

# Housing Services Homefinder Scheme

Bath and North East Somerset Council's homeless prevention scheme

## 2016



We can give you a loan to preventing you becoming homeless and help you find an affordable place to live with a private landlord.

# Housing Services

# Homefinder Scheme

Bath and North East Somerset Council's homeless prevention scheme

# 2016

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# About Homefinder

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Homefinder is a financial assistance scheme to help homeless people. We offer people an interest free loan to pay for the cost of finding a home with a private landlord. We can also help people who find themselves in financial difficulty and need a small loan to prevent the loss of their home. Giving a loan means we can recycle the money so we can continue to help more homeless people, so when you pay us back you can help someone else who finds themselves in your situation.

We understand people become homeless for many different reasons and we will consider your situation and the reason for a loan. If you believe a loan would have a positive impact on your life by helping you leave the streets and have a settled life, or prevent you becoming homeless in the first place we would like to hear for you. Giving small one-off loans may prevent you becoming homeless in the first place, saving you having to live in more costly and unsuitable bed and breakfast.

We administer Homefinder with the help of the Bristol Credit Union, are loans are interest free so you will only have to pay back what you borrow. Your payments will be collected regularly in affordable instalments, so you do not need to worry that you cannot afford to pay us back.

In exceptional cases we may offer a grant (which unlike a loan does not need to be paid back), grants are often given to help people who are sleeping on the streets pay their transport costs to return home but there could be other circumstances too.

Even though we would like to give financial help to everyone who finds themselves homeless, we simply do not have enough money. If you would like to apply you will need to speak to your support worker, or if you do not have one, the Housing Options Team who can help you. Once you have applied we will carry out an assessment and tell you if you are eligible, this is explained further in this document.



How to apply



Your eligible and suitability



The home you live in or would like to live in



If we have sufficient funds to help you



Our offer to your landlord

## How to apply

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We will consider every application to establish whether you are eligible and suitable for the scheme. We have explained the rules and conditions in the sections below.

We may ask you to provide further information to complete an assessment. You should provide this information as soon as possible as any delay may result in a longer wait for a decision. We may make inquiries to help us decide if we can help you, for example, we may speak to your support worker.

Your support worker can help you to complete an application online. You can also make an appointment with the Housing Options Team to talk in person.

Online

[www.housingsupportgatewaybathnes.org.uk](http://www.housingsupportgatewaybathnes.org.uk)

In person

One Stop Shop, Lewis House, 3/4 Manvers Street, Bath, BA1 1JQ  
The Guildhall, High Street, Bath, BA1 5AW  
The Hollies, High Street, Midsomer Norton, BA3 2DP  
One Stop Shop, Civic Centre, Market Walk, Keynsham, BS31 1FS



# Your eligibility and suitability

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We consider you are likely to be eligible if you:



You will not be eligible for the scheme if you

- Have been found guilty of unacceptable behaviour serious enough to make you unsuitable as a prospective tenant.
- Owe money to Housing Services, this could be because we have helped you find somewhere temporary to live but you failed to pay the rent.

The Housing Services Manager will consider making an exception if you have a loan, are moving home, do not require additional financial help and have kept up with the repayments on your loan. In exceptional circumstances, we may accept people who do not meet the criteria above.

## Registered on the Council's Homeseach Scheme

We would expect you to have an application registered and live on the Council's Homeseach Allocation Scheme.

The Housing Services Manager has the discretion to agree an exception to this rule where there is a good reason. People from abroad who are subject to immigration control under the Asylum and Immigration Act 1996 and others from abroad and ineligible for Homefinder unless they are classified as a "restricted case".

## Homeless, threatened with homelessness or ready to leave supported housing

We define the term homeless and threatened with homelessness in line with the Housing Act 1996 Part 7.

We will normally consider you ready to live independently if you have been living in a supported housing project (without causing any housing management concerns) for a minimum term of 6 months. If you have rent or service charge arrears you will not be eligible until the debt has been repaid. We may make an exception if you have a good reason for falling behind with your rent and have a repayment plan. You must have been successfully maintaining the plan for a reasonable period, nominal payments and a term of less than 6 months would not be considered reasonable.

