



Homeless in Merton

The Council's duties to homeless people (and those who are likely to become homeless)

This leaflet is for people who may be homeless, or threatened with homelessness within 56 days, and who have come to Merton Council for help. This leaflet is intended to be a guide to the legislation.

Our enquiries

The law says that we must look into your circumstances to find out what type of help we can provide. Firstly, we have to investigate:

(1) If you are **eligible** for help. This is a complex area of law and will be decided according to your nationality, immigration status and residency. If you are not eligible, we need only provide advice and assistance;

(2) Whether it is reasonable for you to return to your last address, or for you to continue living there. We need to be sure that you are actually **homeless, or threatened with homelessness within 56 days**.

If we are satisfied that you are eligible and homeless (or threatened with homelessness), we have a duty to work with you to draw up a 'Personal Housing Plan', listing the steps both the Council and you can take to solve your identified needs.

This duty to prevent or relieve homelessness is owed to any eligible applicant who is homeless (or threatened with homeless within 56 days), regardless of their circumstances.

However, we will have further duties to **priority need homeless** applicants.

To establish a "**priority need**" we will look at the following:

-) Do you have dependent children, or are you (or a house-hold member) pregnant? and/ or
-) Are you vulnerable, for example because of your age, mental health or disability? and/ or
-) Are you vulnerable, for example because of your being in prison, The armed forces, or care background? and/ or
-) Are you 16 or 17 years old or a care leaver under the age of 20 and / or
-) Have you lost your home because of an emergency such as a fire or flood?

If you are in a 'priority need' group, have lost your home and you need temporary accommodation, we will provide this for you, while we work together on a solution.

Regardless of whether you are in priority need, we will try and prevent your homelessness for 56 days. If we fail to help you re-solve your homelessness during this time, we will then look at your **local connection** with Merton Council.

-) Have you lived in Merton for six out of the last 12 months or 3 of the last 5 years? or
-) Do you work in Merton for at least 16 hours per week, or
-) Do you have a close relative who has lived in Merton for the last five years (e.g. mother, father, sister, brother, son or daughter), or
-) Are you connected to the Armed or Reserve Forces, or
-) Are there other special circumstances, such a need to fleeing violence?

We may refer you to another council for more help, if it is safe to do so & there is insufficient local connection with Merton

If you do have a **local connection** with Merton, are in **priority need** and our work with you has failed to relieve your homelessness after 56 days, we will consider whether you have lost your home because of something you have deliberately done (or because of something you have failed to do). These are some examples of what the law says is **intentional homelessness**:

-) Have you received advice but not followed it?
-) Have you left a property when it was reasonable for you to stay?
-) Did you decide not to pay the rent or mortgage?
-) Have you asked someone to say that you must leave?

There may be other reasons why we might find you to be **intentionally homeless**, and we will look into what you tell us very carefully. This will effect whether we owe you a duty to make a final offer of accommodation. Please turn over for a summary of our duties.

Reaching a decision

The Council will make a decision about duties owed to you, and will provide a full explanation for that decision. Here are some example scenarios:

Council's decision	Our duty to you
You are not eligible for assistance	To offer you advice and information
You are eligible, but not homeless or threatened with homelessness within 56 days	To offer you advice and information
You are eligible and threatened with homelessness within 56 days	To create a Personal Housing Plan (PHP) to prevent homelessness for up to 56 days
You are eligible, have become homeless, but have no local connection to Merton.	Referral to another authority (and to provide temporary accommodation if you are in priority need, until the referral is accepted).
You are eligible, have become homeless, but are not in priority need	To create a Personal Housing Plan (PHP) to relieve homelessness for up to 56 days. However no interim accommodation would be provided
You are eligible, have become homeless, are in priority need and have a local connection	To provide you with temporary accommodation and a PHP to relieve your homelessness for 56 days.
You are eligible, still homeless after 56 days of relief work, are in priority need and are not homeless intentionally	To secure that accommodation is available for your occupation (either private or social housing)

Other important information

If you disagree with certain decisions made by the Council, you can request a review. Details of how to do this will be given in your decision letter. This leaflet gives a **brief outline** of the law relating to homelessness, and is not a complete explanation. If you need more information, you should contact us on **020 8545 3636**.

Independent advice is available from the Citizen's Advice Bureaux, or law centre

If you need to contact us

Visit:

Housing Options
Merton Civic Centre
London Road
Morden
SM4 5DX

Email to: housingadvice@merton.gov.uk

Telephone: 020 8545 3636