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Services



NHAS assist probation service in helping 18-year-old stay in B&B while priority need application is assessed

A NHAS adviser recently supported the probation service in challenging a priority need homelessness decision which resulted in the 18-year-old client being able to stay in B&B accommodation.

[Read more](#)



Need help dealing with housing & welfare benefit enquiries?

Call us on 0300 330 0517 or [speak to an adviser via webchat](#).



Need support with a difficult debt case?

Call the Specialist Debt Advice Service on 03300 580 404 or [submit an enquiry online](#).



Briefing: Accommodating street homeless people during the COVID-19 pandemic

On 11 March 2021, the High Court ruled in the case of *Ncube v Brighton and Hove City Council* that councils can lawfully provide accommodation to street homeless people during the pandemic, even when they are not eligible for homelessness assistance under Part 7 of the Housing Act 1996.

This briefing has been prepared by Shelter's legal and policy team for local authorities during the pandemic.

[Read the briefing](#)

Training update

June & July webinars

We're running awareness, introductory and intermediate level training sessions with topics including complex needs and domestic abuse, transferring a tenancy, homelessness vulnerability, eligibility for housing assistance and suitability of accommodation.

June and July sessions are now available to book through the [training portal](#).

[View the full schedule](#)

New webinar: Breathing Space

This webinar provides an introduction to the new Breathing Space scheme for debts which launched on 4 May 2021.

Individuals can book spaces for the scheduled webinar on Thursday 8 July, from 10.00am-11.30am for £50. Shelter training can deliver this webinar to groups of staff for £340: email inhousetraining@shelter.org.uk to enquire.

This webinar covers:

- How the Breathing Space scheme works
- Eligibility criteria for the standard scheme
- Eligibility criteria for the mental health
- Which debts are covered and how this affects the enforcement of those debts
- How creditors have to behave in relation to those debts
- The effect of breathing space on benefit and Government debts

[Book your place](#)

Housing matters



Breathing space: arrears and eviction

Breathing space is an important new tool in homeless prevention.

In this article, Alexa Walker and Nicola McEwen explain how breathing space can be used by anyone helping people in rent or mortgage arrears.

[Read more](#)



Round up of resources for breathing space debt respite scheme

These resources are for housing advisers, debt advisers, local authority officers and anyone working to support people in financial difficulties, including people experiencing mental health crisis.

[Read more](#)



Monthly round-up of legislation, case law, guidance and news: April 2021

A look at what's been happening over the last month, including the Domestic Abuse Act, the amendment to Social Security Regulations, cases on suitable accommodation, medical evidence, and No-DSS.

[Read more](#)

[View all Housing Matters news and articles](#)



Factsheets

New and updated factsheets can be found under the following sections of the website:

Rent, benefits and money

New: Breathing Space: get more time to deal with rent arrears

Repairs and safety

Updated:

- Responsibility for repairs
- Taking action on repairs
- Health and safety at home
- Gas safety
- Private tenants: smoke and carbon monoxide alarms
- Dealing with pests in your home
- Fire safety for tenants
- Electrical safety for private tenants
- Dealing with disrepair
- Is your home an HMO?
- Is your home fit to live in?

[View all factsheets](#)



Focus on: Breathing Space and arrears

Breathing space is a new scheme that can give people time to deal with unmanageable debt. It can even mean stopping possession proceedings or eviction by bailiffs.

The new regulations came into force on 4 May 2021. They allow for a 60-day interest freeze and pause on enforcement action for debts included in the breathing space moratorium. A person experiencing a mental health crisis can have an unlimited pause, with an additional 30 days when the crisis ends.

The person in debt must get debt advice from a registered debt advice provider or a local authority, who will check they qualify. Applications for a mental health moratorium are dealt with by the charity [Rethink Mental Illness](#).

Types of debt included in the moratorium are rent and mortgage arrears, personal loan and credit card debt, benefit overpayments and council tax debt.

The debts are still owed, but the scheme gives people time to resolve issues or find alternative accommodation.

Where rent or mortgage arrears are included in a breathing space moratorium, then landlords

and lenders cannot bring possession proceedings or ask bailiffs to evict based on those arrears.

The government anticipates that there could be 800,000 breathing space moratoriums in 2021-22. The scheme has the potential be a lifeline for people in debt who are facing eviction and an important new tool in homeless prevention.

COVID-19 round up

Housing

[End of eviction ban but new longer notice periods required](#)

The Government confirmed that the current ban on bailiff-enforced evictions will end on 31 May but that the requirement for new longer notice periods will be in place until October.

[Changes to notice periods and prescribed forms](#)

Regulations amend the notice periods required from 1 June until 30 September 2021, and the prescribed forms for notices seeking possession under ss.8 and 21 of Housing Act 1988.

