

**North East Derbyshire
Citizens Advice Bureau**

0844 848 9800

Lines open:
Monday to Friday 10:00am - 2:00pm

(Calls charged at 5p a minute)



www.ned-cab.org.uk

Advice and information online including a debt self help pack.

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**Intentionally
Homeless?**



If you approach a council for assistance because you are homeless or threatened with homelessness, the council has to look at your circumstances to see what help it has to give you. One of the things it looks at is if you have become homeless intentionally.

This leaflet explains what intentional homelessness is, how the council has to help intentionally homeless people, and what you can do if the council says you are intentionally homeless.

What is intentional homelessness?

A person becomes homeless intentionally if s/he has deliberately done something (or not done something) that has caused her/him to lose her/his home. For example, if you were evicted because you had not paid your rent, and there is no good reason why you had not paid, you may be considered intentionally homeless.

If the thing you did that caused your homelessness was not deliberate (eg if you were evicted because of antisocial behaviour that was caused by mental health problems), then you may not be considered intentionally homeless. This also applies if the acts that caused your homelessness were done in good faith, for example if you were evicted for rent arrears that mounted up because you were on a low income, but did not know that you could get Housing Benefit.

You cannot normally be intentionally homeless from housing that you had not lived in. For example, if you are offered housing and do not take up the offer, you cannot be found intentionally homeless from that housing. However, you could be intentionally homeless from the home you were living in when you received the offer.

It must be you who had deliberately done something. For example, if you lost your home because someone you lived with had not paid the rent, you may not be intentionally homeless. However, you could still be intentionally homeless if you knew about the problem and did not try to deal with it.

The home that you left must have been available and suitable for your whole household. For example, if you left your home because you could not afford it, because of serious disrepair, or because of domestic violence, you may not be intentionally homeless.

If the accommodation you left was very short-term (eg a hostel or women's refuge), then you should not be found

intentionally homeless. However, the council can still check if you became homeless intentionally from your last settled accommodation.

Does the council have to help me if I am intentionally homeless?

Although the council does not have to provide you with long-term accommodation if you are intentionally homeless, it does have to give you some help.

It must give you advice and assistance to help you find alternative housing. Although the council must assist you, you are responsible for finding your own housing, so you will need to look for housing for yourself. Advice and assistance should be based on an assessment of your housing needs, so the council should first discuss with you the type of housing you need. If you are on a low income, assistance could include help towards paying a deposit or rent.

If you have a priority need (eg because you have dependent children or are pregnant), the council must give you temporary housing for a period that will give you a reasonable opportunity to find alternative housing. This is often a few weeks, but will vary depending on your circumstances.

If you have children the council should - with your consent - refer you to social services, and they should work together to help you to find somewhere to live.

What if I think I'm not intentionally homeless?

If the council has found you intentionally homeless, but you think that this is wrong, you can request a review of (appeal against) their decision within 21 days of the decision. Reviews can be complicated, so you should seek assistance from a Citizens Advice Bureau, housing advice centre or solicitor. Remember that your review may not be successful, so you should look for alternative housing at the same time.