

28 November 2024

Our Ref: FOI 604

Request

We received your request on 26 November 2024 for the following information:

As a follow up to FOI response 540, and in order to understand NIHE policy and procedures more fully, we request a copy of Chapter 7 of the Homeless Guidance Manual (an excerpt is included FOI response 540).

Your request has been handled under the Freedom of Information Act 2000 (FOIA).

Our response

Please find enclosed chapter 7 of the Homeless Guidance Manual.

This concludes our response.

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Chapter 7 – The Main Accommodation Duties

7.0 Introduction

The Housing (NI) Order 1988 (“the 1988 Order”) imposes a number of different “accommodation duties” on the Housing Executive. These “accommodation duties” can be divided into two broad categories.

The first category relates to the provision of accommodation pending enquiries – sometimes referred to as the interim duty to accommodate. This has been described in detail in [Chapter 2 – Interim Duty to accommodate](#) (temporary accommodation pending enquiries).

The second category of accommodation duties are those which arise out of the final homeless decision.

This chapter is concerned with this second category of accommodation duties which will be referred to as “the main accommodation duties”.

7.1 “The Main Accommodation Duties”

There are **two** main duties to accommodate which are set out below. The particular duty to accommodate which will be owed to an applicant will depend upon the final homelessness decision:-

The Legislation states;

Full Housing Duty – (Full Duty Applicants)

Article 10 (2) Where the Housing Executive is satisfied that the applicant has a priority need and is not satisfied that he or she became homeless intentionally, it shall secure that accommodation becomes available for his or her occupation.

Article 11 (2) Where the Housing Executive is satisfied that the applicant has a priority need and is not satisfied that he or she became threatened with homelessness intentionally, it shall take reasonable steps to secure that accommodation does not cease to be available for his or her occupation.

Accommodation on a Temporary Basis

Article 10 (3) Where the Housing Executive is satisfied that the applicant has a priority need but is also satisfied that he or she became homeless intentionally, it shall –

- (a) Secure that accommodation is made available for his or her occupation for such a period as it considers will give him or her a reasonable opportunity of securing accommodation for his or her occupation, and
- (b) Provide the applicant with advice and assistance of such type as may be prescribed by the Department in any attempts he or she may make to secure that accommodation becomes available for his or her occupation.

Article 7A (7) Where the Housing Executive is satisfied that a person is not eligible for assistance under this Part by virtue of paragraph (1)(c) of this Article but has a priority need, it shall treat him or her in the same manner as an applicant to whom paragraph (3) of Article 10 applies.

7.2 Principles for providing Temporary Accommodation

Where it is identified that the Housing Executive has a statutory duty to make accommodation available to an applicant, the accommodation is provided on the following principles:

- That the applicant is in need of temporary accommodation for themselves and for those household members named on their application and has accepted an offer of temporary accommodation;
- That the applicant requires the temporary accommodation on a continuing basis, until they are permanently rehoused;
- That the accommodation is used for the purposes for which it was provided;
- That the applicant [and those household members named on their application] agrees to be bound by terms and conditions applied by the Housing Executive as the placement organisation contained in the Standards of Behaviour in Temporary Accommodation and those set out by the accommodation provider.
- That the person agrees to be bound by any licence agreement between them and the accommodation provider.

7.3 The Full Housing Duty (FDA)

This is the duty to secure that accommodation is available for the applicant where the Housing Executive has decided that he or she has a priority need and is not homeless intentionally, (Article 10(2) and Article 11(2) of the 1988 Order, as set out above). This is sometimes referred to operationally as FDA - the Full Duty Applicant.

7.4 Accommodation on a Temporary Basis

This is the duty to secure that accommodation is made available for an applicant's occupation for such a period as the Housing Executive considers will give him or her a reasonable opportunity of securing accommodation for his or her occupation. This temporary accommodation duty is owed to an applicant in the following circumstances:-

- i. Where the Housing Executive is satisfied that the applicant has a priority need and that he or she became homeless intentionally (Article 10(3) (a) of the 1988 Order, as set out above). This is often referred to as the **Intentionally Homeless Duty**.

