



Homelessness

What you need to know

midland heart
housing, care and opportunity



If you are homeless or may be homeless soon, we can provide advice, help and will make enquiries about your situation.

The enquiries we make will depend on the reasons you have come to us. The law states that we (on behalf of Newcastle-under-Lyme Borough Council) have different duties to help depending on circumstances.

Things to consider

- If you are at risk of losing your home, you must get help immediately. Early action can prevent you becoming homeless
- If you are a tenant, your landlord will normally have to apply to the county court for a possession order before you can be legally evicted
- You must get advice before deciding to leave or sell accommodation you have rights to occupy
- We aim to deal with all applications in a sympathetic and polite way. We will always be fair and your case will be dealt with in the strictest confidence
- In return we ask that you treat our staff in a polite and reasonable manner

If you are accepted as homeless what type of accommodation will you be offered and can you refuse it?

You will only be able to bid on the type of property that suits your or your family's needs according to the Housing allocation policy.

If you are on the general waiting list you can refuse an offer of accommodation and continue bidding. However, if there are continual refusals, or the refusal is unreasonable your banding may be reviewed or your application may be suspended from the Newcastle list for 6 months.

If you have been accepted as being homeless and you are offered a housing association tenancy that you do not think is suitable, get advice before you turn it down. If you refuse an offer that the Newcastle Housing Advice thinks is suitable for you, a legal duty may no longer be owed to you. The offer will be withdrawn and you will have to leave your temporary accommodation.

In some cases, it may be better to accept an unsuitable offer because:

- You can ask the council to review its decision about whether the accommodation is suitable after you move in.
- You will have somewhere to stay while the council reviews its decision
- You will have somewhere to stay if your review is unsuccessful
- You may be able to request a transfer or exchange your home with another housing association tenant.

If you are homeless, where will you be rehoused?

Ideally we will try and place you in an area that you wish to be in, however due to the limited amount of housing stock available, this is not always possible. You will be required to bid on properties; however Newcastle Housing Advice does reserve the right to make you an offer of accommodation directly, depending on your situation.

Out of hours services

If you become homeless outside of normal working hours you should contact the emergency out of hours service on **01782 615 599**. Please remember this is for emergencies only. If you have been made homeless and can make your own temporary arrangements please do so.

You have nowhere to live, do we offer emergency accommodation?

This will depend on your personal circumstances. If you have family or friends that you can stay with, we would ask you to stay with them.

In the first instance we will check if there are any hostels/refuges/supported housing projects locally that can accommodate you. If there is a vacancy, we will contact them and see if they are able to take you. We will always make every effort to find temporary accommodation within Newcastle under Lyme, however sometimes it may be outside of the Borough in bordering areas such as Stoke-on-Trent due to this type of accommodation being limited.

Sometimes we are unable to find a place in a hostel or refuge and in those circumstances we will provide a room in a hotel, until a hostel becomes vacant or your housing needs are resolved.

In this instance, there may be a charge to you depending on your personal, financial situation.

If you find it difficult to get to your offices due personal circumstances, can we visit you?

We can complete home visits as part of our service. If you have disabilities or other special reasons that mean you would find it difficult to access our offices, we may be able to send an advisor out to see you.

Can you bring a support worker or friend to interview?

Yes, you can bring a relative, friend, keyworker, or support worker if you would find this helpful.

Will any information you give to you be treated confidentially?

Yes, any information you provide will remain confidential within the Newcastle Housing Advice. It will only be used to assess your homelessness and housing application within the terms of the Housing Act. We will ask you to sign a form giving us permission to exchange your information with relevant agencies/people. This information would only be exchanged if it is important to do so, during the course of our advice work.

What will happen at an interview?

We will need to ask you a number of questions, which help us to assess your application and work out how we can help you. You will be asked about your previous address (es), why you cannot live there anymore, how you came to be homeless, your family circumstances, whether you have any medical conditions, etc. You may also be asked to provide financial information if, for example, you have lost housing as a result of mortgage or rent arrears. You will never be asked anything that is not important or relevant to your situation.

What information should you bring to your interview?

When you are booking your interview we will advise you on what to bring. This could be:

- proof of identity, for example your passport or birth certificate
- income details, for example your benefits letter/ bank statement or most recent payslips
- proof of child benefit
- proof of pregnancy
- a copy of your tenancy agreement or mortgage details
- any notices you may have been served asking you to leave your home, or any other letters you have received relating to your housing problem

Have you made yourself intentionally homeless?

This means that Newcastle Housing Advice believes you have chosen to leave a home that you could have stayed in, or it was your fault that you lost your home, or you unreasonably failed to take up accommodation that was available to you. This would apply if:

- you chose to sell your home when there was no risk of losing it
- you lost your home because of wilful and persistent refusal to pay rent or mortgage payment
- you have neglected your affairs having disregarded advice from a qualified person
- you voluntarily gave up adequate accommodation in this country or abroad without first having found secure accommodation to move into when it would have been reasonable for you to stay there
- you have been evicted for anti-social behaviour

Why do we look at why you are homeless?

The officer dealing with your application will investigate the reasons why you are homeless. These investigations will help us decide what duty, if any we have to you and your family.

What is priority need?

