

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



[Consultancy Line](#)



[Housing Debt Casework](#)



[Training](#)

- NHAS Maintaining the Homelessness Safety-Net symposiums**  
 Thank you to those of you that attended the recent symposiums, we hope you found the events informative. You can log in to the member section on [www.nhas.org.uk](http://www.nhas.org.uk) to download the presentations and additional information from the events held in Norwich, London and Birmingham.
- Our [webinar calendar for April – June 2016](#) is available to view. 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. Due to increasing popularity we will be adding more dates to our calendar, and providing further topics to our webinar programme.

**Recent updates:**

- [Statutory homelessness in England – October to December \(published 23 March 2016\)](#)
- Housing Bill Update - Government Accept Renters Need Protection from Dangerous Electrics:** The Government moved to [introduce a new law](#) that will require landlords to keep rented homes free from electrical hazards – and allow councils to clamp down on landlords who don't follow the rules. Shelter has been calling for the introduction of mandatory electrical safety checks as part of an ongoing piece of work to improve conditions in the PRS, and was a recommendation from the [Home Improvement: Tackling Poor Electrical Safety in the Private Rented Sector report](#) in 2014.
- Other updates:** Court Fees; Local authority rents; High Court enforcement; Backdated claims, Second charge loans. Courtesy of Shelter Legal. [Find out how Shelter Legal can help you.](#)

**[Fact sheet: Right to rent](#)**

Factsheet

### Right to rent

This factsheet looks at the requirement for private landlords and their agents to check the immigration status of new occupiers and to only rent to people with a 'right to rent'.

From 1 February 2016, your landlord (or a letting agent) will be required to check the immigration status of new occupiers before you can move into a private rented property. A landlord can be fined for not making checks. The right to rent checks do not extend to let or sub-letting arrangements begun before 1 February 2016 (or 1 December 2015 if you are in Birmingham, Dudley, Edgbaston, Handsworth or Moseley). However, if your landlord ever changes your agreement for let arrangements with you as a tenant, they must make the right to rent checks.

**people who do not have your right to rent**  
 Your landlord will check that any adult who wants to live with you does not have your right to rent. The following are 'no right to rent' checks:

- immigration over the age of 18
- a grant refusal home in connection with a refused asylum claim
- landlords and sub-landlords
- immigration status checks on new tenants or part of your home, you are responsible for checking your tenants and not your agent's immigration status, unless your own landlord has notified a letting
- that they are on the checks
- landlord's right to rent
- British citizen
- citizens of the European Economic Area, members of their families
- citizens of another country, with the right to rent your agreement to let or sub-let

**When do you have to rent to people with a right to rent?**  
 You must rent to people with a right to rent from 1 February 2016. If you are a tenant or sub-tenant, you are responsible for checking your tenants and not your agent's immigration status, unless your own landlord has notified a letting.

**Your landlord must make a follow-up check**  
 Your landlord must make a follow-up check to ensure that the person you rent to still has the right to rent.

**The follow-up check must happen no later than 12 months after you rent to, or long as your agreement you have with your landlord remains in force.**

**Checking your right to rent**  
 Your landlord must check to see your passport or another official document that proves your identity and immigration status. Some documents are not sufficient. A letting agent must check your right to rent with a person's current passport.

**The full list of acceptable documents can be found on the government's right to rent document checker, a user's guide. You can check on the right to rent website.**

**Check the gaps carefully.** Accepting someone that offers you an asylum claim, right to rent but not a passport. They must report this to the local authority.

**If your right to rent ends**  
 If your landlord tells you that you no longer have your right to rent, you must report this to the local authority.

**Reporting your documents**  
 Your landlord must keep copies of your original documents and keep them safely for 12 months after your rental agreement ends.

**Discrimination against occupiers**  
 Landlords must not discriminate against you on the basis of things that you are not responsible for, such as your immigration status. This does not mean that you can't be discriminated against on the basis of your immigration status.

**Further advice**  
 You can get further advice from Shelter's 'rent' helpline on 0300 330 0517. Shelter's website also provides local advice on the right to rent. Shelter's website also provides local advice on the right to rent. Shelter's website also provides local advice on the right to rent.

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More factsheets are available from <http://nhas.org.uk/factsheets>, covering the following topics:

- Homelessness
- Finding accommodation and tenancy issues
- Disrepair and problems with landlords
- Rent, benefits and money
- Eviction and process

**[Deregulation Act 2015 S21 flowchart](#)**

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## [Crisis Homelessness Monitor launch March 2016](#)

The homelessness monitor is a longitudinal study, funded by [Crisis](#) and the [Joseph Rowntree Foundation](#), providing an independent analysis of the homelessness impacts of recent economic and policy developments in the UK. Including:

- Trends in causes [of homelessness] – similar to Kev's previous graph but showing how end of AST as a cause against other causes
- Rapid growth of the private rented sector (showing how PRS HB market hasn't grown anywhere near as much)
- Supply of 'affordable' housing peaks; but rented now set for a sharp fall
- Sales replacements fall short

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## **Law on time orders for regulated mortgage contracts clarified**



The spring 2016 edition of The Institute of Money Adviser's journal *Quarterly Account* leads with an article written by leading consumer credit barrister Robert Rosenberg. [Calling Time on Time Orders](#) is compelling reading which confirms that regulated mortgage contracts (whether first or subsequent charges) fall within the scope of time orders. Find out how you can subscribe to receive this professional journal written solely for the money advice sector: [IMA - Quarterly Account](#)

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## **Public financial guidance review and Money Advice Service - following the budget 16 March 2016**

A consultation document has been issued setting out the Government's preferred models for pensions guidance and money guidance suggested models include:

**Pensions Guidance:** to create a new body to offer pensions guidance (name to be decided) by a merger of the functions of TPAS and Pensions Wise with the addition of any relevant pensions tools and information from MAS.