- ii. Where the Housing Executive is satisfied that an applicant is to be treated as a person who is not eligible for homeless assistance on grounds of serious unacceptable behaviour but has a priority need (Article 7A (7) of the 1988 Order as inserted by the 2003 Housing Order, as set out above).

In deciding the period for which temporary accommodation is provided each case must be considered on its individual merits. This means that there is no standard period of time which will give an applicant reasonable opportunity to obtain accommodation for him or herself. In some cases a few weeks may be reasonable, however, some applicants may require more or less time. The accommodation secured for such an applicant must be suitable in terms of both the applicant and the household. Refer to additional guidance contained in [7.6 Suitability of Temporary Accommodation](#).

In deciding the period of time which it is considered will give the applicant a reasonable opportunity of obtaining their own accommodation, consideration should be given to the following matters in relation to local circumstances and the needs of the applicant and the members of their household:-

- The availability of alternative accommodation in the locality – this will normally be private rented sector accommodation. Account should be taken of how readily other accommodation is available in the locality.
- The ability of the household to secure alternative accommodation – issues to be considered should include;
- What resources are available to the applicant to pay the rent in advance and / or deposit where this may be required from private landlords?
- The designated officer should give consideration to referring the applicant to the relevant Financial Inclusion Managers for benefits/income maximisation advice.
- Has the applicant personal issues which would impair his/her ability to secure accommodation for example, learning difficulties or language barriers?
- Support needs – there may be circumstances where a household's legitimate desire to reside in a particular locality will affect the length of time taken to secure

accommodation. In these instances any relevant education, health and support needs of the household should be taken into account.

An applicant with dependent children should be told at an early stage that assistance may be available from Social Services in respect of the family obtaining accommodation. If the applicant wishes to seek such assistance he or she should be asked to consent to the referral of their circumstances to Social Services before the temporary accommodation comes to an end.

The Designated Officer should agree a Housing Support Plan with the applicant documenting relevant advice and assistance see [Appendix 10 –Housing Support Plan](#). The Designated Officer should ensure that the Declaration see [Appendix 11 – Declaration Form](#) and [Appendix 11a Telephone Statement Re: Data Protection and Customer Declaration](#) is signed, dated and a copy provided. A copy of the Declaration and the Housing Support Plan is provided to the applicant and a copy held on the customers file and/or on HMS.

In cases where the Designated Officer is addressing the duty owed to applicants who are intentionally homeless the issues and circumstances considered in relation to the time period for which temporary accommodation is made available by the Housing Executive should be reviewed regularly and recorded on the customers file and/or HMS.

7.5 Use of Temporary Accommodation

The Housing Management System (HMS) holds details of temporary accommodation available to the Housing Executive for the purposes of meeting its statutory accommodation (temporary) duties.

Each Regional Homelessness Officer/Regional Principal Officer or, in Belfast, the Housing Solutions Manager is responsible for the maintenance of temporary accommodation details held on HMS. Properties may be added to or deleted from HMS as appropriate and

in accordance with the [Temporary Accommodation Area Homeless HMS Step by Step Manual](#).

The identification of suitable temporary accommodation for the placement of homeless applicants in such accommodation is the responsibility of the Designated Officer within the Housing Executive Office/Housing Solutions & Support Teams and Patch (where appropriate).

[In circumstances where an applicant is subject to PPANI – see 7.6 Suitability of Temporary Accommodation.](#)

As a matter of policy, temporary accommodation should be utilised based on the applicants support needs.

Below is a list of the types of accommodation available for selection:-

- i. NIHE temporary accommodation
- ii. Voluntary sector hostels
- iii. Private sector – Dispersed Intensively Managed Emergency Accommodation (DIME -Procured Contract)
- iv. Private sector – single lets
- v. Private sector – hotels / B&B's (Emergency Situations Only)

In exceptional circumstances, where the Designated Officer is considering using non-standard temporary accommodation they must ensure that a member of the Management Team has given their approval for its use in order to enable the Housing Executive to meet its statutory duty to a homeless applicant. This may include having to source temporary accommodation outside of the HMS Bed Bureau. Designated Officers who use non-standard temporary accommodation must actively begin an exit strategy immediately and Case Manage to avoid lengthy stays in non-standard accommodation. Where non-standard accommodation i.e. Hotels and B&B's are being selected, it is important that Designated

Officers negotiate optimum rates and conditions of occupation and record the rate on HMS (Voucher Notes).