## Support needs and being less able to find or maintain a home

We would like you to be able to find a home and sustain that home with a low level of visiting support. We need to see your support plans and know that you are in agreement to accepting the support.

We will consider you to have a support need and be less able to find or maintain a home if:

We have accepted a full housing duty under the terms of the Housing Act 1996 Part 7 and we are not referring you to another local authority

You are living in a supported housing project funded by our Supporting People & Communities Team

We will also consider you to have a support need and be less able to find or maintain a home if you meet the following three criteria.

You are receiving support

- Support must be provided by an agency funded by our Supporting People & Communities Team

You have a support need for one of more of the following reasons

- Drugs or alcohol dependency, mental health needs, physical disability or learning difficulties

Your support need has a notable impact on your ability to carry out day to day activities

- You need help to cleaning your home, cook a meal, shopping, attending your appointments and completing important paperwork

If we believe the impact on your day to day activities is marginal or nominal you would not meet the criteria.

## Financial means to find or maintain your home

We will ask you if you have any savings and request copies of your account statements. We will also ask you if you have any equity in a property which can be release, mortgaged or the terms and conditions changed to help resolve your housing difficulties. We believe you are likely to be able to resolve your own housing problem if you have saving over £1,000. We also believe you are able to resolve your own housing problem if you are a family or a couple and have an income of over £20,000 a year. Single people (without dependent children) will be able to resolve their own housing problems if they have an income of over £13,400.

If we decide you have sufficient financial resources to pay for the cost of resolving your own housing difficulties (regardless of the limits above) you will not be eligible. We may also agree to pay only a part of the amount you have requested if we believe you are able to financial contribute to the cost yourself.

## Local connection with Bath and North East Somerset

We define the term local connection in line with the Housing Act 1996 Part 7.

We consider a person can have a local connection through residency, employment, family association or for a special reason. The prescribed list is:

Residency	<ul style="list-style-type: none"><li>• The person has lived in Bath and North East Somerset for at least 6 months out of the last 12 months or 3 out of the last 5 years (of his/her own choice)</li></ul>
Employment	<ul style="list-style-type: none"><li>• The person has a period of stable or permanent employment in Bath and North East Somerset</li></ul>
Family	<ul style="list-style-type: none"><li>• The person has close family living in Bath and North East Somerset</li></ul>
Special reasons	<ul style="list-style-type: none"><li>• Special reasons which are significant will be considered on an individual basis</li></ul>

You cannot establish a local connection for circumstances falling outside the prescribed list, for example, being born in the district, having a general practitioner or engaging in support provision in the district. Individually any of the four can be sufficient for a person to establish a local connection.

We will consider your case on its merit. Exceptions can be agreed by the Housing Services Manager where there is a good reason for doing so. People who are sleeping rough in Bath and North East Somerset will be an exception to the local connection rule but will only be eligible for a grant to reconnect them to their home authority. Please refer to our Reconnection Policy.

# The home you live in or would like to live in

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## The home you live in

### Help to stay in your private rented home

We can negotiate with your landlord to help resolve your housing problems. We hope speaking to your landlord may prevent your becoming homeless.



We can give you a payment which could be used to:

- Provide services to support you in your home, for example, repairing damage you have caused to the property
- Provide a mediation services, for example, negotiation with your landlord to avoid you losing your tenancy
- Making a contribution towards the rent arrears on the condition that the tenancy is renewed
- Pay your landlord compensate for the damage you have caused to the property
- Pay your landlord a financial incentive to delay the possession proceedings.

We will not give a loan if we believe the property is not suitable for you. The property must be affordable, suitable and safe. It should be:



### Help to stay with family and friends

We do not want to use bed and breakfast accommodation for people who we have a duty to accommodate under the Housing Act 1996 Part 7. We may decide to make a payment to a family member or friend in exchange for a homeless person being allowed to live with them. The payment will only cover the expenses the family member has incurred as a result of the homeless person living with them and would be set to a maximum of the local housing allowance rate for shared accommodation.

This is a short term solution and is not intended to be used in the medium or longer term. It would usually be inappropriate to agree this arrangement with the person who caused the person to become homeless. If there is evidence of collusion giving a grant would not be appropriate.

