

A Shelter guide

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# Finding a place to live

A guide to housing options

Shelter

# Finding a place to live

This guide provides information about housing options in England.

Reading this guide will help you:

- work out if you can get housing from the council
- find somewhere to live with a private landlord
- understand if you can get help to pay your rent and other housing costs.

This guide is only an introduction to the law in England. If you need more detailed information, you should get advice from a Shelter advice service or citizens advice bureau, or call Shelter's free housing advice helpline **0808 800 4444** (open 8am to 8pm Mon to Fri and 8am to 5pm on weekends. Calls are free from UK landlines and main mobile networks).

## **Shelter's free online housing information**

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[shelter.org.uk/advice](https://shelter.org.uk/advice)

If you live in Wales, Scotland or Northern Ireland the law may be different and you should contact Shelter Cymru, Shelter Scotland or the Housing Rights Service (see pages 37–38).

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## Things to think about before you move

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Even if you're leaving in a hurry, it's important to plan your move properly. Whether you need emergency housing or want to rent or buy your own place, it's important to find somewhere that suits your needs. You also need to be realistic about what you can afford and what is available.

### **Can you stay where you are?**

If you don't want to leave, you may have a legal right to stay where you are. A Shelter advice service or citizens advice bureau can explain your rights (see pages 37–38). Even if your landlord or mortgage lender has told you to leave, you may not have to move out. You are normally entitled to proper written notice and a court order. Even if you have received these, you may not have to move out straightaway. However, if you are living with your landlord, friends or family, you only have to be given a reasonable amount of notice, which could be verbal. It is always worth trying to negotiate to see if you can stay longer.

Some tenancies give you more rights than others. If your landlord is harassing you or trying to evict you without following the correct procedure, your local council should have someone who can help you (see page 20).

If you have been asked to leave by your wife, husband, partner or civil partner, you may have the right to stay. This could be the case even if s/he is the legal owner or tenant of your home, so contact a Shelter advice service or citizens advice bureau for advice. Counselling or mediation services may also help you sort things out.

### **Are you entitled to help from the council?**

The council's housing department may have a duty to help you if you have nowhere to stay or are likely to lose your home within 28 days. It must, at the very least, give you advice and assistance to help you find a home. It may also have a duty to house you (see page 5 for details).

## What sort of place do you need?

Don't rush into signing a tenancy agreement. Make sure the place you're moving to is suitable for you. This is particularly important if you have particular needs or are living on your own for the first time. Think carefully about:

- the location
- who you'll be sharing with
- what sort of tenancy you'll get
- how much space and privacy you need
- how long you want to stay there.

## What can you afford?

Before you start looking, you'll need to work out a budget. Don't overstretch yourself – you could end up in debt, or being evicted for arrears. So try to be realistic about your finances. And don't forget all the extra things you may have to pay on top of the rent or mortgage, such as a deposit, rent in advance, bills, agency fees, furniture and household items, food and travel.

You can use the budgeting forms on pages 34–35 to work out what you can afford to live on.

## How the council should help if you're homeless

If you are homeless, or likely to become homeless within the next 28 days, contact your local council and tell them that you want to make a homelessness application. If you are about to become homeless, try to do this before leaving your current home. What sort of help you will get depends on your personal circumstances.

If you come within the legal definitions of 'homeless' (see page 6), are 'eligible for assistance' (see page 7) and in 'priority need' (see page 7), the council must:

- make sure you have somewhere to stay while it looks into your situation
- find somewhere for you to live longer term, unless it decides you made yourself homeless intentionally (see page 9) or you do not have a local connection (see page 9).

If you are homeless and eligible for assistance but not in priority need and not intentionally homeless, the council only has to give you advice and assistance to help you find somewhere to live.

## How do I apply?

To make a homelessness application go to see your local council's housing options team or homeless persons section. However, you can also apply to another council if you want.

You can probably put your name on the council's waiting list for permanent housing too (see page 21). It is very important to make it clear that you are homeless or soon will be. One way to do this is to fill in the letter on page 36 and give it to the council. If the council office is closed, the council should have an emergency telephone service that can help you.

## Am I legally homeless?

The legal definition of 'homelessness' covers more than being out on the streets. There are a number of reasons why you could be homeless, which includes when:

- you have nowhere to live in the UK or anywhere else in the world
- you have nowhere you can live together with your family or anyone else who lives or could reasonably be expected to live with you, for example your children, partner or carer
- you can't stay in your home because of violence or threats of violence.

The other reasons you could be homeless are set out in Shelter's free guide *Homeless? Read this*.

## Am I 'eligible for assistance'?

You will be eligible for assistance if you:

- are a British citizen who has not lived abroad
- are working in the UK and you are from a European Union (EU) country. Although if you are from one of the EU countries (Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia) you may also have to be registered as a worker
- are a refugee who has been granted asylum
- have been granted exceptional or indefinite leave to remain in the UK or 'humanitarian protection'.

You may not be eligible for assistance from the council if you are in the UK 'subject to immigration control' or you are not 'habitually resident' in the UK. If you have come to or recently returned to the UK after living abroad, even if you are a British citizen, the council will check whether you are 'habitually resident'. The check looks into where you normally live. The rules are complicated and you may need to get advice from a Shelter advice service or citizens advice bureau (see pages 37–38).

If you are seeking asylum and are homeless, you will probably be placed in temporary housing arranged by the UK Border Agency (UKBA) while the Home Office makes a decision about your asylum claim. This housing could be in any part of the UK. Although if you are an unaccompanied asylum seeker aged under 18 the council's social services department has to help. See Shelter's free guide *Asylum seekers and refugees* for more information.

