

Fact Sheet

What Happens When I Ask
For Emergency Accommodation?

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What Happens When I Ask For Emergency Accommodation?

The Homeless Prevention Officer will aim to prevent you from becoming homeless wherever possible; by assessing why you have become homeless, what solution you want and what reasonable steps you can take to resolve your housing problem.

If you need emergency accommodation, the Homeless Prevention Officer has to follow government legislation to assess whether there is a legal duty to provide you with temporary accommodation.

The Council has to satisfy 3 out of the 5 tests set in Government legislation before temporary accommodation can be considered. The details of which are listed below:

1. Are you eligible for assistance?

Most people are eligible. However, if you meet one of the following criteria then you are probably not eligible for assistance:

- An Asylum Seeker
- Have limited rights to stay in the UK
- Are from abroad and cannot claim 'public funds'
- Aren't normally resident in the UK

If the Homeless Prevention Officer advises that you are not eligible for assistance you will not be entitled to any further help, although you will be advised of other agencies that may be able to help you.

2. Are you homeless?

The definition of 'homelessness' covers more than being out on the streets. You may be homeless if;

- You have nowhere to live in the UK or anywhere else in the world.
- You can't live at home because of threats or actual abuse that are likely to be carried out against you or someone in your household
- You have nowhere that you can live together with all of your family.
- You don't have the owner's or tenant's permission to stay.
- You have been locked out of your home and are not allowed back.
- Your home is a boat, mobile home or caravan and you have nowhere to put it.
- You can only stay where you are on a very temporary basis
- It isn't reasonable for you to stay in your home for any reason e.g. your home is in a poor condition.
- You cannot afford to stay where you are

You may also be considered homeless if you are living somewhere but have to leave within 56 days. This could be as a result of a Court order or being asked to leave by relatives or friends.

People leaving hospital or another institution may be considered homeless if they have nowhere else to go when they leave.

If the Homeless Prevention Officer advises that you are not homeless, you will be given advice on your options and information on other agencies that may be able to help you.



3. Are you in priority need?

If you are eligible for assistance and homeless or threatened with homelessness the Homeless Prevention Officer will check to see if you have a priority need. The following are brief descriptions of those households considered to have a priority need.

- If you have dependent children living in your household, or if you have dependent children who wish to live with you
- If you, or a member of your household, is pregnant
- If you are 16 or 17 years of age
- If you have just left the Armed Forces
- If you have just left Prison and are vulnerable as a result of your detention
- If you are experiencing abuse
- If you are an older person, or you live in a household with an older person
- If you are vulnerable due to ill health, physical, learning or mental disability or another reason.
- If you are a Care leaver aged 18-20
- If you are homeless due to an emergency such as fire or flood

4. Will I be accommodated?

Households in the above categories may be considered to be in priority need. The Housing (Wales) Act 2014 Part 2 tells the Homeless Prevention officer what a priority need is. If the Homeless Prevention Officer advises that you do not have a priority need, the Council will not have a duty to provide emergency accommodation for you. The Homeless Prevention Officer will assist you and give you advice on how to secure alternative, affordable accommodation.

If you meet the criteria of points 1, 2 and 3 Conwy Council will have a duty to provide you with temporary accommodation. This is known as Interim Accommodation, which is only used for a short period of time.

If the Homeless Prevention Officer cannot decide whether you are in priority need, they will accommodate you whilst they make further enquiries into your situation.

What is interim Accommodation?

The type of your Interim Accommodation will depend on your individual circumstances.

- Hostel
- Refuge
- Chalets
- Bed & Breakfast
- On occasion, empty flats or houses.

You will usually be made one offer of interim accommodation. If you refuse this you may not be made another offer. **Don't refuse an offer without seeking advice first.** If you feel that the offer is unsuitable you should tell your Homeless Prevention Officer why.

Whilst you are living in interim accommodation your Homeless Prevention Officer will make enquiries into your situation, whilst continuing to assist you to find your own accommodation. If you are found not to be in priority need you will be asked to leave the accommodation.

5. Are you intentionally homeless?

The Homeless Prevention Officer will also look at why you have become homeless.

If you are found to be intentionally homeless and in priority need, Conwy Council will still have a duty to provide you with housing on a temporary basis. This is so that you have a reasonable period of time to find somewhere else to live. The Homeless Prevention Officer will explain what options you have.

If they find that you have become intentionally homeless you may wish to seek advice from an independent agency.



6. Do you have a local connection?

The Homeless Prevention Officer must be satisfied that you have a local connection to accept the full and final duty; to provide temporary accommodation for an unlimited time, until you have found suitable accommodation that will be available to you for at least 6 months.

You have a local connection if you (or someone in your household)

- Lives or has lived in the area of Conwy for 6 months in the last year, or 3 out of the last 5 years.
- You have a job in the area.
- You have a close relative (Mother, Father, sister, brother or adult child) who has lived in the area for 5 years.
- You need to live in the area for some special reason.

If the Homeless Prevention Officer advises that you do not have a local connection, the responsibility for re-housing you may lie with another authority and you will be referred to that Authority for emergency housing.

Other Information

Decision Letters

If you are in temporary accommodation provided by the Homeless Prevention Team, you will be given a written decision on what duty you are owed by Conwy Council. This letter will explain what the decision is and why that decision has been made. It will also advise you of your right to an appeal should you disagree with the decision.

If you feel you have been treated unfairly or are dissatisfied with the way your case was dealt with, the letter will advise you of the Complaints Procedure.

Permanent Accommodation

If the Homeless Prevention Officer accepts that a full duty is owed to re-house you, you will remain in your temporary accommodation until you have found alternative accommodation that will be available to you for at least 6 months. This accommodation must be suitable and available for you and your family. If you don't like the accommodation, you should seek legal advice before you refuse it.

You will only be made one offer of suitable accommodation. Refusal of this offer may also result in you having to leave your temporary accommodation.

This leaflet is designed to give general information to you if you become homeless, about what happens when you need temporary accommodation.

During your assessment and whilst working with your Homeless Prevention Officer, all aspects of securing accommodation in more detail will be given to you.



Dewis Cymru is a place for information about well-being in Wales.

If you would like information that can help you think what matters to you, along with information about local organisations and services that can help, you can visit the Dewis Cymru website at www.dewis.wales

This website will help you access local support services and find information and advice. It is a single, clear and reliable point of access