7.6 Suitability of Temporary Accommodation

Designated Officers arranging temporary accommodation should seek to secure suitable temporary accommodation to meet the needs of the applicant and the members of his or her household who normally reside with him or her or might reasonably be expected to reside with him or her. When assessing the suitability of the temporary accommodation relevant factors to be considered include size and location of the property; personal circumstances of the household such as affordability; proximity to hospitals, schools, care services and family; the accessibility of public transport . This is not a prescriptive list that encompasses suitability as each applicant's circumstances will be different and the Designated Officer should take their own view on the evidence available to them.

When assessing the suitability of the temporary accommodation for those released from prison, securing stable accommodation is a recognised protective factor in assisting offenders from reoffending. While the day-to-day management of PPANI Offenders in the community rests with Probation, Police and the Trust, the Housing Executive plays a key role in securing temporary and permanent accommodation to facilitate this management. In line with the PPANI Manual of Practice Information Sharing Agreement, the Housing Executive has a designated Single Point of Contact (SPOC) role located within the Homelessness Policy Unit and this SPOC role is shared by two NIHE PPANI Representatives.

All applicants who are released from prison and are subject to PPANI, staff must refer to guidance contained in [Appendix 17 – Guidance for those subject to Public Protection Arrangements Northern Ireland \(PPANI\)](#).

The Housing Executive must ensure that temporary accommodation is made available to the applicant and the members of his or her household who normally reside with him or her or might reasonably be expected to reside with him or her in order to meet its statutory duty. This may result in an applicant (and his or her household) being placed in temporary accommodation that does not meet all of the relevant suitability factors for the household.

Note: The Housing Executive can meet its duty by keeping an applicant in accommodation that would not be suitable to occupy on a long term basis but it would not be unreasonable for the applicant to occupy for a short period whilst the Housing Executive looks for a permanent housing solution.

Should the applicant wish to challenge the suitability of the offer being made please refer to [Chapter 11 Review of Homelessness Decisions – County Court Appeals](#).

Whilst not a statutory duty the Designated Officer should also determine if it is necessary to provide transport to the temporary accommodation and this process is detailed in [Chapter 10 – Transport](#).

7.7 Standards of Behaviour in Temporary Accommodation

Where an applicant has been placed in temporary accommodation which has been arranged by the Housing Executive, staff should ensure in all cases, that the appropriate documentation in relation to that service is completed and signed by the applicant. Staff must ensure the applicant signs a statement in relation to Standards of Behaviour in Temporary Accommodation. The documentation is found in [Appendix 1 Standards of Behaviour in Temporary Accommodation](#). The implications of not conforming to the conditions of this document must be fully explained to the applicant, in particular to those applicants being placed under the interim duty. Those individuals consistently guilty of unacceptable behaviour whilst placed under the interim duty are at risk of this duty being withdrawn. Staff should note that the pattern of unacceptable behaviour should be established and documented in conjunction with any Adverse Incidents Forms see

[Appendix 11b Adverse Incident Report Forms](#) received from Providers. This information should be used for the justification of the withdrawal of the interim duty. See [Appendix 1B Closure of Temporary Accommodation due to Unacceptable Behaviour during interim duty](#).

Failure to have the applicant complete Standards of Behaviour in Temporary Accommodation form may result in them being unaware of and/or failing to be compliant. The signed statement should be uploaded on to Housing Management System (HMS) and/or in the applicant's homeless file.

7.8 Arranging a Temporary Accommodation Placement

Local Offices/Housing Solutions & Support Teams and Patch (where appropriate) should follow the procedures outlined below when arranging a temporary accommodation placement;

- i. Arrange the placement in accordance with procedures set out in the [HMS Homeless Services Keying Guide](#) (including telephone liaison with the temporary accommodation provider).
- ii. Applicants must sign a copy of the Standards of Behaviour in Temporary Accommodation as above.