## Am I in 'priority need'?

You are in priority need if:

- you are responsible for dependent children who live with you
- you are, or someone you live with is, pregnant
- you are homeless as a result of a flood, fire, or other disaster
- you are a 'vulnerable' person (see page 8)

- you are aged 16 or 17, unless social services has a responsibility for you (see below)
- you are aged 18 to 20 and were 'looked after' by social services (even for one day) when you were aged 16 or 17 (although if you are now a student in full-time higher or further education whose accommodation is not available during the holidays, social services has to help you until you are 24).

## **Vulnerable people**

When deciding whether you are in priority need because you are vulnerable, the council should look at your situation as a whole and decide whether your circumstances mean that you are more likely to suffer injury or harm if you had to sleep on the streets than other people would in the same situation.

For example, the council may decide you, or someone you live with, is vulnerable because:

- of old age
- you have a physical or mental illness or disability
- you are over 20 and you were in care
- you were in the armed forces or prison, custody or detention in the past
- you can no longer stay in your home because someone has been violent or abusive towards you or has threatened you with violence.

## **16- and 17-year-olds**

You are not in priority need when you are 16 or 17 if social services has a responsibility for you. Social services will be responsible for you if:

- you are a 'relevant child'. This means that at some time from the age of 14 you were 'looked after' by social services for at least 13 weeks and you were looked after at some time when you were 16 or 17
- social services says you are a 'child in need' to whom it has to provide accommodation.

Most homeless 16- and 17-year-olds will be a child in need, and this means that social services will usually have the duty to find you somewhere to live – and to provide you with any other support you need.

However, if you are homeless today you should get immediate help with temporary accommodation from the council's homeless persons section. It should then make sure you get further help from social services

## **Will I get temporary accommodation?**

If the council believes that you are homeless, eligible for assistance and in priority need, it has to provide temporary accommodation for you. It will then look into:

- whether you are 'intentionally homeless' (see below), and
- whether you have a local connection in its area (see below).

If you have children or are pregnant, you can only be placed in a bed and breakfast if it's an emergency and nothing else is available. Even then, the council can only house you in a bed and breakfast for a maximum of six weeks.

## **Am I 'intentionally homeless'?**

If the council decides that it was your own fault that you became homeless, it only has to provide temporary accommodation for a 'reasonable' period of time. This might be for as little as 28 days.

If you are found to be intentionally homeless and have children, the housing department must, if you agree, refer you to social services for help. Social services can then help you find somewhere to live. Sometimes social services will say that they can only house your children. If this happens get advice from a Shelter advice service or citizens advice bureau (see pages 37–38).

## **Do I have a 'local connection'?**

Most people will apply for help from their local council if they become homeless. However, you can apply to any council you wish. It is unlawful for a council to turn you away or tell you to apply to another

council because you do not have a local connection with their area. If the council decides you are homeless, eligible for assistance, in priority need and not intentionally homeless, it can then check to see if you have a local connection in the area (for example by living or working locally, or having close family in the area).

If you don't have a connection with the area, the council can ask another council, where you do have a connection, to help you. You can't be sent there until the proper steps have been followed or before the other council has agreed to help you. Also the council cannot send you to an area where you are at risk of violence.

If you don't have a local connection anywhere, the council you made the application to must help you.

## **How will the council help me?**

If the council has decided you are homeless, eligible for assistance, in priority need, not intentionally homeless and it is not referring you to another council, it has an ongoing duty to provide you with accommodation.

Depending on where you live, you may have to stay in temporary accommodation until the council finds you longer-term accommodation.

If you are homeless because it is not reasonable for you to remain in your home, the council may expect you to remain there until it finds suitable accommodation for you.

You may have to wait a long time before you are offered settled accommodation.

You may have a reason for thinking an offer of accommodation is not suitable, perhaps because of your health, the size of the accommodation, the location, or a risk of violence in the area. **It is strongly advisable to accept the offer even if you don't think it's suitable.** You are allowed to ask the council to review the offer and tell it why you think the accommodation is unsuitable. However, if the accommodation is found to be suitable and you did not accept the offer, then the council does not have to offer you another property.

## **I disagree with the council's decision**

If you disagree with any decision the council has made, you can ask them to review it. You must make this request within 21 days from when you are told about the decision. You can only make a request after 21 days if you have a good reason for not doing so sooner (eg a serious illness).

## **Finding a place for tonight**

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If the council can't help, you may be able to get emergency accommodation from one of the options listed below. However, in many areas, there is little available so it can be difficult to find a place. Sometimes an advice service or the local council arranges this for you. You can get advice from a Shelter advice service or citizens advice bureau (see pages 37–38) or ring Shelter's free housing advice helpline on **0808 800 4444**.

## **Staying with friends**

Staying with friends or relatives is often the best emergency option. Even if you only stay overnight or for a few days, it will give you more time to find somewhere else. You won't have a legal right to stay if they ask you to leave, so start exploring your longer-term options as soon as possible.

## **Hostels and nightshelters**

There are a variety of different types of hostels and nightshelters run by charities, housing associations, councils, and private landlords. You can get details from an advice service, the council or your local library.

Most nightshelters are free. These are usually very basic but can provide a place to stay for a few nights and often some food. In some areas, nightshelters are only open during the winter, usually from December to March. These are sometimes called cold weather shelters. Many nightshelters are set up temporarily in unused churches, offices or schools.

Hostels will charge you rent, but you may be able to claim housing benefit (see page 29). In some hostels you may get your own room,

but in most you will have to share a bedroom with someone of the same sex. Most hostels don't accept couples. They may have shared facilities, such as kitchens and bathrooms. Some hostels provide meals, but you usually have to pay for them. Some types of hostel are only available to specific groups of people (eg single people, men, women, or people with drug or alcohol problems). The length of time you can stay varies from a few days to a few months.

Some hostels are of a very high standards but others are not. Many have strict rules. Some close during the day and you might have to be in quite early at night. You may not be able to have visitors, and alcohol and drugs are usually banned. If you break the rules of the hostel, you can usually be easily evicted.

