and not based on any judgement of what a person could or should do to mitigate any risk.

I have undertaken the following enquiries into your case:

- *Set out details of the enquiries here*

Having considered all of the above, I am satisfied that you have accommodation at (*insert address here – can be in the United Kingdom or elsewhere*) which is available to you and any other members of your household that reside or might reasonably be expected to reside with you.

I am also satisfied that this accommodation is reasonable for you to continue to occupy in that there is no threat or risk of violence to you if you continue to live there.

In reaching my decision I have had regard to the Homelessness Code of Guidance for Local Authorities and I am satisfied that the decision I have reached is not at odds with the guidance in the code.

Should you have any queries regarding this letter, please do not hesitate to contact me on telephone number XXXXXX.

We advise you to remain at your accommodation at (*insert address here*) Should you fail to follow this advice and as a consequence lose this accommodation, if you subsequently approach for assistance again we may deem you to be homeless, but intentionally so.

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with this decision you should tell us why within 21 days of receipt of the decision. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to *PLEASE INSERT*. Full details of the review procedure are attached (*ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED*)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

Notification of homeless household – securing support services

Name

Address

Date

Dear (Insert details for the notified local authority service here)

Housing Act 1996 Pt 7

On (insert date here) the following person approached (*insert your local authority details here*) for assistance in obtaining accommodation as a person who was homeless or threatened with homelessness.

APPLICANT DETAILS

Applicant	
Name	
Date of Birth	
Current Address	

FAMILY MEMBERS

Name	Relationship	Date of Birth

As part of the / Following completion of our inquiries into their application for assistance (insert your local authority details here) I have decided the following:

INSERT DETAILS ON THE DECISION REACHED, INCLUDING THE SECTION OF THE LEGISLATION THAT APPLIES (e.g.: s195, s.189B, s193 etc...)

In discharge of this duty we have secured temporary accommodation for the household at *INSERT ADDRESS HERE*, on *DATE*.

This letter is to notify your service (*insert here which agency – health visitor, education, children services*) of the homeless household with dependent children / pregnant woman (*delete as appropriate*) occupying temporary accommodation, in order to help to secure appropriate support services for the household. We have also notified the children's services / education services / health services (*delete as appropriate*).

Our records have been updated on Housing Jigsaw to include the date of this notification and the agency notified.

Should you have any queries regarding this letter, or if you require any further information, please do not hesitate to contact *the case officer name* of officer on *email address of case officer*

Yours sincerely

HO Officer

Decision notice – no application triggered following reapproach

Name

Address

Date

Dear

Your request for assistance on *(insert date here)* has been considered. Following careful enquiries based upon the information you have given us, I am writing to inform you that we have decided the following;

You previously made an application for housing assistance as a person who was homeless or threatened with homelessness on *(insert date here)*. The council reached a decision on this application on *(insert date here)* and a copy of this decision is attached with this notice. This decision determined the council's duty to you under Housing Act 1996 Pt 7.

We have carefully considered the circumstances of your new application and are satisfied that the council does not have any duty to accept a new application and make another decision on the duty that may be owed to you.

The reasons for this decision are *PLEASE INSERT PARAGRAPH(S) GIVING DETAILED REASONS FOR THE SPECIFIC DECISION. (this will include a confirmation that there are no new facts which render it different from the earlier application or that any new facts are of a trivial nature. Where required, cite appropriate case law – e.g.: Tower Hamlets LBC V Rikha Begum (2005))*

The Council has a duty to provide or secure the provision of a free advice service for you to access. This advice will provide free information and advice on the help that is available from the council or anyone else, and will include information on preventing homelessness, securing accommodation when homeless and the rights of persons who are homeless and threatened with homelessness. This advice will be tailored to meet the needs of particular classes of persons in this area. You can access this free information and advice service at *(INSERT DETAILS HERE)*

We advise you to seek assistance from Social Services by contacting *(insert details here)*, who will assess what duty, if any, is owed to you.

We also advise that you have the right to seek independent legal advice

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

No s.188 interim accommodation duty

Name

Address

Date

Dear

You approached the Council on *(insert date here)* with a request for assistance in obtaining accommodation as a person who is homeless. We have taken a homelessness application from you and are currently investigating this application to determine what duty, if any, is owed to you. We are also determining reasonable steps for us to take to help you secure accommodation.

With all applications, the Council is required to consider whether they have a reason to believe that the person is homeless, eligible for assistance and has a priority need, in order to have a duty to secure interim accommodation under s.188. We have applied this test and do not have a reason to believe that you are homeless / eligible for assistance / in priority need *(delete as appropriate)*, so we will not be providing any temporary accommodation for you.

The council still has a duty to prevent / relieve *(delete as appropriate)* your homelessness, and we will notify you in a separate notice as to the duty owed and the steps we are going to take.

Any challenge to this decision is by judicial review only and I would advise you to seek independent legal advice in this respect.

Should you have any queries regarding this letter, or if there is any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

s.188 interim accommodation offer

Name

Address

Date

Dear

Housing Act 1996 Part 7, Section 188

Rent/ Accommodation charge:

This letter is to offer you the above property as interim accommodation. We believe the offer is suitable for you to accept. Should you refuse to accept this offer of accommodation, we will regard ourselves as having notified you, by virtue of this letter, that the duty owed to provide you with interim accommodation, under s.188 Housing Act 1996 Pt 7, whilst we investigate your application for assistance, will cease.

If you do not agree that the offer is suitable as interim accommodation for you, then we may reconsider the offer. We will consider your comments and let you know whether we still consider the offer of interim accommodation to be suitable for you.

However, we will not be making any alternative offers of interim accommodation at this stage.

If you refuse to accept this offer, or if you lose this interim accommodation as a result of any deliberate act or omission or if fail to occupy the accommodation then the Council may choose to cease its duty to provide you with interim accommodation. This means that no further interim accommodation would be made available to you.

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

Cessation of s.188 interim accommodation duty

Name

Address

Date

Dear

Housing Act 1996 Part 7, Section 188

Following your application for assistance to the Council on *(insert date)* we provided you with interim accommodation under s.188 Housing Act 1996 Pt 7 on *(insert date)* at *(insert address details)*.

We are aware that you **have refused an offer of / are no longer occupying the / have been asked to leave the / have been evicted from the (delete where appropriate)** accommodation) at *(insert address details)* and as such the duty owed to secure interim accommodation under s.188 Housing Act 1996 Pt 7 has now ceased. The reasons for this decision are:

PLEASE INSERT PARAGRAPH GIVING DETAILED REASONS FOR THE SPECIFIC DECISION – A DELIBERATE ACT OR OMISSION, OR A FAILURE TO OCCUPY THE ACCOMMODATION

The duty to prevent you from becoming homeless s.195 / relieve your homelessness s.189B *(delete as appropriate)* remains in place, and you should keep in contact with your housing officer and continue to work towards the steps in your personalised housing plan in order to achieve this.

We will continue to investigate your application for assistance and we will notify you in due course what further duty, if any, is owed to you.

Please note that we will not be making any alternative offers of interim accommodation at this stage.

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

End of prevention duty [s.195]

Name

Address

Date

Dear

Housing Act 1996 Pt 7 Section 184

Further to your application of (*date*) for assistance under the above legislation, I am writing to advise you that the Council's duty to prevent you from becoming homeless under section 195 has ended.

