

## The right to a review of a decision

As a homeless applicant you have the right to request that the council review their decision on your case if you disagree with it.

Once you receive your decision letter you have 21 days to lodge an appeal. You must request an appeal form from your caseworker. Once this is returned your case will be renewed initially by a senior officer and if necessary it will be heard by a panel of elected members. You will be invited to attend the meeting and you can bring a representative or a friend/family member to support you.

You will then be advised of the council's decision in writing as soon as possible.

## How to contact us

Visit or write to us:

Gateshead Council Housing Options Team  
Housing Services, Civic Centre  
Gateshead NE8 1HH

Call us: 0191 433 3000  
0191 477 0844 (out of hours)

E-mail us: [HousingAdvice@gateshead.gov.uk](mailto:HousingAdvice@gateshead.gov.uk)

## Different formats

This information is available on request in a different language, in large print, audio tape/cd or in Braille call 433 2735.



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# HOUSING SERVICES



# Homelessness Advice



**This leaflet tells you more about the help you can receive from Gateshead Council if you are homeless or think you might become homeless.**

### Where do I go for help if I am homeless?

If you are homeless or think that you might become homeless in the near future, you should contact Gateshead Council's Housing Options Team. Call 0191 433 3000, ext 2489, 2627, 2644, 2665, 3994 or 3357. A Housing Options Officer will initially give you brief advice and in most cases make an appointment for a confidential interview.

If you just want to make an appointment to discuss your situation in person please telephone 433 2616 or 433 2448 where our receptionists will book you a timed appointment.

If you are roofless and you have nowhere to sleep tonight, you can just arrive at Gateshead Civic Centre and you will be seen as soon as possible. Please note that this may still mean waiting in a queue.

The offices are open for interviews between 9am and 5pm Monday to Thursday and 9am to 4.30pm Friday. If you become homeless when the office is closed you can contact our Out of Hours Service on 477 0844.

If you would like to be interviewed by an officer of the same sex, we will do our best to help. We can also arrange interpreters.

### The Law

Gateshead Council has a duty to prevent homelessness and will give advice to anybody who is worried about losing their home.

The Housing Act 1996 Part VII sets out the legal duties that the council has to people who are homeless or threatened with homelessness. The council does not have to provide housing to all homeless people but has to do so if someone is:

- Homeless or threatened with homelessness within the next 28 days

**AND** they

- Are eligible for assistance; and
- Are in priority need; and
- Are not intentionally homeless; and
- Have a local connection with Gateshead

In order to decide if you are legally homeless you will need to answer a number of questions.

### What questions will I be asked?

When you are interviewed you will be asked about any family who normally live with you and where you have lived over the last five years. We will ask about your personal circumstances and the reasons why you left your last addresses. You might be asked to produce one or more of the documents listed below.

### What may I need to provide?

Here is a list of documents that you may be asked for. Not all of these documents will apply to your situation. To avoid delay and to help process your application quickly please bring with you as many of the documents listed below that are relevant to your circumstances. You should bring relevant documents for all members of your household.

- Immigration documents
- National insurance
- Passport
- Medical cards
- Antenatal card or proof of pregnancy
- Birth certificates
- Marriage certificates
- Custody documents
- Divorce paperwork
- Written notice from landlord, friends or relatives
- Court order/Bailiffs warrant
- Building society letters on mortgage arrears
- Solicitor or legal advice letters
- Rent book or receipts
- Wage slips
- Income support or job seekers allowance
- Other benefits
- Child benefit books
- Proof of all addresses over the last 5 years
- Pension book

You should note that if you:

- state you are homeless when you are not;
- give us false information about your circumstances;
- withhold information, or
- fail to tell us all material facts about your circumstances

Then you could face criminal prosecution for fraud.

### What happens next?

Once the interview is complete the council will advise you of what happens next in your individual case. If you are roofless and have a priority need the council will find

you somewhere to stay. This could be a temporary house or flat, a refuge, a hostel or bed and breakfast. Most of the temporary accommodation is within Gateshead but sometimes we have to offer you accommodation in another area. The majority of homeless people are able to stay for a short time with friends and family.

The officer then has a maximum of 33 working days to make enquiries into your homelessness. You will receive a letter from the council which will advise you whether they have a duty to offer you reasonable accommodation. The letter will advise you that you are either:

- Not eligible
- Not homeless
- Non priority
- Intentionally homeless
- Homeless priority and accepted for housing in Gateshead
- Homeless priority but another council has a duty to re-house you (No Local Connection)

The following information from The Housing Act 1996 Part VII will help you decide how they might consider your circumstances. However, homelessness is very complicated and you should always talk to an officer if you think you may be homeless.

### What does eligible for assistance mean?

This is mainly about your immigration status. You are not eligible if:

- You are from abroad and subject to immigration control
- You are not considered to be habitually resident in the UK.

The habitually resident test applies to all applicants including British citizens. It is necessary for you to show that you have taken up residence in the UK voluntarily and for settled purposes and that you have actually lived here for a period of time that is sufficient to show that your residency has become 'habitual' and is likely to be so.

### What does 'homeless' mean?

This is where

- There is nowhere that you and your family can stay; or you no longer have a legal right to stay in your home, eg your landlord has obtained an order from the courts to evict you.
- You have somewhere to live but cannot access it, eg your landlord has illegally evicted you.
- It is not reasonable for you to continue living in your home. That could be because of its condition or something else, which might make it dangerous for you to live there.

### What is 'priority need'?

You will be in priority need if you (or somebody who might reasonably live with you)

- Have dependent children living with you that is a child aged 16 years or under, or aged 17 to 18 and still in full time education.
- Are pregnant.
- Aged 60 years or over.
- Are vulnerable because you or someone you live with is physically or mentally ill or disabled or have come from an institutional or care background such as care leavers, ex-prisoners or those leaving the armed forces.

- Are homeless as a result of a fire, flood or any similar disaster.
- Are 16 or 17 years old.

### What does 'intentionally homeless' mean?

You would be intentionally homeless if you deliberately chose to leave a home you could have stayed in, or if it was your fault you lost your home. If, for example you have become homeless because you did not pay your rent or mortgage and could afford to, you would be intentionally homeless. If you are found to be intentionally homeless the council will not have a duty to find you a permanent home. They will give you advice and assistance on the housing options available to you.

### What is 'Local Connection'?

The council will usually only house you if you have a local connection with Gateshead. You will have a local connection with Gateshead if:

- You have lived in this area for 6 of the past 12 months, or 3 of the past 5 years,

OR

- You have a permanent job in the borough, or
- You have close relatives who have lived in the borough for 5 years, or
- You have a special reason why you must live in the area

If you do not have a local connection with Gateshead we will ask another local authority where you do have a connection to help you.