

# Applying as homeless

## This factsheet looks at how you apply as homeless and the legal definition of homelessness

If you are homeless, you can apply for help to the council. How much help you will get depends on your circumstances. If you don't meet immigration and residence conditions, the council only has to provide general advice and information.

### How to apply

It's usually best to contact the council by phone first. They may make you an appointment or arrange a home visit. But go to the council office in person if you have nowhere to stay tonight. You don't need an appointment. Get there as early as you can.

You can apply to any council. Any help you are offered will usually be in an area where you live or have a connection, unless you will be at risk of violence there.

If the council office is closed there should be an emergency number to ring.

### When you can apply

You can make an application if you:

- are homeless
- will be homeless within eight weeks
- have received a 'section 21 notice' asking you to leave your home within eight weeks.

Get advice if the council turns you away before giving you the chance to explain your situation fully.

### Who can be treated as homeless

Legally, you will be homeless if you are:

- about to be evicted
- at risk of violence in your home
- in 'crisis accommodation' such as a nightshelter or women's refuge
- living somewhere where you have no legal right to stay (eg a squat)
- forced to live apart from your family
- unable to park your mobile home or moor your houseboat
- sleeping rough.

You *may* be legally homeless if you are sofa-surfing, living in very poor or overcrowded conditions or cannot afford your accommodation. In these circumstances, it's not enough for it to be difficult for you – the council will want to check that it is unreasonable for you to stay.

### Documents to take with you

It will help if you take proof of your and your family's identity and situation, such as:

- birth certificate(s) or passport(s)
- proof of pregnancy
- tenancy agreement
- court possession papers
- a letter or notice from anyone who has asked you to move out (eg your parents or landlord)
- letters from a doctor about your health
- proof of income (including benefits).

### What the council must do

The council must assess your housing and support needs after it gets your application.

It must then draw up a personal housing plan. This plan sets out the steps that you and the council should take to:

- prevent you from becoming homeless, or
- try to find housing if you've already lost your home.

### Emergency accommodation

The council must provide emergency accommodation immediately if it's likely that you are homeless, meet immigration and residence conditions and are in priority need. The council will continue to make inquiries while you are in emergency accommodation.

### Challenging the decision

If the council decides you are not homeless, it should give you a written decision. You have the right to ask the council to review its decision within 21 days. If you are offered accommodation that you don't think is suitable, you may be able to challenge this. You may qualify for [legal aid](#) if you are on a low income.

### Further advice

You can get further advice from [england.shelter.org.uk/housing\\_advice](https://england.shelter.org.uk/housing_advice), local Shelter advice service or local Citizens Advice. If you have nowhere to sleep tonight, are at risk of harm or losing your home within the next 2 months, call Shelter Helpline on **0808 800 4444** for advice and information on your options.\*

\*Calls are free from UK landlines and main mobile networks.



Funded by  
UK Government



Registered charity in England and Wales (263710) and in Scotland (SC002327).

### Note

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