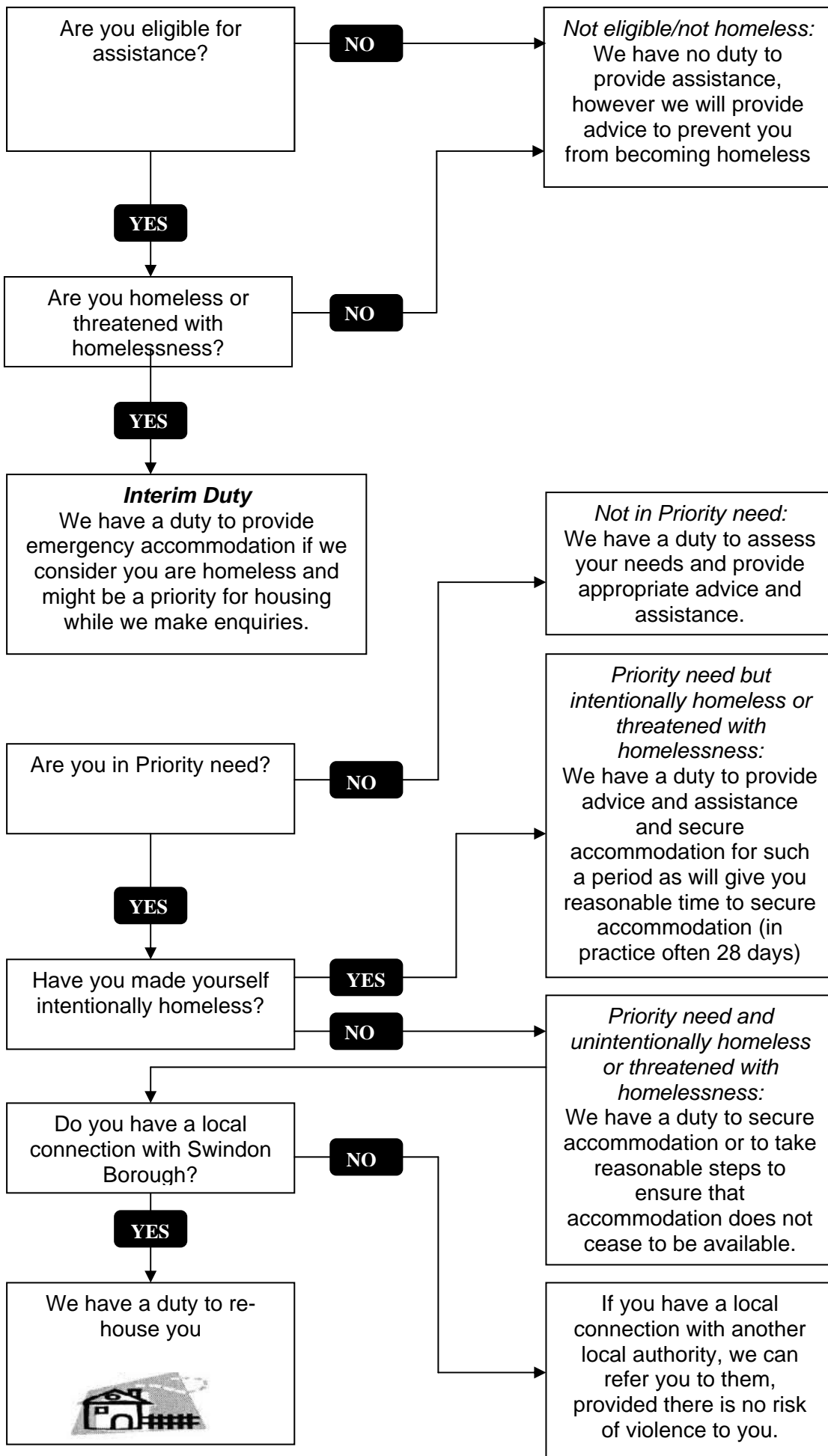


# How can Swindon Borough Council help if you are homeless?



### Eligibility

You are not eligible for housing assistance if you..

- Do not have full rights to live in the UK because of your immigration status
- Are not considered to be a regular (known as 'habitual') resident in the UK, even if a British citizen.