## **Foyers**

Some parts of the country have foyers for young people. These are places that provide housing for young people and help with education, training and finding work. You will be charged rent, but you may be able to claim housing benefit (see page 29). You usually have to arrange a place through the council or a local advice centre.

Some are large converted houses, but most are much larger purpose-built hostels that accommodate 100 people or more. The accommodation is usually nicer than in a hostel or bed and breakfast (see page 38).

## **Backpacker hostels**

Some larger towns have backpacker hostels, which let you pay for one night at a time. You usually have to share your room, bathroom and cooking facilities.

## **Nightstop schemes**

Nightstop schemes provide emergency accommodation for homeless young people, aged 16 to 25, in the homes of volunteers. You can usually only stay for one night at a time with each host, where you will get a room to yourself, the chance to have a bath or shower, and a meal in the evening as well as breakfast the following morning. Not all areas have Nightstop schemes (see page 38).

## Bed and breakfast hotels

Bed and breakfast hotels tend to be more expensive than hostels. You may need to pay rent in advance. The conditions and services, such as room cleaning, are variable and there may be no cooking facilities. You might not be allowed to stay in your room during the day.

Some bed and breakfasts will only accept people who have been sent by the council. It's always best to telephone first or you might be turned away when you get there.

## Women's refuges

Women who have to leave home because of violence may find a place at a women's refuge. These are usually ordinary houses shared by women and children.

There are refuges all over the country, so if you don't feel safe in your own area you can be placed in one that is a distance away from your home. The address is kept secret to protect women from violent partners. The refuge staff can help you to claim benefits and find longer-term housing. Ring the National Domestic Violence Helpline on **0808 200 0247** or visit **[nationaldomesticviolencehelpline.org.uk](http://nationaldomesticviolencehelpline.org.uk)** for information.

## Sleeping on the streets

This is obviously best avoided as it can be dangerous and cold, and it can make it harder to sort out other areas of your life. If you have no alternative, try to find somewhere sheltered, protect yourself against the cold by having a sleeping bag, and avoid sleeping directly on the ground by using layers of card. If possible, have something to eat before you go to sleep. Staying where other people are sleeping is usually safer. Try to stick with people you know and keep valuables out of sight.

There may be free services in your area, such as soup runs, day centres, and blanket distribution. Some areas have outreach teams working on the street who can help you get a place in a hostel. In London, there's a project called No Second Night Out that helps to prevent people who are sleeping rough from spending a second night on the streets (see **[www.nosecondnightout.org.uk](http://www.nosecondnightout.org.uk)**).

## Finding a more permanent place

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If you are looking for somewhere to live long term, you need to think about what kind of accommodation you want. This will depend on what you can afford and what is available in your area. You may not be able to find exactly what you'd like. If you are on benefits, some landlords may not be willing to rent to you. You need to be realistic. Consider:

- how much you can afford to pay each week
- what facilities you want (eg central heating, a telephone, a garden)
- what size property you need (eg a bedsit or a two-bedroom flat)
- the location (eg somewhere close to public transport, shops, friends, etc)
- who you want to live with (eg whether you want to be a lodger, live on your own, or have flatmates).

## Renting privately

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Privately rented housing can be self-contained or shared with other people. It is important to be realistic about what you can afford. Sharing is usually cheaper. (See page 29 for information about getting help with housing costs.)

### **Bedsits**

These are normally single rooms in large houses. They can be self-contained with mini kitchens and bathrooms, or be living/sleeping rooms with shared kitchens and bathrooms.

### **Shared flats or houses**

These are flats or houses where people live together and share the kitchen, living room, and bathroom facilities. If you all signed the one tenancy agreement you will be joint tenants, and be equally responsible for paying the rent. If one joint tenant moves out, the remaining tenants will still be responsible for paying the whole rent.

Groups of friends often set up flat- and house-shares and may advertise a vacant room when someone leaves.

## **Lodgers**

It is quite common for people to take in a lodger to help them pay the mortgage or rent. Living with your landlord will mean that you can be evicted more easily (see page 4). Your local council or advice service may run a lodgings scheme, or may be able to put you in contact with people who have spare rooms for rent.

## **Finding privately rented accommodation**

### **Newspapers/magazines**

*Loot* and local newspapers have a section advertising rented accommodation and flat-shares. Copies may be available in libraries, and can be sometimes read online.

### **Internet**

Many local papers and letting agencies advertise on the internet. There are also specialist websites that advertise houseshares and properties to rent, for example: [www.rightmove.co.uk](http://www.rightmove.co.uk); [www.gumtree.com](http://www.gumtree.com); [uk.easyroommate.com](http://uk.easyroommate.com); [www.findaproperty.co.uk](http://www.findaproperty.co.uk)

You can get free access to the internet in many libraries.

### **Personal contacts**

Ask your friends, family or work colleagues.

### **Shop windows/noticeboards**

Try noticeboards in community centres, libraries or bookshops, as well as newsagents. However, check the date the advert was put up, as it could be out of date.

### **Letting agencies**

You can get details of local letting agencies from advice services, the *Yellow Pages* and online. Letting agencies may charge you for some services.

Some agencies ask for a week's rent for finding the accommodation. Before accepting accommodation, or handing over any money, ask the agency if it charges for:

- finding a place
- tenancy agreements and inventories
- collecting the rent
- renewing your tenancy agreement when the initial contract ends
- administration costs, such as phone calls and postage.

It is illegal for a letting agency to charge you a fee unless you accept accommodation from them. They cannot charge you for taking your details or giving you a list of addresses. If you are wrongly charged you should report it to the council – it can prosecute the agency.

## **University/college**

If you are a student, your university or college will probably have an accommodation office that can help you find somewhere to live. They will have information about private landlords, halls of residence and other specialist student accommodation.

