



Preventing homelessness and improving housing through expert advice, training and support to those working at the frontline

Here to help local authorities and advice agencies on 0300 330 0517



[Consultancy Line](#)



[Housing Debt Casework](#)



[Training](#)

This month's bulletin includes:

- a summary of the Autumn Statement
- links to 2 of our innovative local practice examples; Citizens Advice North Hertfordshire independent Court Help Desk Project and Breathing Space, a Regional Mortgage Assistance Scheme.
- links to 2 updated factsheets from National Debtline on mortgage arrears and 2 updated factsheets on the NHAS website; Right to rent and Taking in a lodger: your obligations.

New Webchat Facility

Access to consultancy via Webchat launched in October and has already proven to be a popular way for members to access advice. Webchat is accessed simply by going to www.nhas.org.uk and clicking on the live chat button.

During the last month, the webchat service has given advice on:

- Whether a UK national, who was returning from Egypt after an 18 month stay, would be eligible for assistance
- The tenure status for an occupier that was sleeping on the sofa in a kitchen of a shared property
- An overview of the changes that are coming into effect on 1st December regarding the Immigration Act.
- Challenging a 550% rent increase

A great benefit of the service is being able to give immediate written advice as this enables members to progress cases quickly, with some excellent feedback coming from those who have tried the webchat service out;

"So quick to respond, did not lose me in legislative jargon, really helpful and answered my query"

Both the consultancy line and webchat services are available Monday to Friday 9am to 6pm.

NHAS Updates

- As a result of changes from 1 December 2016 to the 'right to rent' scheme we have updated two **NHAS factsheets**.
 - [Right to rent](#)
 - [Taking in a lodger: your obligations](#)

- **Training**
 - January to March webinar dates are online, [log in to view the calendar](#). NHAS webinar updates will usually take between 75 – 90 minutes of your time, and with no software to download are quick and easy way to receive training in housing. There is no booking fee but webinars will **incur telephone charges when you dial in**.
 - Course evaluation for NHAS members is completed online - please remember to submit your evaluation, and receive your training certificate
- [HDC PRS case study](#) - The case study demonstrates that even with assured shorthold tenancy rent arrears cases there is still work that we can do to prevent an eviction.
- [Housing Matters Issue 115](#) – includes articles on care leavers 18+, enforcing suspended possession orders and right to rent: evictions.
- [Housing Matters case list](#) - homelessness and allocation cases, and cases from other areas of law which may have significance for homelessness decisions.
- [NHAS Factsheet](#): Help for care leavers 18+

Innovative Local practice

Citizens Advice North Herts and Citizens Advice Stevenage provides an independent Court Help Desk Project. As the service is funded by the local authorities' housing departments, it is not limited by some of the criteria set by the Legal Services Commission and they can offer clients advice and support before and after the possession day. To find out about a scheme in your area, contact your local council or the court where your case is being heard. [Legal Aid Agency \(LAA\) funded Housing Possession Court Duty Schemes](#) (HPCDS) throughout England provide on-the-day emergency advice and advocacy to anyone facing possession proceedings

- [Read the Local Practice: Independent Court Help Desk](#)

Breathing Space is a Regional Mortgage Assistance Scheme aimed at those at risk of losing their homes through repossession. Breathing Space is administered by Wakefield Council, on behalf of almost all local authorities in Yorkshire and Humberside region.

- [Local Practice: Breathing Space](#)

[Wakefield Council also offers mortgage support to over 55s](#) – Wakefield Council has launched Homesafe - a mortgage help scheme to support those aged 55 and over. The Council's Homesafe scheme offers advice, information and help to those aged 55 and over, who find themselves unable to pay off an interest-only mortgage at the end of the term. In many cases, financial support is available with an interest free loan. A loan could help stave off the immediate threat of eviction, and gives people time to consider their options such as repaying the loan, selling their property or using an equity release scheme to stay in their home. The Homesafe scheme also works with mortgage providers to seek solutions and take the pressure off owners. Homesafe is also available to people living outside the district. To find out more call 01924 305892 or email homesafe@wakefield.gov.uk

Stats/Updates/etc

- [Autumn Statement](#) The government has set out various housing measures which, it said, "will address the needs of people at different stages of their lives, ensuring the housing market works for everyone, not just the privileged few". A forthcoming Housing White Paper will present further details of a "comprehensive package of reforms to increase housing supply and tackle rising housing costs."
- [Housing and Planning Act: forced sale of council homes delayed](#). Gavin Barwell, Housing Minister, announced that Right to Buy for housing association tenants along with forced sale of high value council homes will be delayed until at least 2018 and possibly longer.