## The home you would like to live in

### Help to pay travel expenses and to end rough sleeping

We will consider making small payment to help people leave the streets. We will pay the transport costs to help you return to your home authority in line with the Council's Reconnection Policy. We could also make a small grant to pay travel expenses for homeless people whom have been placed in temporary accommodation outside the district. Special procedures apply which are laid out in an internal procedure.

If you are considered to be a long-term rough sleepers who has been proven to be resistant to moving off the streets we will consider making a payment to help you pay for things you feel you need to leave the streets. We will want to see an action plan that shows how the money will be spent, initially this maybe around building trust between you and your support workers, but could also include buying furniture, paying for a course, clearing a small amount of arrears or buying food.

We will expect you to have a co-ordinator to help you action plan what you will need to leave the streets. We will not make a payment if we do not believe you are ready and prepared to change your lifestyle.

### Help to protect personal possessions and pets

The Housing Act 1996 imposes duties, and powers, for safeguarding the personal possessions of homeless applicants if there is a reason to believe that there is a danger of loss of, or damage to, any of the applicant's personal property. The danger must also arise because the applicant is unable to protect or deal with that property and no other suitable arrangements has been or are being made.

Storage costs are expensive and in some cases it will not be financial viable for you to retain those possessions. Assistance can sometimes be provided through Welfare Support but if this not available we will consider an application for a loan.

### Help to rent privately

We can help you pay for rent in advance and deposit on a private rented property. The property must be affordable, suitable and safe to be eligible. It should be:



We are not a letting agent and do not generally put prospective tenant and landlords in touch with each other, however sometimes a landlord will call us about an empty property and we may put you in touch with each other. We recommend you look for a home yourself with the help of your support worker; we will give you leaflets to help in your search. The Government has also published a guide called 'How to Rent' which is available to download from [www.gov.uk](http://www.gov.uk) How to Rent is a checklist of what you should consider when you rent privately.

### Local Housing Allowance

All properties must be affordable. We will normally consider a property affordable if it is within the local housing allowance for the district. Sometimes even though a property is within the local housing allowance it may not be affordable when we look at your income and expenditure, if this applies to you we will ask you to find a more affordable property.

If you need help paying the rent, we will help you make a claim for Welfare Support.

### Assured shorthold tenancy

We would like you to have a tenancy with a term of 12 months because it will give you some stability but we will agree to offer a loan for a tenancy of 6 months if the landlord is unwilling to grant a longer tenancy. A term of less than six month is unacceptable.

We do not act as a managing agent for a property; neither can we act as your guarantor. We will however, work with you and your landlord if there are problems with the tenancy and try to prevent you becoming homeless again.

If you would like to rent a room in a shared house (this means living with other people and sharing facilities such as a kitchen and bathroom with your housemates) you may be given either an assured shorthold tenancy or a licence agreement. The Housing Services Manager will consider making an exception for a shared house if the landlord is only willing to offer a licence agreement.

### Condition of the property

We will not normally inspect the condition of your property unless we believe it maybe in disrepair. We therefore suggest you carry out your own inspection as to the condition of the property. Guides are available to tell you what to look out for such as the Governments, How to Rent Guide which is available to download from [www.gov.uk](http://www.gov.uk)

If you feel a property is in disrepair or an unlicensed house in multiple occupation, commonly called an HMO you can report this to the Council's Housing Standards Team.

### Private rented sector offer

We can make a private rented sector offer to a homeless person with a view to bringing the main housing duty owed under the provisions of the Housing Act 1996 Part 7 to an end. Special procedures apply which are laid out in an internal procedure.

## If we have sufficient funds to help you

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The Bristol Credit Union will normally make the payments on behalf of the Council. Loans are interest free so you will only have to pay back what you borrow. A grant does not need to be repaid but we do not give grants very often.

Payments will be made for the lowest amount needed to prevent homelessness. We will not give a payment if we feel the cost is unreasonable or not competitive with the local market. We will also not give a payment if we believe you are able to get help through Welfare Benefits to resolve your housing difficulty.

### Loans and grants

We will usually give a loan, but in some cases we may feel it is more appropriate to give a grant.