## **Advice centres/day centres**

These may keep a list of local private landlords or letting agents. They may have been contacted directly by landlords with property to let, or run a lodgings scheme.

## **Put up an advert yourself**

You can put an advert online, in a local newspaper or a shop window, saying the type of place you want and how much you can afford.

## **Following up an advert**

You should always follow up adverts as quickly as possible. In some areas, rented places are let the same day they are advertised. Try to ask as much as you can about the place on the phone, to get an idea of whether it's worth viewing. Have a map by the phone to check the

address. Don't promise anything until you've seen it. If you have references, take them along.

## **Looking around a place**

Always take a friend along with you, or tell someone where you're going. Check to see that the doors can be locked and that the heating, lighting, and plumbing are in working order. Landlords are required to have a Gas Safe certificate if there are gas appliances.

Look at the condition of the furniture and make a note of any disrepair in the property (see Inventory on page 19). Think about whether you will feel safe getting home late at night.

If it is shared accommodation, try to meet the other tenants. See what they think about the place, and think about whether you will get on with them.

## **Before moving in**

Before you move into a new home you should check:

- how much the rent and any service charges will be
- when and how you need to pay the rent
- how the bills and council tax are paid
- when or if the rent can be increased.

## **Landlord accreditation schemes**

The majority of private landlords are responsible but it can be difficult to know who will be a reasonable landlord and who is a potential rogue. Many councils and universities have set up accreditation schemes that require landlords, who are part of the scheme, to meet certain standards. The Accreditation Network UK can provide more details (see page 38).

## **Money in advance**

You will probably need enough money for a deposit (normally the same as one month's rent) and for a month's rent in advance. If you are

renting through a letting agency, you may also need to pay an agency fee.

You may have to provide your landlord (or letting agent) with references from a previous landlord, your employer, and your bank. You may be asked to provide a guarantor who will agree to pay your rent if you are unable to.

## Deposits

Most private landlords ask for a deposit before you move in, to cover non-payment of rent or damage to the property. If you don't have money for a deposit there may be a rent deposit or bond scheme in your area that can help you. They are usually run by the local council, a housing association or a local advice service.

If you have an assured shorthold tenancy (and most private tenants will have) the landlord must, within 30 days of receiving your deposit:

- protect it with one of the four government-authorised tenancy deposit schemes (MyDeposits, the Deposit Protection Service, the Dispute Service and Capita Tenancy Deposit Service, see pages 38–39)
- provide you with the details about the scheme that the law requires.

The schemes are completely independent of the landlord, so any disputes about the return of the deposit when you leave can be settled fairly. If your landlord does not comply with her/his obligations, the courts can order her/him to give your deposit back or pay it into an appropriate scheme, and pay you one to three times its value. If the landlord does not protect your deposit s/he also cannot evict you using a 'section 21' notice. For more information, see Shelter's free guide *Private tenancies: paying a deposit* or visit [www.shelter.org.uk/deposit](http://www.shelter.org.uk/deposit)

## Rent in advance

Landlords will vary on how much rent in advance (if any) they will ask for. If you are on income support or income-based jobseeker's allowance, you may be able to get money from your local council to help you pay for rent in advance (see page 29). You may also be able to get help from a rent deposit or rent guarantee scheme if there is one in your area.

Don't hand over any money (cash or cheque) to your landlord or a letting agent without getting a receipt for it. The receipt should be dated and say what the money is for, detail the address of the property, the name/signature of the landlord (or agent), and the exact amount of money you've handed over. Keep this as a record.

## **Inventory**

The landlord or letting agent should provide an inventory (a list of the furniture and other items provided, and details of the condition of the property). Check this carefully to make sure it is accurate and that everything is in working order. Make a note of the state of decoration, anything that's damaged, any marks, scratches, or burns to furnishings, and note anything that's about to wear out. Agree any changes to the inventory with your landlord. You should both sign it and each keep a copy.

If your landlord or agent has not already provided one, you can draw up your own, making a note of any damage or disrepair. Try to get your landlord to sign the inventory to prevent disagreements later. If s/he won't sign it, get someone else to sign it as a witness, and take photographs.

## **Tenancy agreements**

Most landlords will give you a written tenancy agreement. However, verbal agreements are as legally binding as written ones. Tenancy agreements normally contain information on the amount of rent, when it can be increased, how long the tenancy lasts for, and the rights and obligations you and your landlord have. Check to see who has to do repairs, who is responsible for bills, and what happens if you want to leave. However, the law can override what is in your agreement. For instance, your landlord is responsible for certain repairs regardless of what your tenancy agreement says. Read any agreement carefully before signing it.

## Your rights

Tenants' rights vary, depending on the type of tenancy you have. Unless you have a resident landlord, new private tenancies are usually assured shorthold tenancies.

You will normally be given a fixed-term tenancy, eg for six or 12 months. After this period expires, your tenancy can be renewed. If it is not and you do not leave, your tenancy will automatically continue on the same basis as before, but will roll from month to month or week to week rather than being for a fixed period.

It will normally be fairly easy for your landlord to evict you, but s/he can't do so without giving you written notice (usually a minimum of two months) **and** getting a court order. However, if you live with your landlord in her/his home, your landlord will only need to give you reasonable notice to leave. Whether it is furnished or unfurnished does not affect your rights. See Shelter's free guide *Private tenancies* for more information.

## Harassment and illegal eviction

Some tenants are harassed or illegally evicted by their landlord, or someone acting on her/his behalf. These are serious criminal offences. Harassment and illegal eviction can take many forms, such as:

- violence or threats of violence
- entering your home without warning, especially late at night
- cutting off the electricity, gas, or water supply
- interfering with your post
- trying to evict you without going through the correct procedure
- changing the locks while you are out.

