

Appendix F - FAQ's (Frequently Asked Questions) about Homelessness

This section sets out useful information for people who are, or who might become, homeless. It is designed to be printed off and given to anyone who might need it.

Question - *Where can I get advice and information if I have problems with housing?*

Answer – Good advice and information can help you to avoid becoming homeless or a situation becoming worse. The Highland Council has a duty to provide advice and information on any housing issues free of charge. Ask at any Service Point or Housing Office for this service. You may also wish to contact an independent advice agency such as a [Citizen's Advice Bureau](#). Their contact details are given in Appendix A of the Highland's Housing Options Manual, on the Council's website or in their leaflets or in the phone book.

You can also phone the Highland Housing Advice Line which is run by Citizens Advice Direct. This is a confidential **Freephone** service from all landlines and from some mobiles (please check with your Service Provider) - call **0808 801 0804**.

You can also phone the Shelter advice phone line **0808 800 4444**

The Highland Council can give advice and assistance with the following:

- Housing including council housing, housing associations, private renting and home ownership
- Emergency / temporary housing (and women's aid refuges)
- Assessing your legal rights under homelessness law
- Getting support to stay in your home or to move
- Referring you to specialist services for further help e.g. Money Advice
- Rent including rent arrears and housing benefit.

Question - *What does "homeless" and "threatened with homelessness" mean?*

Answer - The laws about homelessness are very complicated but "homeless" broadly means having no housing that is reasonable for you and the people who normally live with you to carry on living in. You are "threatened with homelessness" if you are likely to become homeless within the next 2 months, for example if you have been taken to court by your landlord and the Court has said you must leave your home within 2 months.

Question - *What do I do if I'm homeless or think I will become homeless?*

Answer - Immediately you have housing difficulties, wherever you are living at the time, please contact your local Housing Office for help and advice as soon as possible. This can help to avoid a crisis. We may be able to prevent you from becoming homeless.

If you become homeless when our offices are shut (5.00pm – 9.00am week days, weekends or holiday times e.g. Christmas or Easter), call the Council's emergency number 0845 7002005.

If you have nowhere to stay contact your housing office and we will speak to you immediately. If you think you may become homeless in the future, call your local housing office and make an appointment to speak to an Accommodation/Housing Officer. At this meeting we will ask you some questions and fill out a homeless application form. This helps us to decide whether you are homeless and what help we can give you. We will also give you advice and information which might stop you from becoming homeless. For example, you can get money advice if you are having trouble paying your mortgage or rent, advice on your rights if you are a tenant or advice if you are separating from your partner. You may also want to seek independent advice from one of the agencies listed later in this leaflet.

Don't delay in contacting the Council for help – ask at your local Service Point or Housing Office to arrange an appointment.

If you have nowhere to stay, the Council will normally arrange temporary accommodation for you, at least for a period of time.

Question - *What happens if the Council decides that I am homeless?*

Answer - The Highland Council has certain legal duties towards people who are or who may become homeless. If we have decided that you are homeless or threatened with homelessness we then have to investigate and decide the following:

- whether you are in what is called "priority need"
- whether you are homeless intentionally
- whether you have a "local connection" to the area

If we decide that you are either not in "priority need", or are "intentionally homeless" or that you do not have a "local connection", we will give you advice, information and assistance to help you find housing. We will also normally give you temporary housing for a limited period of time. This is to give you time to find yourself alternative housing.

If we decide that you are in 'priority need', 'unintentionally homeless' and have a 'local connection', we have a duty to house you permanently. We will give your application additional housing need points. We will give you our decision in writing.

Question - *What is meant by being in "priority need"?*

Answer - You (or someone in your household) are in priority need if:

you are pregnant

you have dependent children (this includes foster children, step children and adopted children) living with you. Dependent children are those under 16, or those aged 16-18 who are still in full-time education or training

you are homeless because of an emergency, such as a fire, flood, etc.

you are 16 or 17 years old

you are aged 18 to 20 and were in care at the time you left school (or are aged between 21 and 24 and were looked after in care or fostered between the ages of 16-18) or are at risk of being exploited financially or sexually,

are at risk due to the serious misuse of drugs or alcohol

you are at risk of violence or harassment because of your religion, sexuality, race, colour or ethnic or national origin

you are at risk of domestic abuse

you are vulnerable and therefore less able to take care of yourself because you are either: elderly, disabled, have a mental illness or personality disorder, have learning difficulties, have a chronic illness, have had a miscarriage or an abortion

You may also be in priority need if you are vulnerable and are:

- a person who has been a member of the armed forces
- a person who has just left hospital
- a person who has served a prison sentence
- any other special reason

If you are homeless and in priority need, we will then decide whether you are "intentionally homeless" and whether you have a "local connection" to the Highland area.