[Guidance - Coronavirus \(COVID-19\): landlord right to rent checks](#)

Advice for landlords' right to rent checks during the COVID-19 pandemic has been updated because the end date for the temporary adjusted checking processes is now 21 June 2021.

[Covid-19 guidance for accommodation providers to rough sleepers](#)

Government guidance for people who work in or run hotels and other guest accommodation has been updated to include changes to lockdown restrictions for Step 3 from 17 May 2021.

[Homelessness and rough sleeping in the time of Covid-19](#)

LSE London study on how Covid-19 has impacted on the problems of homelessness and rough sleeping, and on the effectiveness of the *Everyone In* initiative.

News & updates

Housing

[Domestic abuse and support for survivors](#)

The Domestic Abuse Act 2021 received Royal Assent on 29 April 2021. It will place additional duties on local authorities to help and support survivors of domestic violence.

[System for allocating accommodation to homeless people found unlawful](#)

In R (Elkundi & Ors) v Birmingham CC [2021] EWHC 1024 (Admin) the High Court declared the Council's system for allocating accommodation to homeless people unlawful.

[Suitability of Mental Health Act 1983 aftercare accommodation](#)

In R (ZK) v Norfolk CC & Anor [2021] EWHC 1249 (Admin), the High Court considered the lawfulness of a joint decision by a local authority and Clinical Commissioning Group (CCG).

[Digital-only proof of immigration status for EU citizens](#)

In R (The 3million Ltd) v Secretary of State for the Home Department [2021] EWHC 1159 (Admin), the High Court refused permission for a judicial review of the government's policy.

Debt

[Breathing space and mental health crisis debt respite scheme guidance](#)

The Insolvency Service has issued guidance for creditors and money advisers.

DWP guidance on breathing space debt respite scheme and third party deductions

DWP has issued LA Welfare Direct 4/2021 to clarify the operation of the debt respite breathing space scheme as it relates to deductions from welfare benefits.

Money and Pensions Service to join up mental health and debt advice practitioners

New pilot service to provide single online point of entry for practitioners to refer patients to debt advisers where a Mental Health Crisis Breathing Space is needed.

Welfare benefits

Care leavers' exemptions from LHA shared accommodation rate

From 31 May 2021, relevant HB and UC Regulations are amended to extend the age ranges of the exemptions from the shared accommodation rate of the Local Housing Allowance.

No recourse to public funds policy ruled unlawful as it fails children

In *ST & Anor v Secretary of State for the Home Department* [2021] EWHC 1085 (Admin), the High Court ruled that the policy fails to safeguard and promote the welfare of children.

Benefits and pensions for EEA and Swiss citizens in the UK

This guidance explains the rights of European Economic Area (EEA) and Swiss citizens to UK benefits and pensions. It has been updated to include frontier workers.

Research, analysis & review

Housing

Accommodation and financial support for asylum seekers

House of Commons Library briefing on Home Office support for people waiting for a decision on their asylum claim.

Housing Ombudsman and residents' complaints

First Housing Ombudsman report on the effectiveness of its new power to progress residents' complaints and ensure that a landlord's complaint handling process is fair.

The end of 'no fault' section 21 evictions

House of Commons Library briefing explains the use of the section 21 notice in the private rented sector and the reactions to its proposed abolition with the Renters' Reform Bill.

Support for Victims of Domestic Abuse

The House of Commons Library has published a list of contact details for organisations which assist victims of domestic abuse and domestic violence across the UK.

Welfare benefits

A collective voice on welfare change

New Homeless Link report exposes links between benefits and homelessness and calls for collective action from national and local government, and from anyone working in the sector.

Shelter legal

What's new on Shelter Legal

These changes affected Shelter Legal pages this month:

Covid-19: Amendments to the Homelessness Code of Guidance

Para 8.44 and 8.45 now clarify that clinically extremely vulnerable homeless applicants are likely to be in priority need, and that if an underlying health condition increases the risk of catching Coronavirus, their priority need should be assessed in the context of the Covid-19 pandemic.

Breathing space debt moratorium and possession proceedings

From 4 May 2021, the Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020 introduce a new scheme to help people with unmanageable debts and offer time-limited protection to tenants and homeowners.

Notice banned during the debt breathing space

From 4 May 2021, where rent or mortgage arrears are included in a breathing space moratorium, landlords and mortgage lenders cannot demand payment or take possession action in respect of those debts, and cannot serve certain types of notices during the moratorium period.

Amendments to the notice of seeking possession to end an assured tenancy

The prescribed form for a notice seeking possession of a property let on an assured tenancy was amended in line with the breathing space provisions. From 4 May 2021 any notice served under section 8 of the Housing Act 1988 has to be in the new form or substantially to the same effect.

Thank you for reading,
The team at NHAS

Who we are?

We provide free expert advice, training and support to professionals working in local authorities, voluntary advice agencies and public authorities in England.



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