- [Overcrowded housing \(England\)](#) - This House of Commons Library briefing paper explains the current statutory overcrowding standard in England, efforts to update the standard, and Government approaches to tackling the problem.
The statutory overcrowding standard: The statutory overcrowding standard in Part X of the *Housing Act 1985* has not been updated since 1935, although when originally introduced it was viewed as a threshold that could be strengthened. The standard is not generous, relatively few households are statutorily overcrowded.
- From DWP and Government Social Science Research [Supported accommodation review](#). The research estimates the scale, scope and cost of the supported housing sector in Great Britain
- [Consultation on funding reform for supported accommodation sector](#) - A consultation was launched 21 November 2016 on the detail of a new funding model for the supported accommodation sector. The consultation period runs for 12 weeks, (closes 13 February 2017) and will also seek views on how best to fund the provision of short-term housing, such as hostels, refuges and emergency accommodation
- [Consultation Work, health and disability green paper: improving lives](#) - The consultation will run until Friday 17 February 2017.
- [For the latest on the Homelessness Reduction Bill DCLG have produced policy factsheets](#) – to sign up for regular updates on the progress of the bill - contact email@mail.subscriptions.parliament.uk or go to GOV.uk Subscribe to email alerts.
- **New £18 million fund to accelerate house building** - A [new £18 million fund](#) to speed up house building on large sites and that will provide thousands of new homes where people want to live, was announced 11 November 2016 by the Housing Minister, Gavin Barwell.
- 2 updated fact sheets from NDLP, written in partnership with NHAS
 - [National Debtline - Mortgage arrears \(England and Wales\)](#) and
 - [Business Debtline – Household mortgage arrears \(England and Wales\)](#)
- New and updated guidance for practitioners from No Recourse to Public Funds network (NRPF), including new practice guidance on s17 assessments for NRPF families
 - [New Practice Guidance: Assessing and supporting children and families who have no recourse to public funds](#) (NRPF) (November 2016)
 - [New Factsheet: Immigration Bill 2015-16: local authority support for families](#) (England) (March 2016)
 - [New Factsheet: Immigration Bill 2015-16: local authority support for care leavers with no immigration status](#) (England) (March 2016)
- [Homeless Link - New toolkit](#) helps frontline services support destitute migrants. Partnerships between homelessness and migrant services are vital in order to meet the range of needs destitute migrants face, but how can we promote such collaboration? Homeless Link, as hosts of the Strategic Alliance on Migrant Destitution (SAMD), has been working to find out and provide frontline services with the tools to address this problem.

Recently published

- [What is affordable housing?](#) This Commons Library briefing paper considers how affordable housing is defined in England and looks at key trends in the affordability of different tenure types. It also examines the supply of affordable housing and the role of Housing Benefit in enabling households to access and retain affordable housing.
- [Rough sleepers – access to services and support](#) - On 24 November 2016 the House of Commons Library published a briefing paper providing an overview of the support and services – including accommodation, health, welfare, training, employment and voter registration – that are available for rough sleepers in England, and the challenges rough sleepers can face in accessing them.
- Homelessness and mental health - On 28 November 2016 homelessness charity St Mungo's published a report – [Stop the Scandal: the case for action on mental health and rough sleeping](#) – which suggests that over two thirds (68%) of areas with high

levels of rough sleeping fail to commission specialist mental health services. An earlier review of the best available data by the charity recorded by street outreach professionals working with people sleeping rough, showed that four in 10 people who sleep rough need mental health support. The new report investigates how national and local government and the NHS can build effective services “to put an end to the mental health crisis on our streets”.

- [The National Practitioner Support Service and CIH joint briefing paper](#) - The National Practitioner Support Service has published a joint briefing aimed at supporting local authorities to develop homelessness prevention solutions.
- Benefit sanctions - A [report out from the National Audit Office](#) highlights the Department for Works and Pensions (DWP) is not yet doing enough to find out how sanctions affect people on benefits and further analysis is required.
- [Jobseekers who are homeless or suffering from a mental health condition can access hardship payments immediately after a benefit sanction](#) - Work and Pensions Secretary Damian Green has announced that jobseekers who are homeless or suffer from a mental health condition will now be able to access hardship payments immediately if they receive a benefit sanction. Hardship payments act as a safety net to cover day-to-day living costs, and are issued immediately to individuals who are sanctioned and meet certain criteria like having children, or a long-term health condition. Other jobseekers cannot claim payments for the first 14 days of a sanction. The criteria will now extend immediate access to homeless people and individuals with a mental health condition. The change is expected to help around 10,000 people over 4 years from 2017/18 to 2020.
- **Housing Benefit cap** - On 23 November 2016 the House of Commons Library published a briefing paper which explains [how the household benefit cap operates](#) and considers evidence of its impact to date. It also covers the reductions in the benefit cap being phased in from 7 November 2016, and their likely impact.
- [Notice of eviction and end of tenancy](#) - Notice used by landlords to end a tenancy under section 33D(3) of the Immigration Act 2014. This notice can be used to end a tenancy where the landlord has received a Notice of Letting to a Disqualified Person from the Home Office to say that all of the tenants are disqualified from renting.

Case Law

- [Eli Zohar v Lancaster City Council \[2016\] UKUT 510 \(LC\)](#)
This was an appeal to the Upper Tribunal (Lands Chamber) against the dismissal of an appeal by the First-tier tribunal in relation to a decision by Lancaster City Council (“the Council”) to take emergency remedial action at a property under s.40 Housing Act 2004.
- [Birmingham City Council v Wilson \[2016\] EWCA Civ 1137](#)
Birmingham City Council (“The Council”) appealed a county court decision regarding the extent of its duties to the Respondent, Ms Wilson (“the Respondent”) under the Housing Act 1996. The Respondent was a homeless single mother with two children who had applied to the Council as homeless on 19 March 2014. She completed the application online with the assistance of a Council officer. She answered “yes” to a question as to whether anyone included in the application suffered from a long term physical illness but “no” to a question asking whether anyone included in the application had a physical disability or mental illness.
- [R \(on the application of Abdulrahman\) v Hillingdon London Borough Council Housing – Local authority.](#)
The Administrative Court allowed the claimant's application for judicial review of the defendant local housing authority's decision, refusing her application for accommodation, pursuant to s 183 of the Housing Act 1996. Although the authority had applied the correct test, it had been irrational for the authority to have concluded that the application had been based upon exactly the same facts as the previous application, given the application was made by the claimant alone and the number of people seeking assistance had reduced.

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Regards,
The NHAS Team
www.nhas.org.uk

NHAS is funded by the Department for Communities and Local Government. We support the prevention of homelessness by enabling frontline providers to deliver good quality housing and homelessness advice.