Please refer to [Appendix 1 – Standards of Behaviour in Temporary Accommodation Provided by the Housing Executive Pursuant to Homelessness Duties](#). A copy should be retained on the applicant's file and/or recorded on HMS. Designated Officers should adhere to the processes outlined in [LSAN HSG 08/21 Temporary Accommodation Offer Letters/Closure of Temporary Accommodation due to Unacceptable Behaviour](#) as set out in [7.7 Standards of Behaviour in Temporary Accommodation](#) above.

- iii. Print the offer letter and voucher (where appropriate).
- iv. A copy of the voucher should be given to the applicant and/or provider or send direct to the provider). Designated Officers should confirm with the applicant that they have a clear understanding of their responsibilities in temporary accommodation. A copy should be retained on the applicant's file and/or recorded on HMS.
- v. Complete a Housing Benefit form/Online Housing Benefit form (except for placements in the voluntary sector who complete Housing Benefit forms with their residents).
- vi. Forward Housing Benefit form/Online Housing Benefit form to the relevant Housing Benefit Office.
- vii. If an applicant feels an offer of temporary accommodation is not suitable then they should be advised of their Right to Request a Review of the suitability of the Temporary Accommodation offered. Designated Officers should adhere to the processes outlined in [LSAN HSG 08/21 Temporary Accommodation Offer Letters/Closure of Temporary Accommodation due to Unacceptable Behaviour](#)

7.9 Temporary Accommodation

The Housing Executive will use a range of temporary accommodation options, for example, Housing Executive hostels, voluntary sector hostels, Diverse Intensively Managed Emergency Accommodation (DIME), and properties from the private rented sector in order to discharge its Accommodation Duty.

The Designated Officer should fully discuss the affordability of all temporary accommodation options with applicants before making a placement and should give

consideration to referring the applicant to the relevant Financial Inclusion Manager for benefits/income maximisation advice, if applicable.

7.9.1 Voluntary Sector, Housing Executive Hostels, and Dispersed Intensively Managed Emergency (DIME) Accommodation

A ring-around of vacancies in Supporting People funded hostels is circulated to staff daily and updates are provided throughout the day. This information is also distributed to the Out Of Hours staff for reference after hours. This information is collected for all hostels across Northern Ireland and is designed to eliminate the need for multiple staff to contact individual projects where there are no vacancies. This is circulated with a Temporary Accommodation Directory which provides detailed information on individual hostels including eligibility criteria, referral process, type of accommodation, and the relevant client group. Staff should ensure eligibility criteria is referred to before a referral is made.

Referral procedures

There are approximately 80 different Supporting People funded homeless accommodation based services across Northern Ireland. Each has specific eligibility criteria and an agreed referral process. These details are contained within the Temporary Accommodation Directory.

Through the Housing Solutions Interview the Designated Officer will gain an understanding of the applicant's needs, the Designated Officer should consider availability within the Supported People funded hostel portfolio first if the applicant has support needs. The starting point to establish availability should be the most up to date ring-around information. The Designated Officer should then consult the Temporary Accommodation Directory to establish if the applicant meets the criteria for the available projects.

The Designated Officer should discuss the accommodation options with the applicant and make referrals to the most appropriate provider/s. It should be noted that hostel accommodation is considered a reasonable temporary accommodation offer for customers falling into the eligibility criteria of projects in the Temporary Accommodation Directory.

When completing the relevant referral documentation it is essential that the form contains as much information as possible, is accurate and comprehensive. This will reduce the need for follow up questions from the provider and therefore avoid unnecessary delays. It will also ensure that the provider can make an informed decision on their ability to accommodate the needs of the applicant.

If the referral is accepted, the Designated Officer should provide the applicant with the relevant access information and arrange for transport to the accommodation if necessary.

All temporary accommodation placements must be keyed and maintained on HMS as per [the HMS Homeless Services Keying Guide](#). It is essential to record all placements in a timely manner so that Out of Hour and the day staff have the most up to date information pertaining to that applicant.

This will ensure the 20 interim accommodation points are triggered at the appropriate threshold and will evidence usage of accommodation.

If the referral is rejected, the Designated Officer should ask the provider to complete the Record of Refusal to Access to Service See [Appendix 11c Record of Refusal Access to Service](#) and record it on HMS.

7.9.2 Single Lets

What is a Single Let?

A single let is private sector accommodation to which the Housing Executive may refer persons requiring temporary accommodation.

