

August 2012

Are you homeless or about to lose your home?



➤ **Factsheet 5.**



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

What should I do if I am homeless or about to lose my home?

You should think about what you can do to help resolve your situation. The Council's Housing and Homelessness Assessment Team may be able to help you. The Team can give you advice on preventing homelessness and help you to look at possible housing options. You may want to think about moving to a property with a private landlord. We can give you advice about how to do this. We may also be able to help you financially to cover a deposit and rent in advance. We have a separate factsheet with more information on this.

If you are already privately renting, the Team's Tenancy Relations Officer can give you advice.

If you are unable to resolve your own housing situation, contact the Council immediately. Do not leave it until the last minute. Do not permanently leave your home until you are legally obliged to do so (usually by court order) as this may damage any application for help that you make to this or any other council.

You can make a homeless application to the Council. We are obliged under law (Part VII of the Housing Act 1996, as amended by Homelessness (Priority Need for Accommodation)(England) Order 2002) to provide housing to certain people. The Housing and Homelessness Assessment team will look at your application.

If you do make an application and the Council finds temporary accommodation for you, you will have very little choice about where this is. **Most temporary accommodation is not in Kensington and Chelsea or central London, and some of it is outside of London.** Finding housing with a private landlord will give you more choice about where you want to live.

Changes that may affect the affordability of your new or existing home

The Government is changing the way benefits are paid. A new universal credit will replace a number of existing benefits and tax credits for people of working age. It will apply to all new claims from October 2013 and will be phased in over four years for people who already claim benefits and tax credit. The Government is also making changes to housing benefit. Your housing benefit could be reduced if you have more bedrooms than you need.

You should make sure you are aware of all the changes that are coming and how your household's income is likely to be affected before you make any plans around your accommodation. If you are claiming any benefits or credits the relevant agency should make contact with you in plenty of time.

How can I make a homeless application?

To make an application, you will need to contact the Housing and Homelessness Assessment Team. You can come into the Town Hall to see a member of the team or call **020 7361 3982/3** for initial advice. You do not need an appointment for your first visit. The opening hours are listed on the last page of this leaflet.



What happens next?

If you make a homeless application, we will consider your individual circumstances to decide if the Council has a housing duty towards you.

We use national law and guidance to assess homeless applications, including the *Homelessness Code of Guidance for Local Authorities*. A copy of the code of guidance is available online: www.communities.gov.uk/publications/housing/homelessnesscode

There are tests within the law that are applied to all homeless applications. These are known as the 'threshold tests'. The four threshold tests you must meet to access long-term housing assistance are:

- eligible for assistance, and
- homeless or threatened with homelessness within 28 days, and
- in priority need, and
- not intentionally homeless

If we believe you meet the first three tests, we will offer you temporary accommodation whilst we complete the rest of our enquiries.



Temporary accommodation

You will not be able to choose the location and the sort of property you will be offered for your temporary accommodation. We will assess your housing needs and offer you a property that is suitable for those needs, and those of your household. This is unlikely to be in Kensington and Chelsea and may not be in the London area. You will normally only receive one offer of suitable accommodation. If you do not accept that offer, you will have to make your own housing arrangements.

If you are placed in temporary accommodation you must comply with the tenancy conditions. Failure to do so could result in you losing your accommodation.

If you are eligible, the Housing and Homelessness Assessment Team or the Accommodation Team can also refer you to other teams within the Council for help and support. This can include practical and emotional support, help to maximise your income and develop your budgeting skills or help to access services in the local community, here or near to your temporary accommodation.



Longer term accommodation and ending our housing duty

If you have met the ‘threshold tests’ we will formally accept a duty to house you in the long-term (unless we are referring the duty to another local authority in cases where you have no local connection to the Royal Borough).

However, this no longer means that you will be offered a lifetime tenancy for social housing. We can meet our duty by offering you either:

- a tenancy with a private landlord – this will be for a minimum of one year
- a tenancy with a social landlord like the Council (Tenant Management Organisation), a housing trust or a housing association. These tenancies can be anything from two years to five years in length. It will be up to your landlord whether they extend your tenancy at the end of this period. You may be offered a tenancy of more than five years right from the start if we assess that you need this.

The level of your rent can also vary. Tenancies with social landlords may be offered at:

- an ‘affordable rent’ which is up to 80 per cent of the market rent (the average rent for the area that someone would pay when renting from a private landlord), or
- a fully subsidised social rent

It depends on the property and the individual policy of the landlord.



It takes a long time to get a tenancy with a social landlord. The table below will give you an indication of the average amount of time that a household has to wait, depending on the size of accommodation they are assessed as needing. It also shows how few properties there were within Kensington and Chelsea from 2011-12:

Bed size	Total Lettings 2011-12	% of total lettings	Lettings located within the Royal Borough	Lettings located outside of the Royal Borough	Average waiting time for those who moved (Figures for duty accepted homeless households only)
Bedsit	122	22%	122	0	1 year 139 days (50)
1 bed	189	34%	171	18	2 years 4 days (86)
2 bed	169	30%	125	44	2 years 332 days (83)
3 bed	62	11%	47	15	4 years 55 days (29)
4 bed	13	2%	11	2	6 years 201 days (6)
5 bed	2	less than 1%	2	0	4 years 223 days (2)
6 bed	1	less than 1%	1	0	11 years 183 days (1)
Total	558	100%	479	79	(157 lettings)

Even if you make a homeless application and we accept a formal duty towards you, we can still help you with a move into private rented accommodation of your own choice. You can ask us for more information about the Private Rented Access Scheme or any other schemes that we might be running.

How to find out more

In person: Housing Needs
 Customer Service Centre
 The Town Hall
 Hornton Street
 London W8 7NX

Monday to Friday 9am to 5pm
(except Tuesday 11am to 5pm)

By phone: **020 7361 3982/3**
 Housing and Homelessness Advice

By email: @.. (general housing enquiries)

Website: **www.rbkc.gov.uk**

Information from this document can be made available in alternative formats and in different languages. Please contact Housingline on **020 7361 3008** or email @...



www.rbkc.gov.uk