The reason for this decision is that the Council is satisfied that: [*select reason from list below and delete as appropriate*]

- You have suitable accommodation available to you at *ADDRESS* and there is a reasonable prospect that the accommodation will remain available to you for a period of at least 6 months from today's date;
- The Council has taken reasonable steps to prevent your homelessness, since we notified you of the duty owed on (*inset date here*) and a period of 56 days has ended;
- You have become homeless;
- You have refused an offer of suitable accommodation at *ADDRESS* and the Council is satisfied that there was a reasonable prospect that the accommodation would have been available for your occupation for at least six months from the date you refused the offer;
- You have become homeless intentionally from accommodation that was made available to you at *ADDRESS* as a result of the reasonable steps taken by this authority to prevent your homelessness;
- You are no longer eligible for assistance;
- You have withdrawn your application for homelessness assistance; or
- We have decided that you have deliberately and unreasonably refused to co-operate (see attached notice).

PLEASE INSERT PARAGRAPH GIVING DETAILED REASONS FOR THE SPECIFIC DECISION.

If the duty has ended because you have become homeless, we have a duty under s.189B to help you to secure accommodation. You will be notified about this duty in a separate letter. If we also have reason to believe that you may have a priority need, we have a duty to secure interim accommodation for you while we help you to secure accommodation.

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with a decision or offer of accommodation that has been made you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to *PLEASE INSERT*. Full details of the review procedure are attached (*ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED*)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [*telephone number*].

Yours sincerely

HO Officer

Help to prevent homelessness [s.195]

Name

Address

Date

Dear

Housing Act 1996 Pt 7 Section 184 (3), (6)

Further to your application of (date) for assistance under the above legislation on DATE, I am writing to inform you that we have decided the following:

- 1 You are eligible for assistance
- 2 You are threatened with homelessness.

I have arrived at this decision because:

[list matters taken into account in arriving at the decision]

I can confirm under s.189A, a full assessment of your needs was carried out on the (**include date of assessment**) and this assessment included but was not limited to;

1. the circumstances that caused you to be threatened with homelessness,
2. the housing needs and what accommodation would be suitable for you and your household,
3. and the support that your household needs to help secure or retain suitable accommodation

Under s.195 of the above Act, the Council has a duty to take reasonable steps to help prevent your homelessness. We will aim to help you to remain in your existing accommodation or, where this is not possible, we will help you to secure a new place to live.

I have carefully assessed your circumstances and have completed a Personal Housing Plan which is enclosed with this letter/available for you to view online at INSERT HOUSING JIGSAW URL.

Username:

Password:

I would encourage you to read this and take note of the action points and update the plan as the actions are undertaken. I have summarised the key measures below.

Mandatory steps, which I consider are required in order to prevent homelessness:

[list mandatory steps for applicant to take]

I also recommend that you consider the following actions which may help you to retain or secure accommodation:

[list recommended measures for applicant to pursue]

The Council will take the following steps to assist you:

[list the steps the Council will take on behalf of the applicant].

When we discussed the reasonable steps for both you and the council to undertake, (*delete as appropriate – we agreed the steps/you did not agree with all of the steps*). (*If the applicant disagreed with any of the steps – I have listed below the steps you disagreed with and whether the Council still feels it is reasonable for you to undertake the steps*).

I have arranged an appointment for you on [date] to enable us to check progress and consider any other steps which may be necessary.

Please note, this duty to prevent you from becoming homeless may be affected by changes in your circumstances, and so it is very important that you notify the council about any alterations in your situation, including details about changes to your family group.

This duty to prevent you from becoming homeless will come to an end if the Council notifies you that it is satisfied that:

- you have suitable accommodation available for your occupation and there is a reasonable prospect that it will continue to be available to you for at least six months from the date of this notice; or
- It has taken reasonable steps to help prevent your homelessness and a period of 56 days has elapsed, from the date of this notice; or
- you have become homeless (in which case we will have a different duty to help you); or
- you have refused an offer of suitable accommodation and there was a reasonable prospect that the accommodation would have been available for your occupation for a period of at least six months; or
- you have become homeless intentionally from accommodation which the Council has made available to you as a result of the reasonable steps it has taken under this duty; or
- you are no longer eligible for assistance;
- you have withdrawn your application for homelessness assistance; or
- you have deliberately and unreasonably refused to cooperate with the council

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of the decision that you are threatened with homelessness and eligible for assistance and that, therefore, the Council must take reasonable steps to help prevent your homelessness.

You also have a right to a review of the decision as to the steps the Council is to take to help prevent homelessness, which are in your Personalised Housing Plan.

If you are unhappy with either of these decisions you should tell us why within 21 days of receipt of the decision. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to PLEASE INSERT. Full details of the review procedure are attached (ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

Final Part VI offer at the relief stage (s.193A (5))

Name

Address

Date

Dear

Housing Act 1996 Part 7 - Final Part 6 Offer

ADDRESS: xxxx, **TYPE AND SIZE:** xxxx, **RENT:**

This letter is to make you a final offer of the above property

In making this offer, we have taken full account of your housing needs, based on the most up to date information available to us. We believe the offer is suitable accommodation and it is reasonable for you to accept it.

This is a final offer of accommodation made under Part 6 of the Housing Act 1996 for the purposes of s.189B (2) Housing Act 1996 Pt 7. This is accommodation managed by (*council / housing association – insert details as appropriate*), and it is a (*insert tenancy details*)

Please note this offer of accommodation is made to discharge the Council's duty to you. We will not make any other offers of accommodation at this stage. The consequences of you accepting or refusing the accommodation is that the Council will no longer be subject to any further duty to you under the homelessness legislation.

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with a decision or offer of accommodation that has been made you should tell us, why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to *PLEASE INSERT*. Full details of the review procedure are attached (*ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED*)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

End of Relief Duty [s.189B]

Name

Address

Date

Dear

Housing Act 1996 Part 7

Further to your application of (*date*) for assistance under the above legislation, I am writing to advise you that the Council's duty to assist you under section 189B has come to an end.

The reason for this decision is that the Council is satisfied that [*select reason from list below and delete as appropriate*]

- You have suitable accommodation available for your occupation with a reasonable prospect that it will continue to be available to you for at least 6 months from the date of this notice;
- A period of 56 days from the date when we notified you that this duty was owed to you has elapsed and the Council has complied with the relief duty;
- You have refused an offer of suitable accommodation and there was a reasonable prospect that the accommodation would be available for your occupation for at least six months from the date when you refused the offer;
- You have become homeless intentionally from accommodation at *ADDRESS* which the Council made available to you as a result of the reasonable steps it took during the relief duty;
- You are no longer eligible for assistance;
- You have withdrawn your application for homelessness assistance;
- You have deliberately and unreasonably refused to co-operate with the Council
- You have refused a final accommodation offer of suitable accommodation; or
- You have refused a final Part 6 offer of suitable accommodation.

PLEASE INSERT PARAGRAPH GIVING DETAILED REASONS FOR THE SPECIFIC DECISION.

If the applicant remains homeless following the end of the relief duty, and where the reason for the relief duty ended was due to:

- the end of the 56 day period, or,
- refusal of an offer of suitable accommodation that had a reasonable prospect of being available for a six month period, or
- following a notice that they have deliberately and unreasonably refused to cooperate,

please ensure that you issue an additional s.184 notice confirming the duty owed (s.190 or s193)

(DELETE AS APPROPRIATE) If the applicant has been provided with s.188 accommodation, and they remain homeless following the end of the relief duty, include this paragraph:

The duty to provide you with interim temporary accommodation under s.188 has now ended. You must vacate the accommodation that you are currently occupying at (*INSERT ADDRESS HERE*) by (*DATE*)

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with a decision or offer of accommodation that has been made you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to (PLEASE INSERT). Full details of the review procedure are attached (ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [*telephone number*].