If things like this are happening to you, you should contact the person at the council, sometimes called the tenancy relations officer, who investigates these offences. The council can prosecute private landlords. You probably have a right to stay in your home until your landlord has followed the correct procedure. See Shelter's free guide *Harassment and illegal eviction* for more information.

## Discrimination

It's illegal for landlords to discriminate against you because of your race, sex, or sexual orientation when you are applying for housing. It is also illegal for landlords to discriminate against people with disabilities, unless the discrimination can be justified, eg for health and safety reasons. Generally, these discrimination laws don't apply to accommodation in the landlord's home, ie if you are a lodger.

If you are facing illegal discrimination by a landlord, you can take action and may be able to get compensation. You can get advice from the Equality Advisory Service (see page 38).

## Council housing

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Council housing can be a good option as council tenants have stronger rights and lower rents than most other tenants.

Although there is a lot of council housing, in many areas very little housing becomes available, so there is often a long wait and some people may never get an offer.

But remember: if you are homeless or about to lose your home, you may be entitled to temporary accommodation from the council (see page 5).

## How do I apply?

To put your name on the waiting list, you must fill in an application form that you can get from the council's housing department. Often the council's website allows you to fill it in online.

You may be able to apply to a number of different councils, but usually applicants that have lived in the council's area for a period of time are given priority and some councils may not accept applications from most people outside their area.

Not everyone can be considered for housing through the waiting list – some people are not 'eligible' and some people might not 'qualify'. If the council decides that you are not eligible or not a qualifying person you can ask for a review of its decision.

The council will use the information you provide in your application to decide whether you are eligible and can qualify and, if so, how much priority you should get on the waiting list. So provide as much information as you can. Make sure it is accurate as the council will check your details if it is likely to offer you a property.

## **Am I eligible/do I qualify?**

Most people who are living in the UK are eligible to apply, but you may not be eligible if you have come to the UK from abroad (see page 7).

Even if you are an eligible applicant, each local council can decide who will or will not 'qualify' to go on its waiting list. The reasons some councils might decide that you are not a 'qualifying person' could include if you:

- have no local connection in the area (this cannot apply to members, and some former members, of the armed forces)
- have a history of rent arrears
- have a history of antisocial behaviour.

This is not a comprehensive list as it is something that each council decides for itself, which means that you could qualify to go on the waiting list with one council but not with another.

## **How long will I have to wait?**

All councils have a system for deciding how to allocate their housing. They should have a leaflet explaining how their system works, and they must help you to apply if you find it difficult. In some areas there is no council housing as it has all been transferred to a housing association. Even so, you can still apply to the council to go on the waiting list.

The chances of getting a home depends on:

- your personal circumstances
- how many properties become vacant
- the number of people who have applied
- how the council decides who should get a place first.

Waiting lists don't work on a 'first come, first served' basis. Certain groups of people are given preference. This includes people who:

- have applied to the council for assistance because they are homeless or about to lose their home
- have a physical or mental health condition that is made worse by where they live, or makes it difficult for them to get around the home
- live in very poor conditions
- need to live in the area to avoid hardship (eg to be close to a special school or someone they are caring for).

The council may also give you some priority for reasons such as the length of time you have been waiting, how long you have been living in its area, or because you are contributing to the local community (for example, through voluntary work).

The council can also give you less priority, eg if you have a history of rent arrears or if you have no local connection with its area.

## **How the system works**

Some councils will offer places to applicants who come to the top of the list for the particular type or size of property that has become vacant.

However most councils allow you to 'bid' for properties. A property is then offered to the bidder with the highest priority. This system is known as 'choice-based letting'. Available properties are usually advertised on the council's website or in newsletters available from local libraries, housing offices and community centres. Some councils have arrangements with other councils so that you can bid for properties in different areas.

## **How many offers will I get?**

Under a choice-based letting scheme you can bid for as many properties as the council scheme allows. You will normally only be able to bid for properties that are the right size for your household. Bids for some properties are also restricted to certain groups (eg sheltered housing for the over 60s). Some people, such as homeless people in temporary accommodation, may only be able to 'bid' for a limited

period, and after that you may be offered a property the council regards as suitable for you.

When there is no choice-based letting scheme, if you refuse an offer the council makes you may not get another. If you think the offer is not suitable, perhaps because of your health, or because you don't like the area, it may be advisable to accept the offer anyway. This is because if you don't accept the first offer and the council disagrees with your reasons, it may not offer you another property. If you accept the property, you can also ask the council to review the offer and tell it why you think it is unsuitable.

If the council does not offer you another property, contact a Shelter advice service or citizens advice bureau to find out whether you can take action (see pages 37–38).

## **If I become a council tenant**

If you become a council tenant, some councils will offer you an introductory tenancy for the first year. This is a trial period, which can be extended for a further six months if the council is worried about your behaviour or your rent payments. While your tenancy is introductory, the council can evict you fairly easily. If there are no problems during the introductory period, you will become a secure or flexible tenant that will give you much stronger rights.

See Shelter's free guide *Council tenancies* for more information, or contact a Shelter advice service or citizens advice bureau (see pages 37–38).

## **Housing associations**

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Housing association property is similar to council property. The rents they charge are usually lower than private landlords, but higher than council rents. Some housing associations only provide accommodation for particular groups, eg certain age groups, people with disabilities, people from a particular ethnic group, or lesbians and gay men.

## How do I apply?

A large number of housing association properties are given to people put forward by councils or bid for under the council's choice-based letting scheme. For this reason alone, it is worth applying to the council for permanent housing (see page 21). Housing associations sometimes also accept a limited number of people put forward by social services departments, the probation service, or local advice services.

You can sometimes make an application to housing associations directly, but most of their waiting lists are long.

## What rights would I have?

Many housing associations give new tenants starter tenancies (usually an assured shorthold tenancy) for a trial period of time before they give an assured tenancy or a longer-term assured shorthold tenancy, which gives tenants greater rights. For more information on your rights, see Shelter's free guide *Housing association tenancies*.

