

National Homelessness Advice Service
Monthly Ebulletin
July 2020 Edition



Resources

NHAS factsheets can be used by members of the public and professionals.

Each factsheet aims to give a general overview of a particular housing or welfare subject such as; the benefit cap, bedroom tax, housing benefit, tenancy deposit schemes, illegal eviction and more.

[Click here to view all factsheets](#)

Training Update

Plans to reintroduce face-to-face delivery from October are being reviewed and will be subject to safe working in line with government guideline on COVID-19 and risk levels. Updates will be posted in these ebulletin's and through our website.

In the meantime, we will continue to offer a substantial webinar programme for individual attendance. We can also arrange webinars for delivery to groups of staff, including basic tailoring where appropriate. Please contact nhastraining@shelter.org.uk with any requests or queries.

[View the webinar schedule for August and September here](#)

How to book a webinar:

Login to the [training portal](#), go to 'course search' and enter the course title. Alternatively, pick 'web' as the course type for a full list of available webinar titles.

If you don't yet have a free training account with us, please take a look at our frequently asked questions [FAQs](#).

Bitesize online training:

Our bitesize elearning packages are designed to be completed in your own time, with each session taking around 30-60 minutes.

Login to the [portal](#) and pick 'elearning' in the 'course type' dropdown to view the titles available.



Focus On: Electrical Safety in PRS

The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 SI 2020/312 came into force on 1 June 2020.

The Regulations apply from 1 July 2020.

Private landlords will have these obligations in relation to any tenancy that starts or is renewed on or after 1 June 2020:

- arrange for a qualified person to carry out an electrical safety check before the tenancy commences
- ensure that the electrical safety standards are met throughout the tenancy
- carry out electrical safety checks at least every 5 years.

From 1 April 2021 the new regulations will apply to tenancies already in existence on 1 June 2020 and not renewed after this date.

The government has produced three guides to [Electrical Safety Standards](#) setting out how the new regulations affect landlords, tenants and local authorities.

Find out more about electrical safety on [Shelter Legal](#).

A round up of COVID 19 practical information and guidance

[Homelessness Code of Guidance for local authorities](#)

Chapter 8 paragraphs 8.44 and 8.45 have been updated to ensure housing authorities consider the vulnerability of applicants from COVID-19.

[Shelter Legal](#)

The Shelter Legal Coronavirus (COVID-19) and housing section covers emergency measures that impact on housing.

[Coronavirus: A ban on evictions and help for rough sleepers](#)

This House of Commons briefing paper outlines the measures the Government has put in

place during the coronavirus outbreak to assist households to retain their homes and to enable local authorities to tackle the specific challenges faced by rough sleepers.

Government funding for interim housing for rough sleepers

The Government announces £105 million in new funding to keep rough sleepers safe and off the streets during coronavirus pandemic.

Coronavirus: Q&A for friends and family of prisoners

The government has updated their frequently asked questions information for friends and families of those in prison.

Covid-19 research, analysis & review

Housing

Crisis calls for emergency legislation to protect against homelessness

The charity Crisis has proposed emergency legislation to the government, calling for measures over the next 12 months to protect people from homelessness during the current pandemic and prevent it afterwards.

Arrears Management and Coronavirus: Working together to sustain tenancies

A report from the National Residential Landlords Association.

Debt

The effects of coronavirus on household finances and financial distress

A briefing from The Institute for Fiscal Studies shows that increases in arrears on household bills post-lockdown worsened further in May, with no sign of recovery in incomes.

Social Metrics Commission report: Measuring Poverty 2020

SMC report warns that it is those in deep poverty who are being most significantly impacted by the coronavirus.

Welfare benefits

Testing times: Universal credit and the habitual residence test

A report from the Institute for Public Policy Research (IPPR) says that the Habitual residence test should be suspended in light of the mass redundancies and severe economic hardship resulting from the COVID-19 pandemic.

News & Updates

Charities news

No DSS: Landmark court ruling confirms housing benefit discrimination is unlawful

Rose Arnall, the Shelter solicitor who led the case, said: "This is the first time a court has fully considered a case like this. It finally clarifies that discriminating against people in need of housing benefit is not just morally wrong, it is against the law."

No recourse to public funds (NRPF)

New research for Citizens Advice suggests that nearly 1.4 million people have no NRPF in the UK. This is an increase on previous estimates, based on 2016 data, which put the figure at 1.1 million.

Government news

Housing

Courts will hear possession cases from 24th August

Lord Greenhalgh, a Minister at the Ministry for Housing, Communities and Local Government has said that from the 24th August, “the courts will begin to process possession cases again”. He reiterated however that work is ongoing to ensure “the most vulnerable tenants can get the help they need when possession cases resume.”