Yours sincerely

HO Officer

Final accommodation offer at relief stage (s.193A (4))

Name

Address

Date

Dear

Housing Act 1996 Part 7 - Final Accommodation Offer

ADDRESS:xxxx

TYPE

AND

SIZE:

xxxx

RENT:

This letter is to make you a final accommodation offer of the above property

In making this offer, we have taken full account of your housing needs, based on the most up to date information available to us. We believe the offer is suitable accommodation and it is reasonable for you to accept it.

This is a final accommodation offer made with the approval of the Council for the purposes of s.189B (2) Housing Act 1996 Pt 7. This is accommodation managed by a private landlord, and it is a fixed term assured shorthold tenancy for a period of at least 6 months.

Please note this is a final offer of suitable accommodation to discharge the Council's duty to you. The Council will not make any other offers of accommodation at this stage. The consequences of you accepting or refusing the accommodation is that the Council will no longer be subject to any further duty to you under the homelessness legislation.

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with a decision or offer of accommodation that has been made you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to *PLEASE INSERT*. Full details of the review procedure are attached (*ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED*)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

Relief (no priority need) [s.189B]

Name

Address

Date

Dear

Housing Act 1996 Pt 7 Section 184 (3), (6)

Further to your application of (*date*) for assistance under the above legislation, I am writing to inform you that we have decided the following:

- 1 You are eligible for assistance; and
- 2 You are homeless

I have arrived at this decision because:

- [*list reasons for reaching the decision*].

I can confirm under s.189A, a full assessment of your needs was carried out on the (*include date of assessment*) and this assessment included but was not limited to;

- the circumstances that caused you to be homeless,
- your housing needs and what accommodation would be suitable for you and your household,
- and the support that you and your household need to secure and sustain suitable accommodation

Under s.189B of the above legislation, the Council has a duty to take reasonable steps over the next 56 days, to help you to secure accommodation. This does not mean that it is the Council's responsibility to secure accommodation for you, but we will offer to help you through various measures, including personalised advice and, for example, by providing a rent deposit or bond guarantee.

(*if a personalised housing plan has already been issued – delete as appropriate*) I would remind you of the Personalised Housing Plan which I sent to you previously, and I have enclosed [*an updated / a further*] copy with this letter/available for you to view online at INSERT URL

Username:

Password:

I would encourage you to read this and take note of the action points and update the plan as the actions are undertaken. I have summarised the key measures below.

Mandatory steps, which I consider are required in order to secure accommodation:

(*list mandatory steps for applicant to take*)

I also recommend that you consider the following actions which may help you to secure accommodation:

[list recommended measures for applicant to pursue]

The Council will take the following steps to assist you:

[list the steps the Council will take on behalf of the applicant].

Please follow-up on the action points identified and note the actions the Council intends to take on your behalf.

(for new cases, where a PHP has not been issued)

I have carefully assessed your circumstances and have completed a Personalised Housing Plan which is enclosed with this letter/available for you to view online at INSERT URL

Username:

Password:

I would encourage you to read this and take note of the action points and update the plan as the actions are undertaken. I have summarised the key measures below.

Mandatory steps, which I consider are required in order to secure accommodation:

(list mandatory steps for applicant to take)

I also recommend that you consider the following actions which may help you to secure accommodation:

[list recommended measures for applicant to pursue]

The Council will take the following steps to assist you:

[list the steps the Council will take on behalf of the applicant].

When we discussed the reasonable steps for both you and the Council to undertake, *(delete as appropriate – we agreed the steps/you did not agree with all of the steps). (If the applicant disagreed with any of the steps – I have listed below the steps you disagreed with and whether the Council still feels it is reasonable for you to undertake the steps).*

We have carefully considered the requirement for interim temporary accommodation, and have concluded that we do not have a reason to believe that you are in priority need. As such, the duty to provide interim accommodation under s.188 has not been met, so we do not have a duty to secure that temporary accommodation will be made available to you whilst we help you to secure accommodation.

I have arranged an appointment for you on [date] to enable us to check progress and consider any other steps which may be necessary.

Please note, this duty to help you to secure accommodation may be affected by changes in your circumstances, and so it is very important that you notify the Council about any alterations in your situation, including details about changes to your family group.

This homelessness relief duty will come to an end if the Council notifies you that it is satisfied that one of the following events has occurred;

- Suitable accommodation is available for your occupation and there is a reasonable prospect that it will continue to be available to you for at least six months; or
- The Council has taken reasonable steps to help you to secure accommodation and 56 days have passed, from the date of this notice; or
- You have refused a suitable offer of accommodation and there was a reasonable prospect that the accommodation would have been available for your occupation for a period of at least six months; or
- You have become homeless intentionally from accommodation which has been made available to you as a result of the reasonable steps the Council took to help secure accommodation; or
- You are no longer eligible for assistance; or
- You have withdrawn your application for homelessness assistance, or
- You have deliberately and unreasonably refused to cooperate with the council; or
- You refuse a final accommodation offer of suitable accommodation or a final offer of suitable accommodation made under Part 6 Housing Act 1996

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of the Council's decision that you are homeless and eligible for assistance and that, therefore, the Council must take reasonable steps to help you to secure suitable accommodation.

You also have a right of review of the Council's decision as to what steps it will take to help you to secure accommodation. These are contained within your Personalised Housing Plan.

.If you are unhappy with either of these decisions you should tell us why within 21 days of receipt of the decision. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to PLEASE INSERT. Full details of the review procedure are attached (ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [*telephone number*].

Yours sincerely

HO Officer

Relief (priority need) [s.189B]

Name

Address

Date

Dear

Housing Act 1996 Pt 7 Section 184 (3), (6)

Further to your application of (*date*) for assistance under the above legislation, I am writing to inform you that we have decided the following:

- You are eligible for assistance; and
- You are homeless.

I have arrived at this decision because:

[list reasons for reaching the decision].

I can confirm under s.189A, a full assessment of your needs was carried out on the (**include date of assessment**) and this assessment included but was not limited to;

- the circumstances that caused you to be homeless,
- your housing needs and what accommodation would be suitable for you and your household,
- and the support that you and your household need to secure and sustain suitable accommodation

Under s.189B of the above legislation, the Council has a duty to take reasonable steps over the next 56 days, to help you to secure accommodation. This does not mean it is the Council's responsibility to secure accommodation for you, but we will offer to help you through various measures, including personalised advice and, where possible, by providing a rent deposit or bond guarantee.

We have also concluded that we have reason to believe that you may have a "priority need" due to *[insert reason for PM]*. Because of that, whilst options are being pursued for the relief of your homelessness, the Council has a duty to provide you with interim accommodation.

The Council has secured interim accommodation for you at:

[TA or a private-rented / social housing / supported accommodation property] at *[address]* and is a *[room with shared / own facilities or no. bedrooms flat / house etc.]*.

(if a personalised housing plan has already been issued – delete as appropriate) I would remind you of the Personal Housing Plan which I sent to you previously, and I have enclosed *[an updated / a further]* copy with this letter/available for you to view online at INSERT URL

Username:

Password:

Please follow-up on the action points identified and note the actions the Council intends to take on your behalf.

Mandatory steps, which I consider are required in order to secure accommodation:

(list mandatory steps for applicant to take)

I also recommend that you consider the following actions which may help you to secure accommodation:

[list recommended measures for applicant to pursue]

The Council will take the following steps to assist you:

[list the steps the Council will take on behalf of the applicant].

