

Homelessness Reduction Act – Prevention Duty



The Homelessness Reduction Act 2017 means that Local Authorities in England have a duty to help prevent you becoming homeless or help you find alternative accommodation. If you are eligible by immigration law; if you are homeless or threatened with homelessness within 56 days we will carry out a Housing Assessment with you and create your PERSONAL HOUSING PLAN. This is a legal process and it is not the same as applying for council or social housing through North Yorkshire Home Choice. During the process Housing Options will try to prevent your homelessness or resolve it in other ways.

Duty to Provide Advice

If you are eligible and homeless, or threatened with homelessness within the next 56 days you are entitled to free information and advice from the council, including information on:

- preventing homelessness
- securing accommodation if you are homeless
- your rights if you are homeless or threatened with homelessness
- any help that is available if you are homeless or likely to become homeless as well as how to access that help. This advice will be tailored to meet the needs of your particular case. You can access

this information by contacting Housing Options Team:

Main contact
Housing Options at West Offices, Station Rise, York, YO1 6GA
Monday – Friday 8.30am-5pm (excl. bank holidays). Please try and come in before 3.30pm.
Contact Housing Options on [01904 554500](tel:01904554500) or housing.options@york.gov.uk

Assessment and Personalised Housing Plan.

If we are satisfied that you are homeless or threatened with homelessness and you are eligible for assistance we will carry out an assessment of your situation. The assessment will include the circumstances that have caused your homelessness and the housing and support needs of you and your household. We aim to reach an agreement with you on a **Personalised Housing Plan (PHP)** which sets out the steps that you and the local authority are going to take to ensure accommodation is secured and/or retained.

Your assessments and agreements must be kept under constant review until we have determined that no other duty is owed to you under Part VII of the 1996 Act.

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The prevention duty: if you are threatened with homelessness

If we are satisfied that you are threatened with homelessness and are eligible for assistance, we will take 'reasonable steps' – with reference to your assessment - to help you avoid becoming homeless.

The prevention duty continues for 56 days - or longer if a valid section 21 notice has expired and you have not found any alternative accommodation. You have a right to request a review of a decision to end this duty.

The reasonable steps could include advice and assistance to find private rented accommodation, social housing or specialist housing, referrals into support agencies, debt advice, negotiating with landlords or family members.

Failure to cooperate with the local authority for assistance

If we believe that you have 'deliberately and unreasonably refused' to cooperate with us or take any of the steps set out in the Personalised Housing Plan, we can end our prevention and/or relief duties.

We have to provide you with a warning first then we will notify you of our decision to end our duties.

In deciding whether you have deliberately or unreasonably refused to cooperate, the council must take into account your particular circumstances and needs.