[General arrangements for existing single-lets and COVID-19 single-let properties](#)

The COVID 19 single let portfolio and the new block booked properties, referred to as COVID-19 properties, should be considered as separate and distinct temporary accommodation supply options;

Ordinary (existing) Single Lets

The existing single let portfolio should be exhausted first. Designated Officers should note that existing single lets will be used when any of the following circumstances apply:

- For homeless applicants who are eligible and to whom we owe an interim or full duty and who have low or no support needs.
- At all times, when possible, for those homeless applicants who are eligible and to whom we owe an interim or full duty and who need to self-isolate, whether due to risks of COVID-19, or displaying the symptoms associated with COVID-19.
- Placements must be reviewed on a regular basis. Consideration should be given to them being moved on from this accommodation and, as part of these reviews, consideration should be given to the applicant's support requirements and how these are being met, or not, within the current placement;
- For those individuals who are homeless and currently in supported accommodation but have been identified as no longer requiring support by the provider and therefore can be moved on from this accommodation
- On occasions, for homeless applicants with medium or high support needs on occasions when all other supported temporary accommodation have been exhausted. In these cases, the Designated Officer should explore available wraparound or floating support options available to help sustain the placement and make the relevant referrals as required. If this type of support is not available or is inadequate, and supported hostel type accommodation is the most appropriate option for the customer, efforts should be made to move them on to this accommodation at the earliest opportunity.

- For confirmed FDA applicants in non-standard hotel/B&B accommodation who need to move on to more appropriate accommodation. **Placements in hotel/B&B accommodation should be on an emergency and exceptional only and should be reviewed on a daily basis.**
- In relation to the practical management of existing single lets staff should note that guidance contained within 'The Transitional Arrangements for the Acquisition and Management of Single Lets' remain applicable.

Rent Liability for an ordinary Single Let

The payment for a single let is derived from a number of sources, which may include a Housing Benefit payment and/or a contribution from the applicant where they are not in receipt of full Housing Benefit. The payment for a single let may also include a 'Top Up' payment. The 'Top Up' is the amount paid by the Housing Executive to the accommodation provider that is above the Local Housing Allowance and/or Rates element and the amount agreed with the accommodation provider. The Designated Officers should ensure that in all cases the applicant completes a Housing Benefit Form when being placed in a single let.

Please refer to [LSAN HSG 14/18 Procedures for placing customers in Temporary, or Single Let Accommodation](#)

COVID-19 SINGLE LET PROPERTIES

COVID-19 properties, were acquired to ensure the Housing Executive has a sufficient supply of accommodation to meet our statutory duties;

Please refer to [LSAN Covid No. 3 2020 Acquiring Single Let Accommodation Covid 19 Contingency](#).

- For homeless applicants who need to self-isolate due to either risks associated with underlying medical conditions in the context of the PHA guidance, or displaying COVID-19 symptoms.

- For homeless applicants with COVID-19 symptoms currently living in other temporary accommodation with shared facilities where self-isolation is required but cannot be facilitated (see guidance below for applicants requesting to move from one temporary accommodation placement to another)
- For applicants who are homeless and currently in supported accommodation but have been identified as no longer requiring support by the provider and therefore can be moved on from this accommodation to create a vacancy in supported hostel accommodation.
- For confirmed FDA applicants in non-standard hotel/B&B accommodation who needs to move on to more appropriate accommodation. Placements to hotel/B&B accommodation should be an emergency and exceptional only and should be reviewed on a daily basis;
- On occasions when all other voluntary sector hostel, NIHE hostel and existing single let options have been exhausted

Local offices will manage their own COVID-19 properties, as with the existing single let supply. Regional Homelessness Officers in North and South regions and the Single Lets team in Belfast will update local staff on properties as they are added to, and removed from, the block booking arrangements. Local Housing Solutions teams will be the point of contact for access to the COVID-19 properties within their Area. As with all temporary accommodation, applicants from other Areas may avail of accommodation in any area considered reasonable for the applicant's needs. To access a COVID-19 property in another Area, the Designated Officer should contact the local Housing Solutions team to check for availability and agree placements.