(for new cases , where a PHP has not been issued)

I have carefully assessed your circumstances and have completed a Personal Housing Plan which is enclosed with this letter/available for you to view online at INSERT URL

Username:

Password:

Please follow-up on the action points identified and note the actions the Council intends to take on your behalf. I have summarised the key measures below.

Mandatory steps, which I consider are required in order to secure accommodation:

(list mandatory steps for applicant to take)

I also recommend that you consider the following actions which may help you to secure accommodation:

[list recommended measures for applicant to pursue]

The Council will take the following steps to assist you:

[list the steps the Council will take on behalf of the applicant].

When we discussed the reasonable steps for both you and the Council to undertaken, *(delete as appropriate – we agreed the steps/you did not agree with all of the steps). (If the applicant disagreed with any of the steps – I have listed below the steps you disagreed with and whether the Council still feels it is reasonable for you to undertake the steps).*

We have also concluded that we have reason to believe that you may have a “priority need” due to [insert reason for PN]. Because of that, whilst options are being pursued for the relief of your homelessness, the Council has a duty to provide you with interim accommodation.

The Council has secured interim accommodation for you at: [TA or a private-rented/social housing / supported accommodation property] at [address] and is a [room with shared /own facilities or no. bedrooms flat / house etc.

I have arranged an appointment for you on [date] to enable us to check progress and consider any other steps which may be necessary.

Please note, this duty to help you to secure accommodation may be affected by changes in your circumstances, and so it is very important that you notify the council about any alterations in your situation, including details about changes to your family group.

This homelessness relief duty will come to an end if the Council notifies you that it is satisfied that one of the following events has occurred;

- Suitable accommodation is available for your occupation and there is a reasonable prospect that it will continue to be available to you for at least six months; or
- The Council has taken reasonable steps to help you to secure accommodation and 56 days have passed, from the date of this notice; or
- You have refused a suitable offer of accommodation and there is a reasonable prospect that the accommodation would have been available for your occupation for at least six months; or
- You have become homeless intentionally from accommodation that was made available to you as a result of reasonable steps taken by the Council to help you to secure accommodation; or
- You are no longer eligible for assistance; or
- You have withdrawn your application for homelessness assistance, or
- You have deliberately and unreasonably refused to cooperate with the council; or
- You have refused a final accommodation offer of suitable accommodation or a final offer of suitable accommodation made under Part 6 Housing Act 1996

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of the Council's decision that you are homeless and eligible for assistance and that, therefore, the Council must take reasonable steps to help you to secure suitable accommodation.

You also have a right of review of the Council's decision as to what steps it will take to help you to secure accommodation. These are contained within your Personalised Housing Plan.

If you are unhappy with either of these decisions, you should tell us why within 21 days of receipt of the decision. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to PLEASE INSERT. Full details of the review procedure are attached (ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED)

Yours sincerely

HO Officer

Relief duty s.198(A1) notification form

Housing Act 1996 Pt 7 s.198(A1) referral

NOTIFICATION FORM

A NOTIFYING AUTHORITY DETAILS

Contact Name			
Authority Name			
Contact Number		Fax Number	
Email			
Address			

B APPLICANT DETAILS

Applicant	
Name	
Date of Birth	
Current Address	

E PRESENT/PREVIOUS EMPLOYMENT DETAILS

Present Employer		Contact Number	
Address			
Contact Name		Job Title	

Previous Employer		Dates from and to	
Address			

F REASONS FOR HOMELESSNESS

G LOCAL CONNECTION DETAILS

H WISHES OF THE APPLICANT(S) (in the context of the referral)

I THE NOTIFYING AUTHORITY CONSIDERS THE CONDITIONS FOR REFERRAL ARE MET BECAUSE:

Relief stage s.198(A1) referral – notifying applicant referral made

Name

Address

Date

Dear

Housing Act 1996 Pt 7 Section 198(A1)

Following your application to the Council as a homeless person on date, I am writing to you to notify you that we have decided the following:

- 1 That you are eligible for assistance;
- 2 That you are homeless.
- 3 That you do not have a local connection with INSERT LA HERE
- 4 That you do have a local connection with INSERT LA HERE
- 5 We have decided to exercise our discretion to refer you to INSERT LA HERE under s.198(A1) of the above Act.

We are satisfied that you do not have a local connection with INSERT LA HERE by virtue of residence, employment, family association, having resided in accommodation provided under Part 6 Immigration and Asylum Act 1999, having been a care leaver, or via any other special circumstances. INCLUDE REASONS FOR ANY ADVERSE DECISION ON LOCAL CONNECTION.

In relation to special circumstances, we have considered your reasons for wanting to live in INSERT LA HERE, however we do not consider these to fall into the category of special circumstances. INSERT REASONS

In the exercise of discretion, we have decided to refer you to INSERT LA HERE on the grounds of your local connection there by virtue of INSERT REASON HERE

We have notified the authority concerned, and will advise you further when we have received a reply.

ONLY INCLUDE THIS PARAGRAPH IF S.188 HAS BEEN MET: We have also decided that we have a reason to believe that you may have a priority need. As a result, you are entitled to remain in the interim accommodation provided for you at ADDRESS, until INSERT NOTIFIED LA HERE respond to the referral, and subject to continued compliance with your tenancy conditions. Please note that any duty owed to you may be affected by changes in your circumstances, and so it is very important that you notify us about any alterations in your situation, including details about changes to your household group.

The duty to secure interim accommodation for you will come to an end if we notify you that it has been agreed with INSERT NOTIFIED LA HERE that the conditions for referral are met and that INSERT NOTIFIED LA HERE has a duty to help you to secure accommodation.

Any challenge to this decision is by judicial review only and I would advise you to seek independent legal advice in this respect.

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [*telephone number*].

Yours sincerely

HO Officer

Relief stage s.198(A1) referral – notifying applicant referral accepted

Name

Address

Date

Dear

Housing Act 1996 Pt 7 Section 199A(3)

I write further to the letter to you dated the DATE which confirmed that we had notified THE NAME OF THE LOCAL AUTHORITY YOU REFERRED THE 189B DUTY TO. This letter is to confirm that the referral was accepted and to advise you as to what will happen next.

Now that it has been decided that the referral has been accepted by THE NAME OF THE LOCAL AUTHORITY YOU REFERRED THE 189B DUTY TO you are now owed a duty by that authority to help you to find somewhere else to live. I have included a copy of their letter for your perusal, which includes contact details for that Local Authority and confirming that the referral has been accepted.

ONLY INCLUDE THIS PARAGRAPH IF S.188 HAS BEEN MET:

We provided you with temporary accommodation under section 199A(2), while the other local authority considered the referral. As a result of THE NAME OF THE LOCAL AUTHORITY YOU REFERRED THE 189B DUTY TO accepting this referral, this duty has now come to an end. THE NAME OF THE LOCAL AUTHORITY YOU REFERRED THE 189B DUTY TO will be under a duty to arrange any further temporary accommodation for you.

If they have not contacted you please contact them immediately as you will have to leave the temporary accommodation we have provided by (insert date xx/xx) at the latest.

RIGHT TO REQUEST A REVIEW – HOUSING ACT 1996 s.202

You have a right to a review of this decision. If you are unhappy with a decision or offer of accommodation that has been made you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to PLEASE INSERT. Full details of the review procedure are attached (ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [*telephone number*].