## Housing co-ops

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A housing co-operative is a group of people who manage and control the housing they live in. The rents are usually lower than most private tenancies, and you are unlikely to be asked to leave at short notice. However, some co-ops only offer tenancies for short periods, and the accommodation may be in a poor condition.

If you are interested in living in a co-op, you should write to local co-ops to find out about vacancies and keep in regular contact with them. Not all co-ops have waiting lists, and co-ops without office workers may be difficult to contact.

Some co-ops have to give most of their vacant homes to councils and will not accept applications direct. It may therefore be a good idea for you to also apply to the council (see page 21 for more information).

## Buying a home

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Owning your own home gives you more security and stronger rights than rented accommodation, but it is a big financial commitment. You will require a significant deposit, as you will rarely get a mortgage to cover the full purchase price.

There are many different lenders and types of mortgage. It's worth shopping around to see what's on offer.

If you fall behind on mortgage payments, you could lose your home because of the arrears. See Shelter's free guide *Mortgage arrears* for more information.

### **Right to buy and right to acquire**

You probably have the right to buy your home at a discount if you have been a council tenant for at least five years (but there are some exceptions). If your tenancy has been transferred to a housing association, you will keep the right to buy.

If you want to apply, ask the council for the right to buy claim form (RTB1). Complete and return the form, and keep a copy. The council has to respond within four to eight weeks. If it says you don't have the right to buy, get a second opinion from a Shelter advice service or citizens advice bureau as the council may be wrong (see pages 37–38).

If you buy and then decide to sell your home within the first five years, or it is repossessed by your mortgage lender during that time, you will have to repay some or all of the discount.

Some housing association tenants can buy their homes under the similar right to acquire scheme.

### **Home-ownership schemes**

A number of schemes have been developed to help people who cannot afford to buy a home outright, these include:

- shared ownership – where you buy a share of the property and pay rent on the rest. You can usually buy a greater share later if you can afford it.

- Help to Buy – there are four types of Help to Buy schemes: Help to Buy equity loans, Shared ownership, NewBuy and Help to Buy mortgage guarantees (available from January 2014). For more details visit [www.gov.uk/affordable-home-ownership-schemes](http://www.gov.uk/affordable-home-ownership-schemes)

Most of these schemes are run by housing associations. They are not available in all areas and are at times closed to new applicants. For information about schemes in your area, contact the Homes and Communities Agency (see page 38).

## Sheltered housing

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There are different types of sheltered housing schemes for older people or people with disabilities, which offer different levels of support. Some schemes have flats or bungalows for sale, some have property for rent.

Most schemes have specially adapted accommodation, which includes an emergency phone service. Some schemes have resident or mobile wardens, and some also have communal areas for residents.

You may be able to get sheltered accommodation through the council housing waiting list. Information about sheltered housing is available from Age UK (see page 38).

## Squatting

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Squatting in a residential property is a criminal offence and squatters can be arrested by the police. If convicted by a court, a squatter can be sent to prison for up to 6 months, fined up to £5,000, or both.

It is illegal to get into a property by breaking in or damaging windows and doors and you could be arrested even if the damage is minimal.

Squatters have a right to be connected to utilities such as gas and electricity, but using them without contacting the supplier first is illegal.

You cannot be convicted of squatting if you:

- are squatting in commercial premises
- are a Gypsy or Traveller living on an unauthorised site

- are a tenant or licensee remaining in a property after the tenancy or licence has ended (because you originally had the right/permission to enter the property)
- entered the property genuinely believing you were a tenant, for example where a bogus letting agent rents you a property they had no right to.

For more information contact the Advisory Service for Squatters (see page 38).

## If you need support

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If you need support with issues other than finding accommodation, and you are an older person or have a physical or mental disability, you can ask social services to carry out an assessment of your needs. Social services may decide that you need adaptations to help you stay in your home, or that you need accommodation specifically designed for people with disabilities (wheelchair or mobility housing), or sheltered housing.

If you have a substantial and permanent disability, and you have a need for support services, social services will usually have to provide it.

You may be able to get housing from a support hostel or a housing association. These often house certain groups, such as ex-offenders, people who have problems with mental health, alcohol or drugs, single parents, or people with HIV/AIDS.

## Help with housing costs

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For many people, housing problems begin because of financial difficulties. Whatever your situation, if you are having problems paying for your accommodation, you should get advice immediately from a Shelter advice service or citizens advice bureau (see pages 37–38). It may be possible to sort things out, even if the bailiffs are on the way. You may be able to get financial or legal help, but you need to act quickly.

In some areas you could use a law centre or community advice centre. However, be careful about financial advisers who offer free advice but try to sell you another product that will make your position worse.

## Help with rent in advance and essentials

If you rent your home, you may be able to get help with your housing costs from the council. Local councils can provide help through:

- housing benefit (see below)
- local housing allowance (LHA) if you rent privately (see page 31)
- council tax reductions and support.

If you have claimed housing benefit to help pay your rent, but the amount you get isn't enough to cover your rent, you may be able to claim a discretionary housing payment (DHP) from the council. These payments come from cash limited funds, so not everyone who applies will get a payment. Local councils may only award these payments for a temporary period.

Sometimes a council may be able to offer financial help through funds set aside to help with the prevention of homelessness. You can find contact details for your local council on the Gov.uk website at [www.gov.uk/find-your-local-council](http://www.gov.uk/find-your-local-council)

## Deposit guarantee schemes

If you do not have the money to pay for a deposit, there may be a rent deposit or rent guarantee scheme in your area. Contact your local council or advice agency to see if such schemes exist in your area. Instead of paying a deposit upfront, some schemes provide a 'bond' to your landlord. (For information about deposits see page 18.)