### Homeless/threatened with homelessness

You are classed as homeless if you....

- Have no accommodation in the UK or elsewhere that is available for your occupation and that you have a legal right to occupy
- Have accommodation but cannot secure entry to it
- Have accommodation but it is a moveable structure, for example, a caravan or houseboat and have no place to moor it, where it can be lived in
- Have accommodation but it would not be reasonable for you to occupy it

You are classed as being threatened with homelessness if you –

- Are likely to become homeless within the next 28 days

### Priority need

You are in priority need if....

- You are pregnant or if dependent children live, or might reasonably be expected to live with you
- You have become homeless or are threatened with homelessness as a result of a flood, fire or other disaster
- You are aged 16 or 17
- You are 21 or under and a former relevant child (see below for definition)
- You are over 21 and are **vulnerable** as a result of having been looked after, accommodated or fostered at sometime during your life
- You are **vulnerable** due to 'old age, mental illness, handicap, physical disability or other special reason'
- You are **vulnerable** as a result of having been a member of Her Majesty's regular navy, military or armed forces
- You are **vulnerable** as a result of having served a custodial sentence, being committed for contempt of court or other offence or being remanded in custody
- You are **vulnerable** as a result of ceasing to occupy accommodation because of violence or harassment from another person or threats of violence from another person that are likely to be carried out.
- The only exceptions to these are, if you are a:

'Relevant child'-if you are 16 or 17 and were in care for at least 13 weeks since the age of 14 and were looked after on your 16 birthday

'Relevant student'- a former child in full time education and your term accommodation is not available to you during a vacation

'Child in need'- if a duty is owed to you under the Children Act 1989

### Intentionality

You are considered intentionally homeless if you....

- Deliberately did or do something
- Which caused you to leave housing which you could have otherwise stayed in
- And it would have been reasonable for you to stay there

All these points must apply.

### Local connection

You have a local connection if you –

- Have lived in the area by choice for a certain time (six out of the last twelve months or three of the last five years)
- Have a family connection in the area
- Work in the area
- Have a connection with the area for 'another special reason'

If any of these applies then a person has a local connection.

## Review of Homeless Decisions

1. A request for review must be made, in writing, within 21 days of the date that the applicant is notified of the Council's section 184 decision. You can write to:  
  
Homelessness Operations Manager:  
Swindon Borough Council, Civic Offices, Euclid Street, Swindon, SN1 2JH.
2. You or a person acting on your behalf may make representations in writing that will be considered as part of the review.
3. The Council will complete the review within 8 weeks of the date of receiving your request for a review.
4. If it appears it will take longer than 8 weeks the Council will request your agreement to an extension of time in writing.
5. A Senior Officer, not involved in the original decision, will carry out the review. The reviewer is required to consider the facts and position at the date of the review and so you may be asked to provide additional information or evidence.
6. If the reviewer decides there is a deficiency in the original decision but is still minded to find against you then you will be notified of the reasons for this and you or a person acting on your behalf may make representations to the reviewer verbally, at an interview, or in writing.
7. You will be notified in writing of the outcome of the review and if the review goes against you the reasons for this will be given.

If you disagree with the review decision you are entitled to appeal to the County Court on a point of law within 21 days.

Homeless Duty to Accommodate S.193(2). The Local Authority will provide you with suitable temporary accommodation anywhere within Swindon until the duty ends for the following reasons below:-

1. If you cease to be eligible for assistance.
2. If you refuse an offer of accommodation through the Council's Housing Register, which the Council is satisfied is suitable for you. You have a right to request a review of the suitability of any accommodation offered to you.
3. If you refuse an offer of suitable temporary accommodation. You have a right to request a review of the suitability of any temporary accommodation offered to you.
4. If you become homeless intentionally from the accommodation made available to you.
5. If you voluntarily cease to occupy, as your only or principal home, the accommodation made available to you.
6. If you accept an offer of accommodation through the Council's Housing Register.
7. If you accept an offer of an assured tenancy (not an assured shorthold tenancy) from a private landlord.
8. If you accept a qualifying offer of an assured shorthold tenancy.