



your guide to help if you are
Homeless



Housing Services
www.kingston.gov.uk





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Introduction

If you are homeless or are likely to become homeless in the next 28 days then this booklet will explain what you should do and how Kingston Council may be able to help you.

The 1996 Housing Act Part VII (as amended by the Homelessness Act 2002) sets out the duty local authorities have towards the homeless.

homeless?

read this guide

Am I homeless?

Legally you are homeless if you:

- have nowhere to live in this country or anywhere else in the world
- have no legal right to remain in your home
- have somewhere to live but cannot get into the property
- have somewhere to live but it is not reasonable for you to stay there because, for example, there is the threat of violence
- have a boat, caravan or mobile home but you have nowhere to put it.

You can also apply as homeless if it is likely that you will be made homeless in the next 28 days. This may be because you:

- have been taken to Court and the Court says you must leave your property within the next 28 days
- have been living with family or friends and they have asked you to leave within the next 28 days.

Am I eligible for assistance?

Not everybody who is homeless will be eligible for help with housing.

Some people will not be entitled to help because, for example, they do not usually live in the UK.

It is likely that you will be eligible for help if you:

- usually live in the UK and immigration control does not apply to you



- usually live in the UK and immigration control does apply to you but your right to stay is not based on conditions
- have been given refugee status as a result of an asylum application.
- you have dependent children under 16 years of age, or under 19 if they are in full time education and live with you
- you are 16 or 17 years old and are not in the care of Social Services

Am I in priority need?

You may be in priority need if:

- you are homeless or threatened with homelessness because of an emergency, for example, fire or flood
- you are 21 or over and are vulnerable as a result of having been in care at some point in the past
- you are an older person, for example, over 60 years of age
- you are vulnerable as a result of leaving prison or the armed forces
- you are vulnerable as a result of leaving accommodation by reason of violence or threats of violence
- you are under 21 and have been in the care, between the ages of 16 and 17, of Social Services

If you are homeless but not eligible for assistance we can still provide you with help and advice on finding somewhere to live.

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- you are vulnerable due to a mental or physical illness or disability.

Whether you are in priority need or not will depend on your own individual circumstances.

Some exclusions apply if you have been in Social Services care. Your caseworker can advise you further on this.

Am I vulnerable?

You may be considered vulnerable if your particular circumstances make it even more difficult for you to cope if homeless.

If we think that you are homeless, eligible and that you have a priority need we will make sure that suitable temporary accommodation is available to you until we have made a final decision on your case.

To come to a decision about how vulnerable you are, your caseworker will require information about your situation, for example, a letter from your doctor or social worker.

Your caseworker will be able to give you more information on what you should bring to your interview.

We will make checks to confirm what you tell us. This may involve contacting people who are mentioned on your application.

Am I intentionally homeless?

We will need to find out why you are homeless and whether or not you are intentionally homeless.

You may be found intentionally homeless if you have lost your accommodation because of your actions, for example if:

- you deliberately did something, or failed



to do something that you knew would mean losing your home

- you chose to leave accommodation you could have stayed in
- you 'arranged' to become homeless so that you could make a homeless application.

You could be intentionally homeless, for example if:

- you did not pay your rent but were able to
- you lost your home as a result of anti-social behaviour

If we decide that you are intentionally homeless, we will only have a legal duty to provide you with accommodation for a short period of time so that you can find somewhere else or get advice.

- you did not act on advice given to you to prevent you from becoming homeless.

It is unlikely that you will be found intentionally homeless if:

- it was not reasonable for you to remain in your home
- you left because of violence or the threat of violence
- you lost your home because of rent or mortgage arrears that built up through no fault of your own
- your home went with your job and you lost your job through no fault of your own
- you lost your home because of something somebody else did and you knew nothing about it.

Do I have a local connection?

We will also look to see if you have a local connection with the borough of Kingston. A local connection could be made if you:

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- have lived in the borough for six out of the last 12 months or three out of the last five years
- have close family who have lived in the borough for the last five years
- have employment in the borough
- have a special connection to the borough.

If we cannot establish that you have a local connection with the borough of Kingston but we can make a connection with another local authority area then we will refer you to that local authority.

If you do not have a connection with any other area in the UK we have a duty to help you providing you meet the homelessness criteria.

How do I make my application?

When you make a homelessness application you will have an interview with an assessment officer from the Homelessness Assessments Team. Your interview will take place in a private interview room.

The assessment officer will fill in an application form with you and they will be the person who makes the enquiries into your application - they will be your caseworker.

If you prefer to speak to an assessment officer of the same sex as you, please mention this when you make

When you make a homeless application we will contact your previous landlord(s) to confirm what you have told us and to make sure that you have not made yourself homeless.



your appointment and we will try to arrange this.

What should I bring to my interview?

It is important that you bring as much information as you can to your interview. When you make an appointment we will give you examples of what you need to bring.

During the interview your caseworker will ask you:

- how and why you became homeless
- where you have lived for the past five years

If you need the help of an interpreter, sign language or an induction loop, please let us know before your interview so that this can be arranged.

- whether you have any medical problems or special housing needs
- for information on anyone else included in your application.

When will a decision be made?

Your caseworker will try to make a decision on your case within 33 working days from the date of your application. You will be informed of the decision in writing.

If a housing duty is accepted, we will continue to provide you with temporary accommodation until settled accommodation can be found for you.

If we make a decision that you do not meet all of the homelessness criteria then we do not have a duty to find you a council or housing association home. We do, however, have a duty to give you advice and information on what other housing options may be available to you.

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What if I disagree with your decision?

If you disagree with the decision that has been made on your case then you have the right to ask for a review.

Further information on how to ask for a review will be sent to you with your homelessness decision letter.

The review will be carried out by a senior officer. The senior officer will not have been involved in the original decision on your case.

Remember!

This booklet is intended as a guide only - each case will be looked at on its own particular circumstances.

If you have any questions please contact the Homelessness Assessments Team or your caseworker.

If you are eligible, homeless, in priority need, not intentionally homeless and have a local connection, then it is our duty to find you settled accommodation.



How to contact us

Homelessness Assessments Team
Guildhall One
St James' Road
Kingston
Surrey KT1 1EU

To arrange an appointment
with the Homelessness
Assessments Team please
call: **020 8547 5460**

**If you need help outside of
office hours call our emergency
number: 020 8770 5000**

Text: SMS 07797 806 521

Fax: 020 8547 5428

E-mail: hat@rbk.kingston.gov.uk

Office hours:

Monday-Thursday: 08.45am-5.00pm

Friday: 08.45am-4.45pm

Sending a Text Message

Text messages will be charged at
your normal network tariff. If you
send a message please ensure
that it contains enough information
for us to be able to respond to.

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Notes

