

2020

Homefinder Homelessness Prevention Scheme



Bath and North East Somerset Council's Homelessness Prevention Scheme

Housing Services

Bath and North East Somerset Council



Housing Services Homefinder Scheme

Bath and North East Somerset Council's homelessness prevention scheme

2020

Bath and North East Somerset Council, Housing Services, PO Box 3343, Bath, BA1 2ZH
Telephone: 01225 396296 or 396118
Fax: 01225 477839
Minicom: 01225 477815











Housing@Bathnes.gov.uk

www.Bathnes.gov.uk



Printed on recycled paper

Content

	About the scheme..... - 3 -
	How to apply - 4 -
	Eligibility and suitability - 5 -
	Your reasons for a loan..... - 10 -
	Limitations of the scheme - 16 -
	Our offer to a landlord..... - 19 -
	
	Important information..... - 20 -
	Glossary of terms - 22 -
	Table of authorities..... - 23 -



About the scheme

Homefinder is a financial assistance scheme to prevent people becoming homeless. Over the years, we have prevented hundreds of people becoming homeless by giving an interest free loan. We have helped reduced arrears to stop the loss of a home, but also paid the deposit and rent in advance, with a private landlord, when that hasn't been possible. We know that people can become homeless for many different reasons. We will consider your situation and the reasons you feel you need a loan because we know giving a small loan can benefit everyone. It saves on more costly temporary accommodation and bed and breakfast, but more importantly it makes a huge difference to someone's life.

We administer Homefinder with the help of the Bristol Credit Union and because loans are interest free - you will only have to pay back what you borrow. Payments are collected regularly, in affordable instalments, so you do not need to worry that you cannot afford to pay us back. Every time you make a payment, we can use that money to help someone else in your situation. We will, in exceptional cases, 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, to help pay their transport costs, to return home. 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 speak to your support worker or the Housing Options Team at the Council.



How to apply

You can make an application by calling:



01225 396296

We will assess every application to decide if you are eligible.

We may ask you to provide further information to help us complete the assessment. It is important that you provide this information as soon as possible because a delay may result in you waiting longer for a decision. We may also make inquiries to help us decide if we are able to help you, for example, we may speak to your support worker.

✓ ✗ Eligibility and suitability

We will consider the following range of factors to decide whether you are eligible for the scheme and able to sustain a tenancy.

 <p>ELIGIBILITY...</p>	<p>YOU HAVE A LIVE HOMESearch APPLICATION,</p>  <p>AND</p>	<p>YOU ARE WITHOUT THE FINANCIAL MEANS TO FIND, OR MAINTAIN A HOME</p>  <p>AND</p>
<p>YOU HAVE A PREVENTION, RELIEF OR MAIN HOUSING DUTY</p>  <p>OR</p>	<p>YOU ARE READY TO LEAVE SUPPORTED HOUSING</p>  <p>OR</p>	<p>YOUR HOMELESS AND RECEIVING SUPPORT FROM A SUPPORTING PEOPLE PROVIDER,</p>  <p>AND</p>
 <p>YOU DO NOT HAVE A DEBT WITH HOUSING SERVICES</p> <p>AND</p>	 <p>YOU HAVE NOT ALREADY RECEIVED HELP THROUGH HOMEFINDER</p> <p>AND</p>	 <p>YOU HAVE A LOCAL CONNECTION WITH BATH AND NORTH EAST SOMERSET</p>

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



www.homesearchbathnes.org.uk

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 are ineligible for Homefinder, unless they are classified as a "restricted case". Restricted cases take its meaning from the Housing Act 1996.

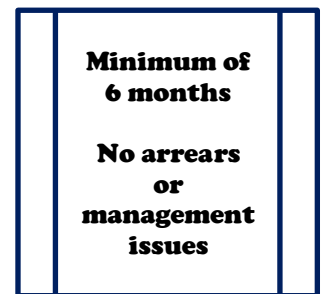
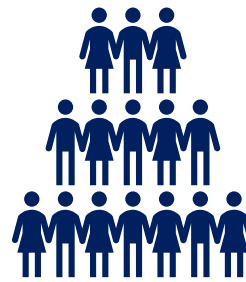
Homelessness

We define the term homeless and threatened with homelessness, in line with the Housing Act 1996 Part 7. Someone will be threatened with homelessness if: they have a valid section 21 notice which will expire within 56 days, or if they are likely to become homeless within 56 days. The terms 'prevention', 'relief' and 'main duty' is also defined in the Housing Act 1996. Please speak to the Council's Housing Options Team for advice.



Ready to leave supported housing

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 period of six 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 had a good reason for falling behind with your payments and have maintained a repayment plan successfully for a reasonable period. Nominal payments, and a term of less than 6 months, would not be considered reasonable.