Yours sincerely

HO Officer

Relief stage s.198(A1) referral – notifying applicant referral rejected

Name

Address

Date

Dear

Housing Act 1996 Pt 7 Section 184 (3), (6)

I am writing to confirm that the referral which was made to xxx Authority has not been accepted and I include for your perusal a copy of their letter confirming the reasons why.

Under s.189B of the above legislation, the Council has a duty to take reasonable steps over the next 56 days, to help you to secure accommodation. This does not mean that it is the Council's responsibility to secure accommodation for you, but we will offer to help you through various measures, including personalised advice and, for example, by providing a rent deposit or bond guarantee.

ONLY INCLUDE THE BELOW PARAGRAPHS IF A PHP HAS PREVIOUSLY BEEN ISSUED

(if a personalised housing plan has already been issued – delete as appropriate) I would remind you of the Personalised Housing Plan which I sent to you previously, and I have enclosed [*an updated / a further*] copy with this letter/available for you to view online at INSERT URL

Username:

Password:

I would encourage you to read this and take note of the action points and update the plan as the actions are undertaken. I have summarised the key measures below.

Mandatory steps, which I consider are required in order to secure accommodation:

(list mandatory steps for applicant to take)

I also recommend that you consider the following actions which may help you to secure accommodation:

[list recommended measures for applicant to pursue]

The Council will take the following steps to assist you:

[list the steps the Council will take on behalf of the applicant].

Please follow-up on the action points identified and note the actions the Council intends to take on your behalf.

ONLY INCLUDE BELOW PARAGRAPHS IF A PHP HAS NOT PREVIOUSLY BEEN ISSUED

I have carefully assessed your circumstances and have completed a Personalised Housing Plan which is enclosed with this letter/available for you to view online at INSERT URL

Username:

Password:

I would encourage you to read this and take note of the action points and update the plan as the actions are undertaken. I have summarised the key measures below.

Mandatory steps, which I consider are required in order to secure accommodation:

(list mandatory steps for applicant to take)

I also recommend that you consider the following actions which may help you to secure accommodation:

[list recommended measures for applicant to pursue]

The Council will take the following steps to assist you:

[list the steps the Council will take on behalf of the applicant].

When we discussed the reasonable steps for both you and the Council to undertake, *(delete as appropriate – we agreed the steps/you did not agree with all of the steps). (If the applicant disagreed with any of the steps – I have listed below the steps you disagreed with and whether the Council still feels it is reasonable for you to undertake the steps).*

I have arranged an appointment for you on [date] to enable us to check progress and consider any other steps which may be necessary.

Please note, this duty to help you to secure accommodation may be affected by changes in your circumstances, and so it is very important that you notify the Council about any alterations in your situation, including details about changes to your family group.

This homelessness relief duty will come to an end if the Council notifies you that it is satisfied that one of the following events has occurred;

- Suitable accommodation is available for your occupation and there is a reasonable prospect that it will continue to be available to you for at least six months; or
- The Council has taken reasonable steps to help you to secure accommodation and 56 days have passed, from the date of this notice; or
- You have refused a suitable offer of accommodation and there was a reasonable prospect that the accommodation would have been available for your occupation for a period of at least six months; or
- You have become homeless intentionally from accommodation which has been made available to you as a result of the reasonable steps the Council took to help secure accommodation; or
- You are no longer eligible for assistance; or
- You have withdrawn your application for homelessness assistance, or
- You have deliberately and unreasonably refused to cooperate with the council; or
- You refuse a final accommodation offer of suitable accommodation or a final offer of suitable accommodation made under Part 6 Housing Act 1996

ONLY INCLUDE THIS PARAGRAPH IF S.188 HAS BEEN MET: We have also decided that we have a reason to believe that you may have a priority need. As a result, you are entitled to remain in the interim accommodation provided for you at ADDRESS, until INSERT NOTIFIED LA HERE respond to the referral, and subject to continued compliance with your tenancy conditions. Please note that any

duty owed to you may be affected by changes in your circumstances, and so it is very important that you notify us about any alterations in your situation, including details about changes to your household group.

RIGHT TO REQUEST A REVIEW – HOUSING ACT 1996 s.202

You have a right to a review of this decision. If you are unhappy with a decision or offer of accommodation that has been made you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to PLEASE INSERT. Full details of the review procedure are attached (ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [*telephone number*].

Yours sincerely

HO Officer

s.184 notice – Intentionally Homeless

Name

Address

Date

Dear

Housing Act 1996 Pt 7 – Section 184 (3), (6)

Your request for assistance under the above Act has been considered. Following careful and extensive enquiries based upon the information you have given us, I am writing to inform you of our decision .

- 1 You are an eligible for assistance.
- 2 You are homeless.
- 3 You are in priority need.
- 4 You became homeless intentionally

We have investigated your application for assistance under the 1996 Housing Act, with consideration given to section 191 of the Act and the Homelessness Code of Guidance for Local Authorities. We find you to be intentionally homeless. Our reasons are set out as follows.

You presented to us on *(insert date here)*

During your homelessness assessment interview on *(insert date here)*, you stated that

- *Set out detailed information of the particular circumstances of the application here, including the reason for homelessness*

I have undertaken the following enquiries into your case:

- *Set out detailed information of the enquiries here*

Following careful consideration of all the information available to me, I am satisfied that you are homeless, but that you are intentionally homeless.

Section 191 of the Housing Act 1996 states that you are homeless intentionally, if you have become homeless as a result of a deliberate act or omission, in consequence of which you have ceased to occupy

accommodation available for your continued occupation and which it would have been reasonable for you to occupy. Such an act or omission must have been committed with an awareness of any relevant fact and knowledge that the consequences of such an act would lead to homelessness or threat of such.

In relation to the above, I am satisfied that you *(insert details to explain why the deliberate act or omission was not made in good faith)*

The Council's duty to you is to secure accommodation for such period it considers will give you a reasonable opportunity of securing accommodation for your occupation. We have considered your personal circumstances and housing requirements and have concluded that a period of *(insert number of days)* days will give you a reasonable opportunity to secure accommodation

You will be required to leave the accommodation you are currently occupying at *(insert address here)* on *(insert date here)*

The local authority will no longer provide you with any accommodation from this date.

The Council has a duty to provide you with advice and assistance in any attempts you may make to secure that accommodation becomes available for your occupation. We have already provided you with advice and assistance in your personalised housing plan; this is enclosed with this letter. If you are pregnant or have dependent children, we have also made a referral to Children's Services to enable them to provide an assessment of what, if any, duty they may owe you outside the homelessness legislation. You can contact Children's Services by *(insert contact details here)*

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with this decision you should tell us why within 21 days of receipt of the decision. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to *PLEASE INSERT*. Full details of the review procedure are attached (*ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED*)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

s.184 notice – Main duty owed

Name

Address

Date

Dear

Housing Act 1996 Pt 7 – Section 184 (3), (6)

Following completion of inquiries into your application to the Council as a homeless person on *(insert date here)*, I am writing to you to inform you that we have decided the following:

1. You are eligible for assistance
2. You are homeless
3. You have a priority need as defined by the above Act
4. You did not become homeless intentionally

Under s.193 of this Act, the Council has a duty to provide you with accommodation. In discharge of this duty we have secured accommodation for you at *(INSERT ADDRESS HERE)*. Please note that this duty may be affected by changes in your circumstances, and so it is very important that you notify your Assessment Officer about any alterations in your situation, including details about changes to your family group. The local authority ceases to have a duty if you voluntarily leave your accommodation, refuse an offer of suitable accommodation, lose your eligibility or become homeless intentionally from your accommodation.