The Housing Service Manager may agree to a grant, if it is felt that a loan would not be appropriate for you, it is unaffordable for you or there is an exceptional reason. Circumstances when a grant may be given include:

- Paying agency fees for setting up a tenancy
- Paying transport costs to reconnect you home (see Reconnection Policy)
- Help you end your rough sleeping through a personalised solution
- Pay a friend or family member for temporary accommodation rather than placing you in bed and breakfast.

### Financial limits

We have a limited amount of money; the maximum payment is £1,000 for cases that prevent homelessness and £4,500 for helping you find somewhere to live.

We will not normally make a payment directly to a client as there is a higher risk of fraud. There must be an exceptional reason for making a cash payment to a client which is agreed by the Housing Services Manager. Payments will be made direct to the creditor through the Bristol Credit Union, for example to your landlord. We may decide to make an exception if we feel a voucher or ticket would be a better payment option, such as a train ticket to return home and end your homelessness.

### Exclusions

Homeless families and vulnerable people are sometimes owed a statutory duty under the Children Act 1989 or the National Assistance Act 1948. We will co-operate with Social Services to come to a decision about which department should be helping you to resolve your housing problems. We will work in partnership to provide a seamless service to you but we may decide not help you through this scheme if you are owed a duty under those acts and we believe Social Service can help you.

This would not apply to people owed a full housing duty under the Housing Act 1996.

### Exceptional circumstances

There may be an applicant with a special reason for example; a large homeless family whom we have a duty to secure temporary accommodation and the financial limits above are too restrictive. The Head of Housing can decide cases where the total assistance is greater than £1,000 for preventing homeless and £4,500 for finding accommodation.

We may decide to restrict the fund if there is limited money; one or more of the following actions may apply. This list is not limited.

- Limit the number of loan we approve to try to maintain the fund for longer
- Prioritise certain groups to meet a housing duty, a legal requirement or a strategic aim
- Reduce the financial limits
- Give priority to smaller loans
- Restrict or end the use of grants
- Close the scheme until further funding is found.

Decisions to restrict the scheme will be made by the Housing Services Manager.

### Terms and conditions of the loan

Bristol Credit Union will deal with the administration of the loan including the loan agreement, repayment term and any difficulties the client may have with maintaining the loan.



## Our offer to a landlord

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- We will provide housing advice to landlords about setting up a tenancy.
- We can provide a blank tenancy agreement for your landlord to complete and a copy of the Government's 'How to Rent' book which must be given in all new tenancies.
- We can provide homeless prevention advice if a problem develops with a tenancy.
- We can tell your landlord about the alternative payment arrangement (under Universal Credit) so your housing costs are paid directly to them
- We are open five days a week (Monday to Friday) in normal office hours and landlords are given our direct contact details, such as an email address and telephone number. We will aim to response to any queries within our service standards.
- We will help a tenant open a bank account, get money advice and apply for welfare support if it is needed so a landlord can be assured that the rent will be paid.
- We will direct a tenant to a support service if it is needed so they settle well in the property and know their rights and responsibilities as a tenant.
- We will promote the Landlords' Forum.



# Important information

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## Request a review of a decision

You can request a review of a decision within 14 days of receiving the decision. The review will be completed within 14 days by an officer not involved in the original decision.

## Follow up call (to make sure you're happy)

We will try to call you within two weeks after releasing the money to check that everything is working out. We will make sure your benefit claim is active and you have the right tenancy support in place to help you set up your home, such as connecting to your utilities and furnishing your home. If you have any problems we will try to help you resolve them and if we can't we will refer you to someone who could help.

## Confidentiality

Any information about you is treated in confidence. We will share information with other agencies only where necessary for the purpose of the scheme.

We will not share information without permission, except where there are overriding legal requirements.

## Equal opportunities

Bath & North East Somerset Council is committed to equality of opportunity.

## Monitoring

We will monitor the following information:

- No. of applications
- No. of applications approved vs refused
- No. of applications given a loan vs a grant
- No. of applications owed a duty (s193 Housing Act 1996 Part 7)
- Equalities profile of payments approved vs refused
- Balance of fund
- Value of loans and grants
- Value of defaulted loans

# Glossary of terms

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## Assured shorthold tenancy (AST)

An AST is the most common form of tenancy in England and Wales. Please refer to the Government's publication called "How to rent" which is available from [www.gov.uk](http://www.gov.uk)

## Day to day activities

Daily living activities are cooking a meal, shopping for household items and cleaning your home.