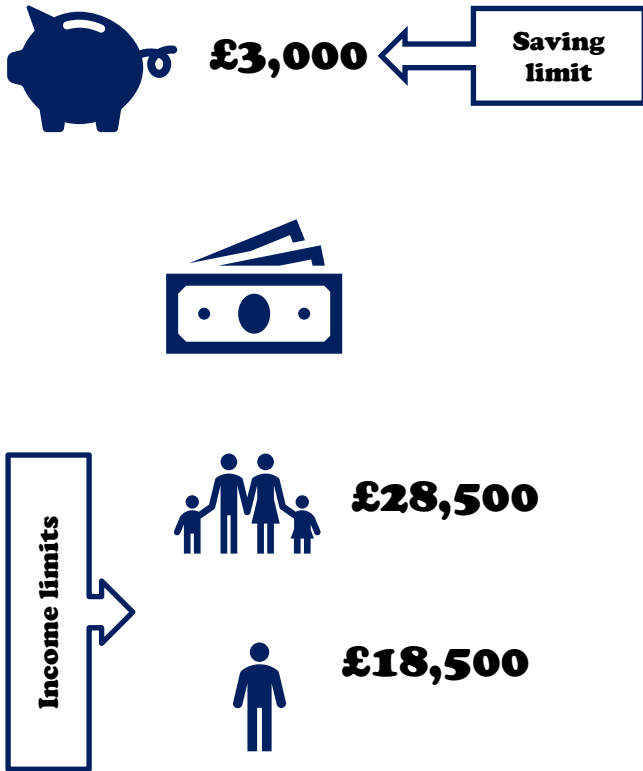


Financial means to find or maintain your home

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 released, mortgaged or the terms and conditions changed to help resolve your housing difficulties. We will also consider if the property can be sold and if it is suitable for you to downsize your home, for example if your children have left home and it is now too large. We may also not provide a loan if there is a way to increase your income such as having a lodger or your non-dependent children paying you rent.

We believe you are likely to be able to resolve your own housing problem if you have savings over £3,000. We also believe you can resolve your own housing problem if you are a family, or a couple, and have a gross income of over £28,500 a year. Single people (without dependent children) will be able to resolve their own housing problems if they have a gross income of over £18,500. Income

means all income, apart from child benefit and child maintenance payments.



If we decide you have enough 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 part of the amount you have requested, if we believe you are able to financial contribute to the cost yourself.

Debt

You will not be eligible for the scheme if you 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 can consider making an exception if you are moving home, do not require additional financial help and have kept up with the repayments on your loan. Only in exceptional circumstances will we accept people who do not meet the criteria above. We will not agree to help you financially unless you are prepared to act on money, or debt advice, to resolve the problem that has led to your financial difficulties.



Local connection with Bath and North East Somerset

The term local connection is defined in 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

You lived in B&NES for at least 6 months out of the last 12 months, or 3 out of the last 5 years (of your own choice)



Employment

You have stable or permanent employment in Bath and North East Somerset



Family

You have close family living in Bath and North East Somerset



Special reason

You have a special reason which is significant

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 enough 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 exempt from 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 for further details.

Ineligible applicants

You will not be eligible for the scheme if you have been found guilty of unacceptable behaviour, which is serious enough to make you unsuitable as a prospective tenant.



Tenancy Support Programme

We would recommend you to a tenancy support programme if we feel it would be beneficial to help you to sustain a tenancy. The tenancy support programme will, however, be mandatory for those people that are not owed, or likely to be owed, a full housing duty.



Exceptions

The Housing Services Manager can consider making an exception to the eligible criteria, in some circumstances, for instances if:

- You are threatened with homelessness for a period outside the 56 days limit
- You are living in a refuge, in Bath and North East Somerset, even if you do not have a local connection and application on the Council's Homeseach Scheme
- You have kept up to date with repayments on your loan. You do not require additional financial help, but simply wish to move to a new house.



Your reasons for a loan

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



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



Help to stay in a property you own

In exceptional cases, we will consider giving you a small loan if you are unable to keep up with repayments on your mortgage. We will not fully clear the mortgage arrears; the maximum percentage we will loan is 75% of the arrears balance. We will also not provide financial assistance when there is a previous history of high arrears.

The loan will be made on the basis that the lender is prepared to compromise on the debt owed, in order to resolve a problem that is putting your home at risk of repossession. Lenders will be expected to write down, or write-off, some of the arrears.

New, and future, housing costs following the loan must be affordable. We will complete an income and expenditure form with you. Documentation to confirm the ownership of the property, the people who live with you, your total family income and debts will be required before a loan can be considered. The Council's interest must be protected by securing a charge against the property.