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with this decision or with the offer of accommodation provided to you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to *PLEASE INSERT*. Full details of the review procedure are attached (*ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED*)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

s.184 notice – No priority need

Name

Address

Date

Dear

Housing Act 1996 Pt 7 – Section 184 (3), (6)

Your request for assistance under the above Act has been considered. Following careful and extensive enquiries based upon the information you have given us, I am writing to inform you of our decision.

1. You are eligible
2. You are homeless
3. You are not in priority need

Under the Housing Act 1996 the following have a priority need for accommodation:

- a) A pregnant woman or a person with whom she resides or might reasonably be expected to reside.
- b) A person with whom dependent children reside or might reasonably be expected to reside.
- c) A person who is vulnerable as a result of old age, mental illness or handicap or physical disability, or other special reason or with whom such a person resides or might reasonably be expected to reside.
- d) A person who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster.
- e) Classes of persons that may be specified by the Secretary of State as having a priority need for accommodation.

I am satisfied that groups (a), (b) or (d) do not apply to your case. I have therefore considered group (c) and whether you are vulnerable as a result of old age, mental illness or handicap or physical disability or other reason.

I have considered your application in accordance with the case law of *Hotak v London Borough of Southwark*; *Kanu v London Borough of Southwark*; *Johnson v Solihull Metropolitan Borough Council 2015.00 UKSC 30*.

During your homelessness assessment interview on (*insert date here*), you stated that

- *Set out details of the particular circumstances here*

I have undertaken the following enquiries into your case:

- *Set out details of the enquiries here*

I have carefully considered the information you provided and the details of my investigation into your circumstances in decided whether you are a person who is vulnerable a result of the above and I am not satisfied that you are. You are not in priority need.

In reaching this decision I have applied the test of vulnerability set out by the Supreme Court in *Hotak v Southwark LBC*, *Kanu v Southwark LBC* and *Johnson v Solihull MBC* (2015), namely

- Are you vulnerable if homeless, as a result of one or more issues; and
- This involves comparing you with an ordinary person, were they to be homeless; and
- Will you suffer greater harm than the levels of harm which many others would suffer if they were homeless?

In conducting this assessment the Council is entitled to have regard to support which will be available to the applicant on a consistent and predictable basis if s/he is homeless.

(insert detailed information on the applicants support needs and the reasons for reaching the decision here)

Composite Assessment

I have carefully considered whether these issues in combination would make you vulnerable if homeless in comparison with an ordinary person. I am not satisfied that they would. I am also not satisfied that if you were homeless, you would suffer harm or detriment which a less vulnerable person would not suffer.

Equality Act 2010

I have carefully considered whether any of the above factors amount to a protected characteristic such as a disability for the purposes of the 2010 Equality Act. A disability is a mental or physical impairment which has a substantial and long term adverse effect on a person's ability to carry out normal day to day activities. 'Long term' means that the effects have lasted a year or are likely to last a year.

In your case, I do not accept that *(insert details of any relevant applicant support issues here)*, fall within the legal definition of disability.

Where a local authority is satisfied that an applicant is homeless (whether intentionally or unintentionally), eligible for assistance but not in priority need then the duty owed to the applicant by the local housing authority is to provide advice and assistance (or secure that the applicant is provided with advice and assistance) in any attempts the applicant may make to secure that accommodation becomes available for his or her occupation.

In discharge of the local authority's duty to provide you with advice and assistance you have been:

(insert details of the specific personalised advice and assistance here)

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with this decision you should tell us why within 21 days of receipt of the decision. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to *PLEASE INSERT*. Full details of the review procedure are attached (*ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED*)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

Section 198(1) Notification to the applicant that the Section 193(2) main housing duty has been referred to a Council where they have a local connection

Name

Address

Date

Dear

Section 198(1) notification that the Section 193(2) main housing duty has been referred to a Council

Following completion of inquiries into your application to the Council as a homeless person on (*insert date here*), I am writing to you to inform you that we have decided the following:

1. You are eligible for assistance
2. You are homeless
3. You have a priority need as defined by the above Act
4. You did not become homeless intentionally

However, Section 198 of the Housing Act 1996 provides discretion to refer a person to another housing authority if neither you or anyone who lives with you or could be expected to live with you, has a local connection with this district and they have a local connection with another authority and there is no risk of violence to the applicant or anyone who may reside with them.

I believe that you do have a local connection with _____ [*enter name*] local authority and there is no risk of violence to you or anyone who may live with you. My decision that you have a local connection with that local authority has been made for the following reasons:

- *Normally resident there, and that residence is or was of your own choice.*
- *Because you are employed there.*
- *Because of family associations.*
- *Because of special circumstances.*

As a result we have referred you to _____ [*enter name*] local authority. We will let you know the outcome of this referral as soon as they have considered your case.

I also need to inform you that we still owe you a duty to provide you with temporary accommodation until the local authority we have referred your case to decides to accept the referral. If it is decided that the conditions for making the referral are met our duty to provide temporary accommodation will come to an end and the notified authority will then be under the duty to provide you with suitable temporary accommodation from the day the duty is accepted by them.

If you do not agree with the Council's decision to refer your case you have a right to request a review of this decision that the conditions for referral are met. Any such request for a review must be made before the end of 21 days beginning from the date in this letter notifying you that the referral has been made. If you do seek a review this does not postpone the referral. The local authority we have referred your case to will continue to assess the referral pending the outcome of the review.

In making my decision I fully considered the Guidelines for Local Authorities on how to decide whether to refer a case. I have followed the guidance set out in Chapter 10 of the 2018 Homeless Code of Guidance, and considered the relevant case law set by the Courts.

If the local authority we have referred your case to agrees with us that the conditions for making the referral are met, at this point that local authority will be subject to the duty under section 193 to secure that you have accommodation.

If you have any queries regarding this letter, please do not hesitate to contact myself, or a member of the Council's Housing Options team using the email address at the top of this letter, or telephone xxxxxx [enter number]. We will be happy to explain the decision to you.

Yours sincerely

HO Officer

Section 198(1) notification to another Local Authority at the Section 193(2) main housing duty stage to another Local Authority

Housing Act 1996 Pt 7 s.198(1) referral

NOTIFICATION FORM

A NOTIFYING AUTHORITY DETAILS

Contact Name			
Authority Name			
Contact Number		Fax Number	
Email			
Address			

B APPLICANT DETAILS

Applicant	
Name	
Date of Birth	
Current Address	

E PRESENT/PREVIOUS EMPLOYMENT DETAILS

Present Employer		Contact Number	
Address			
Contact Name		Job Title	

Previous Employer		Dates from and to	
Address			

F REASONS FOR HOMELESSNESS

G LOCAL CONNECTION DETAILS

H WISHES OF THE APPLICANT(S) (in the context of the referral)

I THE NOTIFYING AUTHORITY CONSIDERS THE CONDITIONS FOR REFERRAL ARE MET BECAUSE:

J ANY SUPPLEMENTARY INFORMATION (attach supporting documentation, if relevant)

I confirm that, in accordance with S198(1) Housing Act 1996, this authority considers that neither the applicant, nor any person who might reasonably be expected to reside with the applicant, would run the risk of domestic violence or face the probability of other violence in the district of your authority, if this referral is made.