Question - *How does the Council decide whether I have made myself deliberately homeless?*

Answer - If we think that you are homeless because of something you have or have not done, we may say that you have made yourself homeless "intentionally". This means that even if you are homeless and in priority need, we do not have a legal duty to find you another home.

We will give you advice, information and assistance to help you find housing. We will also normally give you temporary housing for a limited period of time. This is to give you time to find alternative housing yourself.

We may decide that you have made yourself homeless deliberately if any of the following apply to you:

- if you have been evicted for not paying your rent or mortgage even though you could afford to do so
- if you choose to sell your home when there was no risk of losing it
- if you voluntarily gave up suitable accommodation either here or abroad
- if you were evicted for antisocial behaviour, for example harassment

This is not a complete list of the circumstances when we may decide that you have made yourself homeless intentionally. We consider each case separately.

Question - *How does the Council decide if I have a local connection?*

Answer - If we decide that you are homeless, in priority need and you have not made yourself homeless intentionally, we then have to decide whether you have a “local connection” with the Highland area. If you do not have a connection with the Highlands but have a connection to another Council area in Britain, then your homeless application will be referred to that council so that they can deal with your homeless application.

If you do not have a local connection with any Council area in Britain, then we will help you.

You will have a local connection with the Highlands if any of the following apply to you or anyone who lives with you:

- have lived in Highland for at least the last six of the last twelve months or three out of the last five years. This does not include stays in hospitals or prison in the Highlands.
- have a job in the Highlands
- have close relative(s) you want to live near

If there are other special circumstances which mean you need to live in the Highlands, we may decide that you have a local connection.

If you cannot live in the area your current home is in because you are at risk from domestic violence, we will not send you back there.

Question - *When I meet with the housing officer to talk about my homeless application, what sort of questions will I be asked?*

Answer - We need to ask you a number of questions and fill out an in depth Homeless Assessment form. This helps us to assess your application and work out how we can help you. The officer you are meeting with will

complete it on your behalf and ask you to check it over before signing it. You will be asked about your previous address(es), why you can't live there any more, how you came to be homeless, your family circumstances, whether you have any medical conditions etc. You may also be asked to provide financial information if, for example, you have lost housing as a result of mortgage or rent arrears.

Question - *What should I take with me to this meeting?*

Answer - Please take any letters or documents which relate to your homelessness, to your health or to your financial circumstances. This will help the Accommodation/Housing Officer to make a decision about your case more quickly.

Question - *Will the information I provide be kept confidential?*

Answer - Yes, any information you provide will remain confidential within the Council. It will only be used to assess your homelessness and housing application within the terms of the Housing (Scotland) Act 1987 as amended by the Housing (Scotland) Act 2001, and the Homelessness, etc (Scotland) Act 2004 (the legislation which deals with homelessness).

Question - *Can I bring a friend to this meeting?*

Answer - Yes, you can bring a relative, friend, advisor or other representative. You can also choose to be interviewed by a male or female accommodation/housing officer.

Question - *Can the Council help me keep my home if I think I might lose it?*

Answer - Yes, we want to prevent you becoming homeless. We will help you find out if there are ways for you to keep your home.

Question - *How long will it take for the Council to re-house me if I am made homeless?*

Answer - Our investigation to decide how we can help you normally won't take longer than 28 days. This depends however on whether we need to get other information. For example, we may need to get information from another local authority or organisation such as report on your tenancies with other landlords or police report, etc.

We need to establish whether you are homeless, in priority need, unintentionally homeless and have a connection with the Highland area. If we establish that you are, we have a duty to house you permanently. We will write to you giving you our decision. If this is the case your housing application will be given priority and we will re-house you as soon as we can.

It is difficult to give an exact timescale on how long this might take as it depends on how many houses we have to allocate.

If we find that you are either not in "priority need", or are "intentionally homeless" or that you do not have a "local connection" we will provide you with temporary accommodation for a period of time and will give you advice and assistance to help you find alternative accommodation for yourself.

Question - *What happens if I don't agree with the decisions you have made?*

Answer - If we make any decision that you disagree with, you can ask us to review it. You must write to the Director of Housing within 21 days of receiving the letter telling you about our decision on your homeless application. In this letter you should explain why you think our decision is wrong. The review will be carried out by the Director of Housing, who will give his decision in writing as quickly as possible.