**Money Guidance and Debt Advice:** to replace MAS with a new body (name to be decided), which will:

- Identify gaps in the provision of money guidance & financial capability by considering what is already available from commercial and charitable entities.
- Commission third parties to propose projects which will ensure that those gaps in money guidance / financial capability are filled and to commission third parties to provide free debt advice.
- Fund those third parties to deliver those projects which will fill gaps in money guidance / financial capability and provide free debt advice.

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## **[Public financial guidance review: proposal for consultation](#) The consultation closes on 8 June 2016.**



StepChange have published their [Personal Debt Statistics Yearbook](#), reporting that 2015 has seen more people in financial difficulty who are working part-time and living in rented accommodation, and more families struggling with essential household bills

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- [Read about how our Housing Debt Casework service helped a vulnerable household with rent arrears due to issues with housing benefit](#)

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## Recently published

- [Valuation Office Agency: Private Rental Market statistics](#) - the first stage of visualisation of the official [Private Rental Market statistics](#).
- London Councils commissioned the [Temporary Accommodation in London](#) report, by Julie Rugg, from the Centre for Housing Policy at the University of York. The report discusses the policy and market context of the provision of temporary accommodation in London and most importantly boroughs' difficulties with securing temporary accommodation for homeless households.
- [Paying for supported housing](#) - This House of Commons Library briefing paper explains the impact of the Government's policy of requiring rent reductions, and also the application of Local Housing Allowance caps, on the supported housing sector. The sector has argued that the measures threaten its viability and a one-year delay in implementation pending the outcome of an evidence review has been secured.
- [Future funding of supported housing: task and finish group](#) - National Housing Federation have set up a new task and finish group to work with us to shape the future of funding for supported and sheltered housing, within the context of Universal Credit.
- [Local Council Tax support schemes: an independent review](#): Independent review of local Council Tax support schemes in England and Wales.
- [Social housing: 'pay to stay' at market rents](#) - House of Commons Library briefing paper provides information on the 'pay to stay' scheme in England
- [Association of Directors of Children's Services \(ACDS\) have issued guidance](#) on best practice in using s20 to accommodate children.



## AdviceUK launches the new UK Advice Finder website

A comprehensive database of advice-giving organisation.  
Find out more: [www.ukadvicefinder.org.uk](http://www.ukadvicefinder.org.uk)

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## Case Law

- [Recent homelessness and allocation cases](#), and cases from other areas of law which may have significance for homelessness decisions – includes:
  - **Court of Appeal**  
AS (Ghana) v Secretary of State for the Home Department [2016] EWCA Civ 133  
Secretary of State for the Home Department v Vassallo [2016] EWCA Civ 13
  - **High Court**  
R (on the application of Edwards and others) v Birmingham CC [2016] EWHC 173 (Admin)  
A v London Borough of Enfield [2016] EWHC 567 (Admin)  
Jones v Southwark LBC [2016] EWHC 457 (Ch)
  - **Upper Tribunal**  
IP v Secretary of State for Work and Pensions (IS) (Residence and presence conditions: right to reside) [2015] UKUT 691 (AAC)
  - **Settled out of court**  
R (on the application of VC) v North Somerset Council (Equality and Human Rights Commission intervening) CO/3801/2015,

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Crisis have recently published two pieces of best practice and resources which you might find useful:



- [Need help to rent?](#) is the updated free online search engine that links homeless people and housing advice workers to over 300 private renting projects in England, Scotland, Wales and Northern Ireland. The search engine can be used by people who are homeless or at risk of homelessness willing to consider private renting accommodation, services supporting homeless people into private renting and landlords looking to work with private renting projects. If you run a project and would like to add your details, please email [private.renting@crisis.org.uk](mailto:private.renting@crisis.org.uk).
  - There is also a new practical [guide to planning, developing, launching and operating a Social Letting Agency](#) (SLA). Social lettings agencies are a form of private renting access project run on a commercial basis. They help homeless and vulnerable people to access and sustain PRS tenancies, but also generate income to cover operational costs.
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## [No Recourse to Public Funds Network](#)

The Immigration Bill 2015-16 is currently being considered by Parliament and is expected to give rise to increasing homelessness and destitution within migrant communities, which will lead to greater demand for statutory and voluntary sector services, as well as cohesion and integration challenges. It is therefore vital that practitioners are aware of what assistance and options may be available to destitute migrants when they are excluded from mainstream benefits and housing due to their immigration status.

[Find out about No Recourse to Public Funds Network](#), and the free advice and guidance that your organisation can receive when helping destitute migrant families.

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## [Housing Matters April 2016](#)



### Housing Matters April 2016

Issue 11 includes:

- Right to Rent article
- Support for Mortgage Interest article
- Feature on debt advice in Barnet

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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](mailto:nhas@shelter.org.uk).

Regards,  
The NHAS Team  
[www.nhas.org.uk](http://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.

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