Signed _____ Date _____

Section 200(2) Notification to the applicant that the Section 193(2) main housing duty has been accepted by the notified local authority

Name

Address

Date

Dear

Section 200(2) notification that the Section 193(2) main housing duty has been accepted by _____ [enter name] local authority

On the XXXXXX I wrote to you to advise that we had referred you to LOCAL AUTHORITY YOU REFERRED THE 193(2) DUTY TO and advised that we would advise you of the outcome.

I can confirm that THE NAME OF THE LOCAL AUTHORITY YOU REFERRED THE 193(2) DUTY TO agrees with us that the conditions for making the referral are met, as you do have a local connection there.. You have a local connection there as you have lived/worker there _____.

Now that it has been decided that the referral has been accepted by THE NAME OF THE LOCAL AUTHORITY YOU REFERRED THE 193(2) DUTY TO you are now owed the main housing duty by that authority. I have included a copy of their letter for your perusal, which includes contact details for that Local Authority and confirming that the referral has been accepted.

We provided you with temporary accommodation under section 199A(2), while the other local authority considered the referral. As a result of THE NAME OF THE LOCAL AUTHORITY YOU REFERRED THE 193(2) DUTY TO accepting this referral, this duty has now come to an end. THE NAME OF THE LOCAL AUTHORITY YOU REFERRED THE 193(2) DUTY TO will be under a duty to arrange any further temporary accommodation for you.

If they have not contacted you please contact them immediately as you will have to leave the temporary accommodation we have provided by (insert date xx/xx) at the latest.

RIGHT TO REQUEST A REVIEW – HOUSING ACT 1996 s.202

You have a right to a review of this decision. If you are unhappy with a decision or offer of accommodation that has been made you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to PLEASE INSERT. Full details of the review procedure are attached (ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [*telephone number*].

Yours sincerely

HO Officer

Name

Address

Section 200(3) Notification to the applicant that the Section 193(2) main housing duty has not been accepted by the notified local authority (referral rejected)

Name

Address

Date

Dear

Housing Act 1996 Pt 7 – Section 200 (3)

I am writing to confirm that the referral which was made to xxx Authority has not been accepted and I include for your perusal a copy of their letter confirming the reasons why.

Under s.193 of this Act, the Council has a duty to provide you with accommodation. In discharge of this duty we have secured accommodation for you at (*INSERT ADDRESS HERE*). Please note that this duty may be affected by changes in your circumstances, and so it is very important that you notify your Assessment Officer about any alterations in your situation, including details about changes to your family group. The local authority ceases to have a duty if you voluntarily leave your accommodation, refuse an offer of suitable accommodation, lose your eligibility or become homeless intentionally from your accommodation.

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with this decision or with the offer of accommodation provided to you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to *PLEASE INSERT*. Full details of the review procedure are attached (*ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED*)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

s.208 notification – Out of area placement

Name

Address

Date

ENSURE THAT THIS NOTICE IS SENT WITHIN 14 DAYS OF THE OUT OF AREA PLACEMENT

Dear *(Insert details for the notified local housing authority here)*

Housing Act 1996 Pt 7 – Section 208

On *(insert date here)* the following person approached *(insert your local authority details here)* for assistance in obtaining accommodation as a person who was homeless or threatened with homelessness.

APPLICANT DETAILS

Applicant	
Name	
Date of Birth	
Current Address	

FAMILY MEMBERS

Name	Relationship	Date of Birth

Following completion of our inquiries into their application for assistance (***insert your local authority details here***) have decided the following:

INSERT DETAILS ON THE DECISION REACHED, INCLUDING THE SECTION OF THE LEGISLATION THAT APPLIES (e.g.: s195, s.189B, s193 etc...)

In discharge of this duty we have secured accommodation for the household at *INSERT ADDRESS HERE*, on *DATE* which is accommodation in your local authority area. We have also notified the children’s services / education services / health services (*delete as appropriate*) in (Insert details of the notified local housing authority here) in order to help to secure appropriate support services for the household.

Our records have been updated on Housing Jigsaw to include the date of this notification and the authority notified.

Should you have any queries regarding this letter, please do not hesitate to contact us on [telephone number]. The case officer for this household is *insert name and contact email address here*.

Yours sincerely

HO Officer

PRSO offer letter – End of Main duty

Name

Address

Date

Dear

Housing Act 1996 Pt 7

Following completion of inquiries into your application to the Council as a homeless person on *(insert date here)*, we notified you on *(insert date here)* that the Council had accepted the main homelessness duty to you under s.193(2) Housing Act 1996 Pt 7. This duty is to secure that accommodation is available for your occupation.

After careful consideration of your circumstances, the Council has decided to bring the duty under s.193(2) to an end by arranging an offer of an assured shorthold tenancy in the private sector with a fixed term of 12 months.

ADDRESS:

TYPE AND SIZE OF PROPERTY:

RENT:

The Council considers this offer of accommodation to be suitable for you and your household. In reaching its decision that this is a suitable offer of accommodation to discharge our duty to you the Council have fully considered:

1. The Homelessness (Suitability of Accommodation) (England) Order 2012
2. That the property meets existing suitability requirements that relate to space and arrangements
3. That the accommodation is affordable, having fully considered the cost of the rent and any other expenditure relating to the property compared to the income available to you
4. Any other subjective matters and issues that relate to your circumstances, and of any other household members, that were obtained by the Council from our investigation of your application.

Please note this is a final offer of suitable accommodation to discharge the Council's duty to you. We will not make any other offers of accommodation at this stage. The consequences of you accepting or refusing the accommodation is that the Council will no longer be subject to any further duty to you under the homelessness legislation including any duty to provide temporary accommodation.

If you become homeless within two years of accepting of this offer, and make a further application to this or any other English Local Authority within the two year period, if you remain eligible for assistance you will automatically be considered to be in priority need. This means that the council will have a duty to secure that accommodation is made available to you.

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with this decision or with the offer of accommodation provided to you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to *PLEASE INSERT*. Full details of the review procedure are attached (*ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED*)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [telephone number].

Yours sincerely

HO Officer

Non Co-operation Warning (Non-priority) [s.193B]

Name

Address

Date

Dear

Housing Act 1996 Part 7

We wrote to you on [date] to confirm that the Council would offer you help to secure suitable accommodation.

Our letter included a copy of your Personalised Housing Plan which gave details of the actions you should take and those which the Council would undertake on your behalf.

We have not yet had confirmation from you that you have taken the agreed steps as follows: [*specify the steps not completed by the applicant*]

We are writing to you to make you aware that, under section 193B of the above legislation, I consider that you are currently both deliberately and unreasonably refusing to co-operate with the Council in achieving a resolution to your housing need.

Please take note that, if you fail to co-operate then the Council intends to issue a notice which brings to an end the duties to help to secure accommodation under section 189B (2) (to take reasonable steps to help secure suitable accommodation for those who are homeless and eligible) *OR* section 195(2) (duty to take reasonable steps to help the applicant prevent homelessness). (*DELETE AS APPROPRIATE*)

If a notice is issued, you will only be entitled to receive advice and information to help you identify a solution to your housing need.

The Council will consider serving a notice on you unless:

INSERT DETAILS OF WHAT APPLICANT MUST DO AND BY WHICH DATE.

Please contact us as soon as you receive this letter to discuss your circumstances. You are welcome to call me on telephone number [*telephone number*], or call in to see us at [*address*].

If we have not heard from you by *X DATE*, we may serve you with the notice referred to above without any further warnings or letters to you.

Yours sincerely

HO Officer

Non Co-operation Warning (Priority Need Applicants) [s.193B]

Name

Address

Date

Dear

Housing Act 1996 Part 7 s.193B

We wrote to you on [date] to confirm that the Council would offer you help to prevent your homelessness or help to secure suitable accommodation.