- you are responsible for dependent children
- you, or a member of your household, is pregnant
- you are homeless because of a fire, flood or other disaster
- you are vulnerable because of old age, disability, learning difficulties,
- being in prison or the armed forces or have mental health issues
- you are aged 16 or 17
- you are vulnerable due to having been looked after by social services
- you can no longer live in your accommodation because of violence or threats of violence
- you are vulnerable for other special reasons.

The above reasons are guidelines only and each person's individual circumstances will be taken into account.

Would you qualify for advice and assistance?

The council has a duty towards people who are or soon will be homeless. Everyone is entitled to help and advice. How much help we can give you will depend on your circumstances? A full housing duty is owed to homeless people who are:

- eligible
- homeless or threatened with homelessness within 28 days
- in priority need
- homeless through no fault of your own
- Have a local connection with the Newcastle under Lyme area.

Most people are eligible for assistance, but you may not be if you are:

- an asylum seeker
- From abroad and have limits to your right to remain in the UK. You will usually have this stamped into your passport/visa or have a letter from the home office telling you what your entitlements are
- not entitled to claim 'public funds', such as benefits
- not normally resident in the UK or are living here illegally

Are you being evicted?

If your landlord or mortgage company is granted 'possession' by the court due to rent or mortgage arrears and you have not made an arrangement to repay your arrears which you are maintaining, they can ask the court for a warrant for your eviction. A court bailiff will serve a notice upon you giving at least seven days notice of the date and time when they intend to return to evict you.

You can apply to suspend this warrant by using form N244 if you can make an offer of repayment, need time to find somewhere to live, or if you are awaiting payment of an income which may assist with repayment. This form can be downloaded and printed from www.hmcourts-service.gov.uk or can be obtained from the county court. There may be a charge for this application; however, if you are on a low income you can apply for help to pay the fee using form EX160, obtainable from the same sources. You should also contact Newcastle Housing Advice as a matter of urgency on **0345 850 9698** for further advice and assistance.

Your landlord has asked you to leave

You do not have to leave just because you have been told to. A landlord must follow a legal process which varies depending on the type of tenancy you have. A verbal notice is not usually valid. If your landlord is harassing you by making threats, cutting off services or changing the locks please contact us on **0345 850 9698** immediately.

If you have nowhere to move to on the date your notice expires, you can stay in the property until your landlord gets a possession order from the court. There is often a court hearing to help the judge decide whether or not a tenant should be evicted. This process has no fixed time, but could run into weeks. If you are served with a notice by your landlord, contact Newcastle Housing Advice on **0345 850 9698** as soon as possible and we will be able to check that the notice is correct, liaise with your landlord and give you legal advice regarding the notice.

Are you threatened with homelessness?

You must contact Newcastle Housing Advice on **0345 850 9698**. We will be able to advise you of your best course of action. We may be able to help prevent you from becoming homeless, or help you to find new accommodation.

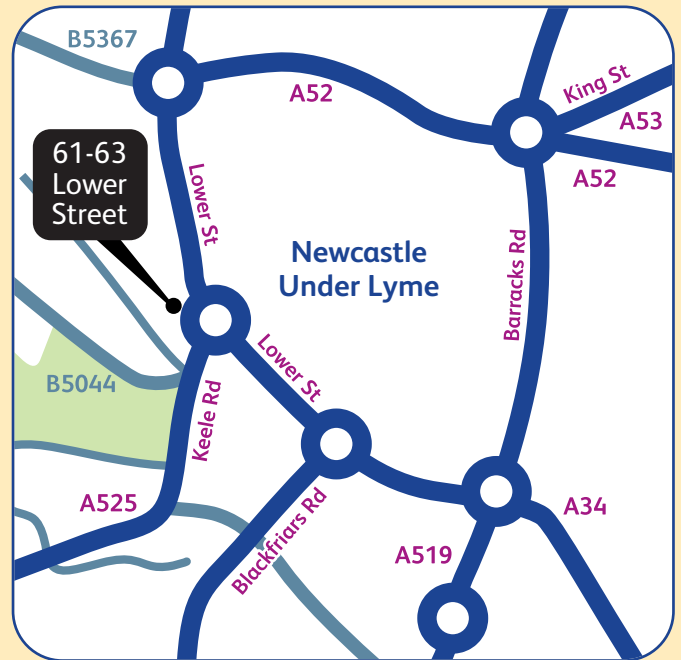
We will offer you an interview if required, with a range of appointment times to suit.

In addition we produce a number of advice leaflets which may help your situation.

Have you been asked to leave home or are homeless tonight?

If you find yourself in this situation you need to contact Newcastle Housing Advice as soon as possible. Please contact us or please ring our out of hours service on 01782 615599. If you become homeless outside of normal office hours and have nowhere to stay for the night, we may be able to provide emergency accommodation for the night depending on your situation.

How to contact us



The Newcastle Housing Advice Centre is located at **61-63 Lower Street, Newcastle-under-Lyme, Staffs, ST5 2RS**

Tel: **0345 850 9698**

email nha@midlandheart.org.uk
www.nhaoptions.co.uk

Our opening hours:

Monday to Friday 9am until 5pm

For homelessness emergencies out of the normal office hours, you can call

01782 615 599

Appointments can be made by telephone or in person by calling into the reception at Lower Street, Newcastle.

www.nhaoptions.co.uk