Social housing to be prioritised for veterans

The Government has announced new measures to provide improved access for members of the Armed Forces, veterans and their families to social housing.

Courts

Family Court Statistics Quarterly, England and Wales, January to March 2020

Increase in the number of domestic violence remedy order applications and orders made In January to March 2020, the number of applications increased by 12% compared to the equivalent quarter in 2019 whilst the number of orders made increased by 8% over the same period.

The Domestic Abuse Bill

Report Stage and 3rd Reading, House of Commons. A briefing produced by the Local Government Association.

Welfare benefits

Commons Research Briefing: Discretionary Housing Payments

This House of Commons briefing paper explains the funding position and considers evidence on how Discretionary Housing Payments (DHPs) are allocated by local authorities.

Consultations

Fairness in government debt management: a call for evidence

The government is seeking evidence on how debt management practices can be improved and most effectively manage debts stemming from fraudulent activity.



What's new on Shelter Legal

Shelter Legal is updated regularly to reflect changes in the law. A summary of changes to legislation, regulations, case law and policy that affect Shelter Legal pages can be found in [What's New on Shelter Legal](#).

These changes affected Shelter Legal pages this month:

Community remedies

On 7 July 2020, the Home Office published new guidance outlining the purpose and the process of the Community Trigger, a mechanism for requesting a multi-agency case review that can be

used by victims of persistent anti-social behaviour.

Court and tribunal hearings

In *TFS Stores v The Designer Retail Outlet & BMG (Ashford) Ltd v TFS Stores Ltd* [2020] EWCA Civ 833, the Court of Appeal ruled that the stay imposed on possession proceedings under CPR Part 55 by the Practice Direction 51Z and the Civil Procedure (Amendment No. 2) (Coronavirus) Rules 2020 SI 2020/582 applied to proceedings where the original claim was brought under CPR Part 7 and the landlord either counterclaimed for possession or the parties agreed that an order for possession should be made.

As a result, proceedings became proceedings for possession brought under CPR Part 55 and were covered by the stay.

Licence conditions

On 1 June 2020, regulation 13 of The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 SI 2020/312 inserted the requirements to ensure that every electrical installation in the house is in proper working order and safe for continued use.

The 2020 Regulations apply from 1 July 2020 to properties in the private rented sector, including houses in multiple occupation.

The landlord's demand

In *38/41 CHG Residents Company Limited v Hyslop*, the Upper Tribunal clarified that when reaching a decision as to whether a demand for service charges has been lawfully served in accordance with section 196 of the Law of Property Act 1925, the question for the court is not whether the leaseholder has received the demand, but whether the landlord can show that on the balance of probabilities the demand was delivered.

Schemes and priorities

In *Flores, R (on the application of) v London Borough of Southwark* [2020] EWHC 1279 (Admin), the High Court held that it was lawful for a local authority to give less preference on its allocation scheme to an applicant whose overcrowding was the result of choosing to move into accommodation that would inevitably become too small as the existing children of the household got older.

This was contrasted with overcrowding that would come about from a 'natural increase' in household size resulting from the birth or adoption of another child.



Shelter's Specialist Debt Advice Service

Our Specialist Debt Advice Service (SDAS) provides free, expert guidance to advice workers to support them with their complex debt cases. Please note this service is for professionals only

and does not assist members of the public.

This includes:

- Comprehensive referencing for complex cases
- Clarification on new laws
- Answers to technical queries
- A second opinion

Web enquiries can be made 24 hours a day, 7 days a week.

A telephone service is open 9am – 5pm Monday to Friday.

Call now on **03300 580 404**.

Find us at shelter.org.uk/debtadvice/service

Thank you for reading,
The team at NHAS

Who we are?

We are here to help local authorities, local citizens advice, public authorities and advice agencies with their housing and homelessness queries. Working together with the aim of preventing homelessness, we give expert advice, training and support to those working at the frontline. Our telephone consultancy service is open 9am - 6pm Monday to Friday, our trainers deliver training courses across the whole of England and our website holds a wealth of information, including past eBulletins, factsheets and guides to assist you with your housing and homelessness queries. You can find out more here: www.nhas.org.uk



If you'd like to be added to or removed from our distribution list, or have problems accessing any of the materials in the bulletin, please email nhas@shelter.org.uk Please remember to add nhas@shelter.org.uk to your email address book to ensure that our emails are not placed in your junk mailbox. NHAS is funded by the Ministry of Housing, Communities and Local Government. We support the prevention of homelessness by enabling frontline providers to deliver good quality housing and homelessness advice.

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