Our letter included a copy of your Personalised Housing Plan which gave details of the actions you should take and those which the Council would undertake on your behalf.

We have not yet had confirmation from you that you have taken the agreed steps as follows: [*specify the steps not completed by the applicant*].

We are writing to you to make you aware that, under section 193B of the above legislation, I consider that you are currently both deliberately and unreasonably refusing to co-operate with the Council in achieving a resolution to your housing need.

Please take note that, if you fail to co-operate then the Council intends to issue a notice which brings to an end the duties at section 189B (2) (to help to secure accommodation under) OR section 195(2) (duty to take reasonable steps to prevent homelessness). (*DELETE AS APPROPRIATE*)

The consequence of this notice being served to you is that you will not go on to be entitled to the main homelessness duty to secure suitable accommodation for you, under s.193. We will still be required to secure that suitable accommodation is available to you, but we will be able to bring this duty to an end by providing one offer of suitable accommodation, which could be an assured shorthold tenancy (AST) in the private sector with a fixed term of 6 months.

The Council will consider serving this notice unless you:

INSERT DETAILS OF WHAT APPLICANT MUST DO AND BY WHICH DATE.

Please contact us as soon as you receive this letter to discuss your circumstances. You are welcome to call on telephone number [*telephone number*], or call in to see us at [*address*].

If we have not heard from you by *X DATE*, we may serve you with the notice referred to above without any further warnings or letters to you.

Yours sincerely

HO Officer

Non Co-operation Notice - prevention

Name

Address

Date

Dear

Housing Act 1996 Part 7 (Homelessness) s.184

Further to my letter of [*date – this is the date of the non-cooperation warning letter*] I am writing to notify you that the Council has concluded that you have deliberately and unreasonably refused to cooperate with the Council in preventing your homelessness.

The reason for this decision is as follows:

- Your personalised housing plan required you to INSERT;
- You failed to INSERT;
- We wrote to you on X DATE and warned you that if you did not INSERT, then we might notify you of our decision that the duty had come to an end without any further warning to you;
- By X DATE, you had not INSERT.

This notice brings to an end the duties at section 195(2) (duty to take reasonable steps to prevent homelessness)

Should you go on to become homeless, the Council will be subject to a duty to take reasonable steps to help you to secure suitable accommodation.

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with a decision or offer of accommodation that has been made you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to PLEASE INSERT. Full details of the review procedure are attached (ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [*telephone number*].

Yours sincerely

HO Officer

Non Co-operation Notice - relief

Name

Address

Date

Dear

Housing Act 1996 Part 7 (Homelessness) s.184

Further to my letter of [*date – this is the date of the non-cooperation warning letter*] I am writing to notify you that the Council has concluded that you have deliberately and unreasonably refused to cooperate with the Council in preventing or relieving your homelessness.

The reason for this decision is as follows:

- Your personalised housing plan required you to INSERT;
- You failed to INSERT;
- We wrote to you on X DATE and warned you that if you did not INSERT, then we might notify you of our decision that the duty had come to an end without any further warning to you;
- By X DATE, you had not INSERT.

This notice, brings to an end the duties at section 189B (2) to help to secure accommodation.

The consequence of this notice being served to you is that you will not go on to be entitled to the main homelessness duty under s.193 (to secure suitable accommodation). We will owe you a duty to secure that accommodation is available for you, but we will be able to bring this duty to an end by providing one offer of suitable accommodation, which could be an Assured Shorthold Tenancy in the private sector with a fixed term of 6 months.

Following the issue of this notification, you now need to provide the applicant with a decision on NP, IH and or accept main duty)

RIGHT TO REVIEW - HOUSING ACT 1996 S.202

You have a right to a review of this decision. If you are unhappy with a decision or offer of accommodation that has been made you should tell us why within 21 days of receipt of the decision or offer. We would prefer you to tell us in writing.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to PLEASE INSERT. Full details of the review procedure are attached (ENSURE DETAILS ON YOUR LOCAL REVIEW PROCEDURE ARE INCLUDED)

Should you have any queries regarding this letter, or if there has been any change in your circumstances, please do not hesitate to contact me on telephone number [*telephone number*].

Yours sincerely

HO Officer

Request for Review – Reasonable Steps

Name

Address

Date

Dear

The Housing Act 1996 Pt 7 s.202 Request for a Review

Thank you for your letter of (*insert date here*) requesting a review of the decision (*to give notice to end the prevention duty / as to the reasonable steps the LA is to take to prevent /relieve homelessness / to serve a notice to end the prevention duty due to a deliberate and unreasonable refusal to cooperate – DELETE AS APPROPRIATE*) made on (*insert date here*) I am the officer who will be conducting the review. You, or someone acting on your behalf, may make representations to me in connection with the review. I would prefer any representations to be made in writing, however please feel free to contact me via any of the details set out in this letter.

If you wish to make representations to assist you with this review, you must inform the council of the details of these within 2 weeks from the date you requested the review, (*insert date here*)

I will consider any evidence which is put before me by you or anyone you nominate to act on your behalf and will put my decision in writing to you when the review is completed. I will aim to notify you in writing as quickly as possible of the decision made on the review request.

I am required to notify you of the decision of the review within 3 weeks from the date of your request, (*insert review request date here*) Where you have provided representations, I am required to make the review decision within 3 weeks of the date from when those representations are received.

Yours sincerely

HO Officer

S.202 Request for Review

Name

Address

Date

Dear

The Housing Act 1996 Pt 7 s.202 Request for a Review

Thank you for your letter of (*insert date here*) requesting a review of the decision to (*insert the decision that is being reviewed here e.g.: to give notice to end the relief duty*) made on (*insert date here*) I am the officer who will be conducting the review. You, or someone acting on your behalf, may make representations to me in connection with the review. I would prefer any representations to be made in writing, however please feel free to contact me via any of the details set out in this letter.

I will consider any evidence which is put before me by you or anyone you nominate to act on your behalf and will put my decision in writing to you when the review is completed. In all cases, I will aim to notify you in writing as quickly as possible of the decision made on the review request.

I am required to notify you of the decision of the review within 8 weeks from the date of your request, (*insert review request date here*) **OR (WHERE THE REVIEW HAS BEEN REQUESTED ON THE DECISION TO REFER UNDER S.198 – DELETE AS APPROPRIATE)** I am required to notify you of the decision of the review within 12 weeks from the date of your request, (*insert review request date here*) . So that I can meet this deadline please provide me with any written representations within **3 weeks** of the date of this letter.

Yours sincerely

HO Officer

Outcome of Review Decision

Name

Address

Date

Dear

The Housing Act 1996 Pt 7 s.202

I am writing to inform you of my decision on review of the decision that ***(insert the decision that is being reviewed here e.g.: to give notice to end the relief duty)***. In coming to this decision I have had regard to ***(insert detailed information of all the submissions and evidence you have had regard to in reaching this decision)***

My decision is:

(confirm the review decision e.g.: decision upheld or overturned - and then insert detailed reasons for reaching the decision here. This may be bullet points in part, and may run to several pages)

Right to Appeal Housing Act 1996 Part 7 s.204

If you are dissatisfied with this decision, you have a right of appeal to the County Court on a point of law. The appeal must start within 21 days of receipt of this notice. If you require assistance with an appeal you should seek legal advice from an appropriate agency such as the Citizen's Advice Bureau, a Law Centre or your own Solicitor.

Yours sincerely

(insert name here)