Help to stay with family and friends

We would prefer not to use bed and breakfast accommodation, for people who we have a duty to accommodate under the Housing Act 1996, Part 7. We may instead 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 expense 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 for those at risk of homelessness and is not intended to be used in the medium or longer term. It would in most cases 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.

Help to pay travel expenses and to end rough sleeping

We will consider making a small payment to help people leave a street-based lifestyle. We will pay the transport costs to help you return to your home authority, in line with the Council's Reconnection Policy. We can also make a small grant to pay travel expenses for people whom have been placed in temporary accommodation outside the district, under a housing duty. Special procedures apply which are laid out in an internal document.

Longer term rough sleepers, who has proven resistant to moving away from the streets, can apply for help to pay for items which they feel they need to be able to leave the streets. We will want to see an action plan showing how the money will be spent. We understand, at first, it is important to build trust between you and your support workers. We can consider applications for furniture, paying for an education course, clearing a small amount of arrears or buying food.



We will expect you to be working with a support worker, to co-ordinate your action plan, and to show what you 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 imposes duties, and powers, for safeguarding the personal possessions of homeless applicants. When 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 duty will apply. The danger must also



arise because the applicant is unable to protect or deal with their property, and there are no other suitable arrangements being made. Storage costs are expensive, and it may not be financially viable for you to retain those possessions. Assistance can sometimes be provided through Welfare Support, but if this is 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.



We are not a letting agent. We do not put prospective tenant and landlords in touch with each other, however sometimes a landlord will call us about an empty property. We may put you in touch with each other if you feel you would like the property. We recommend that you look for a home 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 How to Rent is a checklist of what you should consider when you rent privately.

You must ensure that the Council's interest will be protected by securing an interest against the deposit money, held in a deposit protection scheme. This is commonly called a 'relevant person'.

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 housing benefit or Universal Credit.



Assured shorthold tenancy

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



When you rent a room, you may be granted either an assured shorthold tenancy, or a licence agreement, by the landlord. You will live with other people and share the same facilities, such as a kitchen and bathroom with your housemates. The Housing Services Manager will consider making an exception to the six-month rule if the landlord is only willing to offer a licence agreement.



We do not act as a letting or managing agent. We neither 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.

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. Guides are available to tell you what to look for, such as: the Government's How to Rent Guide which is available to download from www.gov.uk

You can report a property in disrepair, empty or an unlicensed house in multiple occupation (commonly called an HMO) to the Council's Housing Services 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 Housing Act 1996 Part 7 to an end. Special procedures apply which are laid out in an internal document.



Limitations of the scheme

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

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

Loans

The Bristol Credit Union will normally make the payment, on behalf of the Council. Loans are interest free so you will only have to pay back what you borrow.

Grants

A grant does not need to be repaid, but we do not give grants very often.

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



Paying your transport costs

You can return home (see our Reconnection Policy)



Help you end your rough sleeping

You need a personalised solution



Temporary accommodaiton with a friend, or family member rather than placing you in bed and breakfast

Incentive for 'direct-let' landlords

Increasing numbers of landlords are requiring a tenant to have a guarantor before they will grant a tenancy. If you do not have access to a guarantor, we will consider making a payment of up to £200 directly to your landlord, as an alternative.

This will not be offered to landlords who renew a tenancy at the end of the fixed term, nor to letting agents or management companies.

Financial limits

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



In exceptional cases, the Head of Housing can agree cases where the total assistance is greater than the limits. For example: A large homeless family whom we have a duty to secure temporary accommodation and the financial limits above are too restrictive.

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.

The total number of applications which we can award is restricted to 40 per year (January to December). 50% of those applications will be for people owed a prevention, relief or full housing duty under the Housing Act 1996.

We may also 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 payments 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 for smaller loans
- Restrict or end the use of grants or incentives
- Close the scheme until further funding is found.

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

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, but we may decide not to 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.

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

- We will provide housing advice to landlords about setting up a tenancy.
- We can provide a blank tenancy agreement 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 respond 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.



Important information



Request a review of a decision

You can request a review within 14 days of receiving the decision. The review will be completed within 14 working 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 you are settled. 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. Support can help you connect 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 and will comply with the Equality Act 2010.



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

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

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 five years 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

Managing agent

Like a letting agent.

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 several 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 (or Virgin) 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 56 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

Welfare Support

Financial help for 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



Table of authorities

Children Act 1989

Equalities Act 2010

Homeless Code of Guidance for local authorities

Housing Act 1996

Housing Act 2004

Human Rights 1998

Localism Act 2011

National Assistance Act 1948

Olubukola Savage v Hillingdon London Borough Council [2010]

Tenant Fees Act 2019