## Housing benefit

Housing benefit (HB) is money people on benefits or on low incomes can get to help pay their rent. The amount you get depends mainly on:

- your rent
- your income and savings

- whether you have a private or council or housing association landlord
- your household size.

If you have a private landlord even if you get full HB, it may not cover all of your rent, and you will have to make up the difference. You can apply to the council for a discretionary housing payment to pay the shortfall between the rent and your HB.

HB does not cover charges for water, heating, hot water or meals, even if these are included in your rent. If you think you should be getting more, contact a Shelter advice service or citizens advice bureau (see pages 37–38). For more information on housing benefits, see Shelter's free guide *Housing benefit*.

## How do I apply for HB?

To get HB you need to fill in an application form, which you can get from your local council. Sometimes you can fill it in online on the council's website. If you are claiming other benefits, such as jobseeker's allowance or income support, you can also apply at your Jobcentre Plus office (some claimants can make a telephone claim).

Whichever way you apply, it is the council that calculates how much HB you will get. The council will want to see evidence supporting your claim. This may include:

- a rent book
- proof of your tenancy, such as a tenancy agreement
- personal identification (such as a passport or birth certificate)
- your national insurance number
- proof of all your income and savings (eg pay slips, bank statements)
- evidence of who lives with you (eg child benefit award notice).

If possible, take copies of anything you give to the council, and/or ask for a receipt so you can prove you handed it in on a certain day.

The council should make a payment of HB within 14 days if you have provided all the information it asked for, but this may not be for the full

amount of HB you're entitled to. If the council takes longer than 14 days, contact a Shelter advice service or citizens advice bureau (see pages 37–38).

## How is local housing allowance (LHA) calculated?

If you have a private landlord, your HB will usually be calculated using the local housing allowance (LHA) rate. There is a LHA rate for different sized homes, but it is capped at the four-bedroom rate.

The LHA rate that applies to you will depend on who is part of your household (see below) and where you live.

You will be assessed as needing a bedroom for each of the following that you have in your household:

- adult couple
- other adults aged over 16 or over
- any two children of the same sex up to the age of 16
- any two children regardless of sex under the age of 10
- any other child
- carer (in certain circumstances).

Most single people under 35 are only entitled to a standard rate for a bedroom in shared accommodation, even if you have self-contained accommodation.

There are maximum LHA rates, and this can mean that in parts of the country it is difficult to find somewhere to live where your HB will pay all your rent. You can find out what the standard LHA is for your size of property in your area, or the size of property you are looking for, by visiting the LHA page at [tinyurl.com/LHA-calculations](http://tinyurl.com/LHA-calculations)

## Help with mortgage payments

If you (or your partner) are claiming income support, income-based jobseeker's allowance (JSA), income-related employment and support allowance (ESA) or pension credit, you may be able to get help with paying your mortgage. This type of help is known as **support for mortgage interest (SMI)**. SMI is paid direct to your lender. The loan

must have been taken out to buy your home, an additional interest in your home (eg buying the freehold or buying your former partner's share), or for essential repairs or improvements. If part of your mortgage was used for non-housing costs (eg buying a car) you will not get SMI for interest on that part of the loan. For more information see Shelter's free guide *Mortgage arrears*.

Normally you will have to wait 13 weeks after claiming before SMI is paid. If you are in receipt of pension credit, SMI can be paid straight away. If you are in receipt of income-based JSA, normally you will only get SMI for a maximum of two years.

SMI can be paid on interest payments on loans, but only up to the value of £200,000 (eg if your loan is for £250,000 you will only get SMI for the interest payable on £200,000 of that loan). If you are in receipt of pension credit or you claimed SMI before 5 January 2009, SMI will only be paid on interest payments on any loan up to the value of £100,000 or the first £100,000 of a larger loan.

SMI is calculated at a standard rate, regardless of the interest rate you actually pay on your mortgage – the rate at the date of publication is 3.63 per cent. Ring Jobcentre Plus on 0800 055 6688 to find out changes to the rate, or visit [www.gov.uk/support-for-mortgage-interest](http://www.gov.uk/support-for-mortgage-interest)

## **Bills**

You will probably have to pay part or all of the bills for the supply of gas, electricity, telephone, and water to your home. If you are renting a place check to see which, if any, bills are included in your rent. You cannot claim housing benefit to pay for your bills, even if they are included in the rent. If you've got a TV, you will probably have to get a television licence. You can pay many bills by direct debit to spread the costs – ask each supplier about different methods of paying your bills.

## **Council tax**

Your council tax bill is based on the value of your home and the rate the council sets. Each home is given a valuation band, ranging from A (the lowest) to H (the highest). If a disabled person lives in the property, the council can place it in a lower band.

If you live on your own you will get a 25 per cent reduction – possibly more if you claim benefits. If you and all of the people you live with are full-time students, you do not have to pay council tax.

If you have a low income or are on benefits, you can claim council tax reduction (some councils call it council tax support) from the council, and you may be eligible for a 100 per cent rebate. In certain cases (including some bedsits), it is the landlord who has to pay the council tax, not the tenant.

## **Connection charges and furniture**

You may be asked to pay a deposit for electricity, gas, or the telephone when you move in, as security against non-payment of bills.

If you move to an unfurnished property you may have to buy furniture. Most council and housing association places are unfurnished. A Shelter advice service or citizens advice bureau may have details about where you can get cheap or free furniture (see pages 37–38).

## Budgeting forms

Use this form and the form on page 35 to work out your budget.