If you disagree with the Director's review of the decision, you can ask for a further review. Again you must give a reason why you think the decision is wrong. This review will be carried out by a panel of local Councillors. If you want, you can go to this review yourself to explain why you think our decision is wrong. You can bring someone along to this meeting to help you. The panel will advise you of their decision in writing as soon as possible.

If you are still unhappy with the decision you can request a Judicial Review of your case. Please note you have to ask your own solicitor to do this.

Organisations such as Shelter, Citizens Advice Bureau or a solicitor can give you help and information with your review. The process will be explained to you at each stage of review.

We will normally provide you with temporary housing while you wait for the review of the decision.

Question - *If I have nowhere to stay, will you find me somewhere to live?*

Answer - Yes, normally we will arrange temporary accommodation for you. If you are in priority need, are unintentionally homeless and have a local connection, we will provide temporary accommodation until we can give you a reasonable offer of housing.

If you aren't in priority need we will provide you with temporary accommodation for a period of time and advice and assistance to help you to find alternative accommodation yourself.

Question - *Where is this temporary accommodation likely to be?*

Answer - We will do our best to provide accommodation in an area suitable to you. However as temporary accommodation is very limited, this isn't always possible.

Question - *If my temporary accommodation is not in the area I come from where can I find out about local schools, medical services etc.*

Answer - Housing staff will be able to give you a contact name in Education, Culture and Leisure Services where you will be able to get information about schools in the area. They will also be able to give you contact information for health services in the area.

Local advice organisations such as the Citizens Advice Bureau are also able to give you help, advice and information. Information about other services for people who are experiencing homelessness can also be found in the directory called Street-wise Highland. This is available electronically by logging on to <http://www.streetwise-highland.org/> or there are paper copies available to view at Service Points and Housing Offices.

Question - *What will temporary accommodation cost?*

Answer - The charge will depend on the type of housing you are given. Normally, it includes a rent charge and a service charge to cover the cost of providing furniture, the TV license and caretaking etc. You will normally be responsible for paying for your Council Tax, electricity and gas.

Question - *How will I pay the rent for my temporary accommodation?*

Answer - If you are unemployed or on a low income you may be entitled to Housing Benefit to cover the cost of your temporary housing. If Housing Benefit does not cover all the rent and other costs you will be expected to pay some of charges.

To claim Housing Benefit you must fill in a Housing Benefit form and provide all necessary paper work as soon as possible to process your claim. Council staff are available to help you if you need assistance – just ask. You can phone the Housing Benefit Office on **Freephone 0800 393811** (mobile networks will charge for this call) for advice and a Housing Benefit application form or go along to your nearest Service Point.

Question - *What will happen to my furniture?*

Answer - We will help you find storage for your furniture and belongings. There is likely to be a charge for this.

Question - *Can I take my dog/cat into the temporary accommodation?*

Answer - The Council has no specific legal duties towards pets. Councils do not normally arrange kennelling or pay for it. We may allow pets into some types of temporary accommodation but don't allow pets into hostel type

accommodation or bed and breakfast accommodation. If you are homeless and you are unable to take your pets into your temporary accommodation, you should try to get friends or family to look after them for you.

Question - *I have had to leave all my belongings in my old home and I am having to start again, is there any help I can get?*

Answer - There are a number of organisations that we can make contact with to help you. These include local furniture supply and recycling projects. We will support you through this difficult time and give you advice about help you can get.

Question - *My partner has been violent towards me, I've had enough, can the Council help me?*

Answer - Yes. Contact the Area Housing Office immediately during office hours. If you have to leave your home out-with office hours (5.00pm – 9.00am week days or weekends or holiday times e.g. Christmas or Easter), use our emergency line **0845 7002005**. We have a duty to help you if it is likely that staying in your home will lead to being threatened or domestic violence being committed against you or someone living with you.

Question - *I would like to get independent information and advice from an organisation that isn't the Council. Where can I get this from?*

Answer - There are a number of organisations that can help you by giving you advice about your situation or putting you in touch with others who can provide you with practical help and support. Appendix A and Chapter 1 of the Highlands Housing Options Manual gives contact numbers of CABx and Shelter. The Streetwise Highland Directory also gives useful contact information. These are available in Council Housing Offices and Service Points. The Council also has contact information in leaflets and on its web site.

You can also phone the Highland Housing Advice Line which is run by Citizens Advice Direct. This is a confidential **Freephone** service from all landlines and from some mobiles (please check with your Service Provider) -
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