

# **Applying as homeless: intentional homelessness**

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The council does not have a long term duty to give you accommodation if it decides you are intentionally homeless

## **What the council looks at when you ask for help**

When you apply as homeless, the council must provide emergency housing if it thinks you might be homeless, meet immigration conditions and have a priority need.

The council only has a long term duty to house you if it carries out inquiries and decides you have a priority need and are not homeless intentionally.

## **What is intentional homelessness?**

The council might decide that you are intentionally homeless if the main reason you lost your home was because of something you deliberately did or failed to do.

This might include if you:

- were evicted after not paying the rent when you could afford to
- moved out of your home voluntarily when you could have stayed
- lost your tenancy because you went to prison for a criminal offence
- were evicted for antisocial behaviour

You won't be intentionally homeless if you lost your home because of something beyond your control. For example, if you couldn't afford the rent after becoming ill.

## **Was it reasonable for you to stay?**

The council can't decide you are intentionally homeless if it wasn't reasonable to expect you to stay in your home. For example, if you:

- couldn't afford to pay the rent even after getting debt advice
- were at risk of violence or domestic abuse by staying

## Factsheet

### If you are homeless because of someone else's actions

The council should not decide you are homeless intentionally if you became homeless because of something someone else did that you either didn't know about, or could not stop. For example, if someone else was supposed to pay the rent and you didn't know they had stopped.

### What the council must do

If you are homeless and meet immigration conditions, the council must draw up a personal housing plan. This sets out what it will do to help you find a new home. It normally has to help you for at least 8 weeks.

If after 8 weeks it hasn't managed to help you find somewhere to live, the council usually has a long term duty to house you if it decides you have a priority need and are not intentionally homeless.

If after 8 weeks it decides you have a priority need but you are intentionally homeless, it only has a duty to house you for a short period of time.

### If the council decides you are homeless intentionally

The council must give you a written decision if it decides you are intentionally homeless. You have 21 days to ask for a review. Get help from a housing adviser.

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You can get further advice from [england.shelter.org.uk/housing\\_advice](https://www.england.shelter.org.uk/housing_advice), a local Shelter advice service or local Citizens Advice.

If you have nowhere to sleep tonight, are at risk of harm or losing your home within the next 2 months, call Shelter Helpline on 0808 800 4444 for advice and information on your options. Calls are free from UK landlines and main mobile networks.