<b>Income per month</b>	<b>£</b>
Wages	
Child benefit	
Housing benefit	
Other benefits	
Child maintenance	
Student loans	
Other	
<b>Total</b>	

<b>Outgoings per month</b>	<b>£</b>
Rent/mortgage payments	
Electricity/gas	
Water rates	
Council tax	
Insurance	
TV licence/cable/satellite, cable etc	
Phone/Internet	
Mobile phone	
Credit card	
Student and other loans	
Travel to work	
Car	
Child/children related expenses	
Child maintenance payments	
Food	
Toiletries	
Clothes	
Cigarettes	
Alcohol	
Going out	
Holidays	
Other	
<b>Total</b>	

## Homelessness application letter

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(Send this letter to the Homeless Persons/Housing Options Team of your local council.)

Dear Sir or Madam,

I wish to apply as homeless under Part 7 of the Housing Act 1996. I have provided some basic details below, but I would like an urgent appointment to see a homelessness officer.

I will be homeless/I became homeless on: \_\_\_\_\_

because: \_\_\_\_\_

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The following people also live with me (or would live with me if I had a home for all of us):

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Yours faithfully,

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## Contact Shelter

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You can call our free housing advice helpline. Calls to Shelter and Shelter Scotland are free from UK landlines and main mobile networks. We can provide minicom or interpreting services.

The cost of calling Shelter Cymru will depend on your landline and mobile provider and your contract with them.

### Shelter

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 **0808 800 4444**

**Mondays–Fridays: 8am–8pm**  
**Weekends: 8am–5pm**

### Shelter Cymru

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 **0845 075 5005**

**Mondays–Fridays: 9am–5pm**

### Shelter Scotland

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 **0808 800 4444**

**Mondays–Fridays: 9am–5pm**

For online information about your housing rights and details of local advice services, visit:

- [shelter.org.uk/advice](https://shelter.org.uk/advice)
- [sheltercymru.org.uk](https://sheltercymru.org.uk)
- [shelterscotland.org](https://shelterscotland.org)

## Useful organisations

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### Accreditation Network UK

☎ 0113 205 3404  
[www.anuk.org.uk](http://www.anuk.org.uk)

### Advice UK

☎ 0300 777 0107  
[mail@adviceuk.co.uk](mailto:mail@adviceuk.co.uk)  
[www.adviceuk.org.uk](http://www.adviceuk.org.uk)

### Advisory Service for Squatters

☎ 020 3216 0099  
[advice@squatter.org.uk](mailto:advice@squatter.org.uk)  
[www.squatter.org.uk](http://www.squatter.org.uk)

### Age UK

☎ 0800 169 6565  
[www.ageuk.org.uk](http://www.ageuk.org.uk)

### Capita Tenancy Deposit Service

☎ 08444 129 969  
[www.capita-tdp.co.uk/tenants](http://www.capita-tdp.co.uk/tenants)

### Citizens Advice

☎ 08454 04 05 06  
[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

### Civil Legal Advice

☎ 0845 345 4345  
[emailhelp@civillegaladvice.org.uk](mailto:emailhelp@civillegaladvice.org.uk)  
<https://claonlineadvice.justice.gov.uk>

### Department for Work and Pensions

[www.dwp.gov.uk](http://www.dwp.gov.uk)

### Depaul Nightstop UK

☎ 020 7939 1220  
[depaul@depauluk.org](mailto:depaul@depauluk.org)  
[www.depaulnightstopuk.org](http://www.depaulnightstopuk.org)

### Equality Advisory Support Service

☎ 0808 800 0082  
[www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com)

### Foyer Federation

☎ 020 7430 2212  
[www.foyer.net](http://www.foyer.net)

### Gov.uk (the Government's public services website)

[www.gov.uk](http://www.gov.uk)  
Find a legal adviser:  
[www.gov.uk/find-a-legal-adviser](http://www.gov.uk/find-a-legal-adviser)  
Eligibility for legal aid:  
[www.gov.uk/check-legal-aid](http://www.gov.uk/check-legal-aid)

### Homes and Community Agency

☎ 0300 1234 500  
[www.homesandcommunities.co.uk](http://www.homesandcommunities.co.uk)

### Housing Rights Service

(Northern Ireland)  
[www.housingadviceni.org](http://www.housingadviceni.org)

### Jobcentre Plus

To make a claim for benefits:  
☎ 0800 055 6688  
[www.gov.uk/browse/benefits](http://www.gov.uk/browse/benefits)

To apply for a NI number:

☎ 0300 200 3505  
[www.gov.uk/national-insurance](http://www.gov.uk/national-insurance)

### Law Centres Network

[info@lawcentres.org.uk](mailto:info@lawcentres.org.uk)  
[www.lawcentres.org.uk](http://www.lawcentres.org.uk)

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### **Law Society**

[www.lawsociety.org.uk/find-a-solicitor](http://www.lawsociety.org.uk/find-a-solicitor)

### **MyDeposits**

☎ 0844 980 0290

[www.mydeposits.co.uk](http://www.mydeposits.co.uk)

### **National Debtline**

☎ 0808 800 4000

[www.nationaldebtline.co.uk](http://www.nationaldebtline.co.uk)

### **National Domestic Violence Helpline**

☎ 0808 200 0247

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

### **No Second Night Out**

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

### **Refugee Council**

☎ 020 7346 6700

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

### **StepChange**

☎ 0800 138 1111

[www.stepchange.org](http://www.stepchange.org)

### **Tenancy Deposit Scheme**

☎ 0845 226 7837

[www.tds.gb.com](http://www.tds.gb.com)

### **The Deposit Protection Service**

☎ 0844 4727 000

[www.depositprotection.com](http://www.depositprotection.com)

### **The Money Advice Service**

☎ 0300 500 5000

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

We help over a million people a year struggling with bad housing or homelessness – and we campaign to prevent it in the first place.

We're here so no-one has to fight bad housing or homelessness on their own.

Please support us at [shelter.org.uk](http://shelter.org.uk)

**Until there's a home for everyone**

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**shelter.org.uk**

Registered charity in England and Wales (263710)  
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**Shelter**