## Full housing duty

People owed a duty under the Housing Act 1996 Part 7 s193 because they are eligible for assistance, homeless, in priority need and not intentionally homeless.

## Guarantor

A person who acts as a guarantee, such as a parent acting as a guarantor for a tenancy

## Homeless

A person with no accommodation available for his occupation, (in the United Kingdom or elsewhere) which he is entitled to occupy, or is unable to secure entry to it or (for moveable structures) have a place he is entitled to moor or pitch it. A person is also homeless if he has accommodation which is unreasonable for him to continue to occupy. (See Housing Act 1996 Part 7)

## House in multiple occupation (commonly called HMO)

An HMO is a property occupied by three or more unrelated people who share a bathroom or kitchen. It can also be a building converted into bedsits or self-contained flats.

## Lacking financial resources

Savings and income insufficient to pay tenancy start-up costs

## Local connection

The person has lived in Bath and North East Somerset for at least 6 months out of the last 12 months or 3 out of the last 5 years (of his/her own choice). The person has a period of stable or permanent employment in the district, close family associations for [enter period] or there is a special reason which is significant. (See Housing Act 1996 Part 7)

## Local housing allowance (LHA)

Local housing allowance is the Government's way of working out how much housing support they will pay to rent a property from a private landlord. The allowance is not the same for all local authorities, please call the Council to find out your rate or visit [www.LHA-direct.voa.gov.uk](http://www.LHA-direct.voa.gov.uk)

## Managing agent

A letting agent or landlord of a property

## Payment

Payment has the meaning in this policy as either a loan or grant

### Private rented sector offer

An offer of an assured shorthold tenancy made by a private landlord to the applicant in relation to any accommodation which is, or may become available for the applicant's occupation; and is made, with the approval of the local housing authority, in pursuance of arrangements made by the authority with the landlord with a view to bringing the local housing authority's main housing duty to an end; and the tenancy being offered is a fixed-term tenancy (within the meaning of Housing Act 1988 Part 1) for a period of at least 12 months.

### Priority need

Priority need is a phrase from the Housing Act 1996 Part 7 (as amended). It is a complicated piece of law but in summary it is the Government's instructions to local authorities about who they believe should receive some level of homelessness assistance. A local authority's duty towards a homeless person will depend on a number of factors with the outcome varying from them having no responsibility toward the person to having to provide that person with a temporary place for them to live.

### Reconnection Policy

Housing Service policy that helps rough sleepers (particularly new arrivals) return to their local community to access housing and support services.

### Supported housing

Housing which has a financial contract with Bath and North East Somerset Council's Supporting People Team to provide housing and support to people.

### Support need

Help that someone needs because of a medical or social issue, such as a person with a physical disability may need help with going shopping.

### Threatened with homelessness

A person who is likely to become homeless within 28 days (See Housing Act 1996 Part 7)

### Universal Credit / Housing Benefit

Universal Credit supports people who are on a low income or are out of work, it replaces Jobseekers Allowance, Housing Benefit, Working and Child Tax Credit, Employment and Support Allowance and Income Support. Universal Credit has replaced Housing Benefit in our district, for most working-age customers who are making a new claim for help towards paying their rent will make a new claim for Universal Credit.

### West of England Rental Standard

The West of England Rental Standard provides a single badge of endorsement for existing accreditation schemes. Please see [www.bathnes.gov.uk](http://www.bathnes.gov.uk)

### Welfare Support

Financial help for local residents who are in extreme financial difficulties if they cannot afford to pay for essential daily living needs, household items, or in some cases Council Tax. Please see [www.bathnes.gov.uk](http://www.bathnes.gov.uk)

# Table of authorities

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Housing Act 1996  
Homeless Code of Guidance for local authorities  
Human Rights 1998  
Equalities Act 2010  
Localism Act 2011  
National Assistance Act 1948  
Children Act 1989  
Olubukola Savage v Hillingdon London Borough Council [2010]