

## ***Joint Service Housing Advice Office***

### ***Approaching Homelessness***

#### ***Irregular Occupancy***

#### ***Applying to the Council as Homeless***

#### ***Homelessness Interviews***

*Homelessness means not having a home. Even if you have a roof over your head, you can still be homeless.*

## **Service Accommodation and Irregular Occupancy**

*Whilst in the Armed Forces, you are provided with Service Accommodation.*

*If you are living in **Service Families Accommodation (SFA)**, you will be served with 93 days notice by your local Defence Estates Officer. The Notice to Vacate expires on your discharge date, and this is when you legally lose the right to occupy your Service Accommodation (medically discharged personnel have an additional 93 days). Please note, it is your responsibility to make Defence Estates (DE) aware of your discharge date.*

*If you remain in your property after this time, you will become an **Irregular Occupant** and will be required to pay Damage for Trespass charges (called Violent Profits in Scotland). For assistance with these charges, contact your Local Authority or the Department for Work and Pensions to discuss Housing Benefit. Website: [www.dwp.gov.uk](http://www.dwp.gov.uk).*

*DE will begin proceedings for the repossession of the property, and while the process may take some time, the Court is most likely to order the property back to DE, and you will be liable for Court costs. Despite this, it is important to note that if you leave the property before you are ordered to do so, your local authority may argue that you have made yourself 'intentionally homeless', and therefore have no legal duty to house you.*

*If you are a Single Service Leaver occupying **Single Living Accommodation**, you are able to remain until your last day of military pay, but no longer. For further assistance on your housing options, we would also advise that you contact the Single Person's Accommodation Centre for the Ex-Services (**SPACES**) up to 6 months before your discharge date. For contact details, see back page.*

## **Applying as Homeless**

***Make a homelessness application 28 days before your discharge date.***

***Apply to the council's Homeless Department in writing. To help, use the template letter on the following page. This can also be downloaded from the homelessness section of our website: [www.mod.uk/jshao](http://www.mod.uk/jshao).***

YOUR ADDRESS

To the Homeless Persons' Section  
YOUR LOCAL COUNCIL'S ADDRESS

DATE

Dear Sir or Madam,

**HOMELESSNESS APPLICATION**

I wish to apply as homeless under section 183 of the Housing Act 1996. I have provided basic information about my circumstances below, but I would like to speak to a homelessness officer urgently.

I will be homeless on [DATE ENTITLEMENT ENDS]. I am living in MOD accommodation but lose my entitlement to occupy Service Accommodation on this date.

I enclose my [CHOOSE FROM BELOW]

- MOD Form 1166 [SINGLE APPLICANTS]
- Notice to Vacate OR Certificate of Cessation of Entitlement to Occupy [SFA]
- Notice to Vacate OR Certificate of Cessation of Right to Occupy [LEAVING SFA FOLLOWING MARITAL SEPARATION]

I believe that I am in priority need because:

*You should tell the council about any circumstances that make it more difficult for you to find and housing without help from the council. In particular, if any of the following points apply to you (or anyone else in your household) you should provide details:*

- *I am pregnant (include due date)*
- *I am responsible for dependent children (include dates, ages and any health / social concerns)*
- *I am under the age of 25 and am vulnerable because I do not have support from family or friends, have slept on the streets in the past or have problems with drugs or alcohol*
- *I am particularly vulnerable for other special reasons*

I await your response in writing within 5 working days. Thank you for your assistance in this matter.

Yours faithfully,

YOUR NAME AND CONTACT TELEPHONE NUMBER

## **What is a Local Connection?**

*In deciding whether you have a local connection with its area, the council will consider whether you (or anyone in your household):*

- *have lived in the area and for how long*
- *have close family connections in the area*
- *work in the area*
- *have a connection with the area for another special reason*

***Following the Housing and Regeneration Act 2008 amendments to the Housing Act 1996, time spent in Military housing is now considered as a local connection.***

*N.B. You do not have to apply to the local authority you currently live in, as **any council must accept a homelessness application and make an assessment.** However, you may be referred to another council if you have no local connection with the area for which you have applied, but the council must assess your homelessness before referring you.*

## **The Homelessness Interview**

*Following your application to the local authority as homeless, you will need to attend a Homelessness Interview. This will take place in the council's **Homelessness Department**. The interview will be used to gather information about your circumstances, and assess your need for housing.*

*You will need to provide as much information as possible in support of your application, and take it with you to the interview. Important documentation and information includes:*

- *Proof of identity (passport, birth certificate, driving licence and documentation showing National Insurance number)*
- *Marriage certificate and birth certificates of any children, including proof of pregnancy (medical notes), if applicable*
- *Proof of homelessness*
  - *MOD Form 1166 (for single Service Leavers)*

- *Notice to Vacate or Certificate of Cessation of Entitlement to Occupy (for occupants of SFA)*
- *Notice to Vacate or Certificate of Cessation of Right to Occupy (for those leaving SFA following marital separation)*
- *Court Order, if issued*
- *Proof of income (wage slips, HMRC correspondence)*
- *Proof of welfare entitlements (child benefits, tax credits, income support, disability living allowance)*
- *Correspondence from Banks, Building Societies or other lenders*
- *Medical information, if applicable and relevant*
- *Details of social workers or support workers, if applicable*
- *Any other information which you feel is relevant to your housing situation*

*The local authority will assess you on the following criteria, and make a decision on your homelessness.*

*Are you eligible for assistance?*

*Are you in priority need?*

*Are you intentionally homeless?*

*For more information on this criteria, visit the homelessness pages of the JSHAO website: [www.mod.uk/jshao](http://www.mod.uk/jshao).*

### **The Council's Decision**

***Following the interview, the local authority has 30 days to inform you in writing of the decision it has made.***

***If you need to request a review of the council's decision, you must do so within 21 days. If you do not receive a letter from the Local Authority explaining the reasons for their decision, you should contact them or get advice from the Citizens Advice Bureau. You should seek guidance from advice services when requesting a review.***

*You may call the JSHAO Senior Housing Advisor (01980 618004) if you need to appeal the decision the council has made.*

***If you are accepted as Statutory Homeless, the local authority has a legal responsibility to help you find suitable accommodation. This may be a council or Housing Association property, assistance with a Rent Deposit Scheme for private sector renting, or temporary accommodation until one of the above is found.***

## **Here to help**

**Joint Service Housing Advice Office:** Telephone: 01980 618925, website: [www.mod.uk/jshao](http://www.mod.uk/jshao)

**Shelter:** Helpline: 0808 800 4444, website: [www.shelter.org.uk](http://www.shelter.org.uk)

**Citizens Advice Bureau:** Search for your local CAB online at [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

**Single Persons Accommodation Centre for the Ex-Services (SPACES):** Telephone: 01748 833797,  
website: [www.spaces.org.uk](http://www.spaces.org.uk)

**The Soldiers, Sailors, Airmen and Families Association – Forces Help (SSAFA):** Housing Advisory  
Service: 02074 639398, website: [www.ssafa.org.uk](http://www.ssafa.org.uk)

**The Royal British Legion:** Telephone: 02032 072100, website: [www.britishlegion.org.uk](http://www.britishlegion.org.uk)