COVID-19 properties are block booked, and providers are being paid for in advance directly by the Housing Executive from the Homelessness Budget; **Housing Benefit**

applications/Online Housing Benefit form MUST be completed and MUST identify the landlord as the Housing Executive. This will enable costs to be recovered to the Homelessness Budget.

The designated officer should fully discuss the affordability of all temporary accommodation options with applicants before making a placement and should give consideration to referring the applicant to the relevant Financial Inclusion Manager for benefits/income maximisation advice.

If an applicant who is **not** in receipt of full HB is placed in a COVID-19 property they will be required to pay to the level of their Local Housing Allowance (plus rates). In cases where it is assumed the applicant will have a partial or nil entitlement to Housing Benefit, staff should email covid19homeless@nihe.gov.uk with details of the placement so that Homeless Contracts team can follow up and issue temporary rent cards and advise the applicant of their charge. This email should confirm if an online Housing Benefit form has been completed or if the applicant is working and likely to have nil entitlement to Housing Benefit.

On a weekly basis Homelessness Contracts team will receive a report from Housing Benefit unit listing cases in receipt of partial Housing Benefit and the charge required. Homeless Contracts will advise the applicant of requirements. Equally, when a placement ends in a property where the applicant is making payments, staff should email the above inbox so that Homeless Contracts are aware that payments should now cease.

When a placement is ended in a COVID-19 property, the Designated Officer should engage with the provider to organise essential repairs. These are expected to take no longer than a week, unless there are exceptional circumstances such as substantial damage. If the Designated Officer experiences delays or difficulties with providers, they should escalate this to their Regional Homelessness team (Single Let team in Belfast) for resolution. Regional Teams should engage with providers to resolve the issue, or discuss with COVID-19 team if uncertain on the appropriate action.

7.9.3 Non-Standard Temporary Accommodation (Hotels/B&Bs)

When placing an applicant in non-standard hotel/B&B accommodation the Designated Officer should advise the applicant that this is an emergency placement and that move-on will be facilitated as soon alternative more appropriate temporary accommodation becomes available. Applicants should be advised that smoking in hotel/B&B accommodation is strictly forbidden and may incur a charge. Similarly, if they cause damage in the accommodation, this may also result in a charge.

Should you place an applicant in an ad-hoc hotel/B&B accommodation you MUST key the placement via External Placement folder on HMS as HMS guidance, you MUST then create and issue a voucher to enable payment to be made. If Designated Officers have exhausted options in the standard temporary accommodation portfolio (voluntary sector hostels, single-lets, DIME) or where the applicant is refused from these providers, should a placement be made elsewhere to ad-hoc hotels/B&B accommodation

7.10 Practicalities of Placements

All temporary accommodation placements should be keyed onto HMS.

It has been agreed that Designated Officers can complete a Housing Benefit form/Housing Benefit online application form on behalf of the applicant. This will negate the need for a signature and ensure, where applicable, that Housing Benefit is paid for placements. Where Designated Officers cannot access the online system, a hard copy Housing Benefit form completed over the phone with the applicant and will normally be accepted without the applicant's signature, as long as there is an accompanying email or written confirmation from the Designated Officer, stating that they have completed the application over the phone with the applicant in question.

Forms that may be completed by phone in the manner described above include:

- HB application form
- Change of address application form
- Hostel HB application form
- NIHE Temporary Hostel HB application form

Designated Officers should support applicants to complete applications for Housing Benefit in all cases where a claim is required. Forms should be completed with as much information and supporting evidence as possible and passed to Housing Benefit 'clean'. **Applications for Housing Benefit should be completed within 2 working days of the placement commencing.**

7.10.1 COVID-19 properties and Housing Benefit

For COVID-19 properties (and existing single lets) a Booking In Confirmation Form must be completed. This form should be saved and uploaded through the additional evidence link on the online facility.

Designated Officers should follow the below specific guidance in relation to Housing Benefit and COVID-19 properties:

In cases where the applicant(s) are placed in COVID-19 properties for two weeks self-isolation only, no HB claim is to be submitted on the COVID-19 property (relevant payments should continue to be made for any existing placement).

In cases where the applicants(s) remains in the COVID-19 property at the end of the two weeks **OR** where the applicant is placed in a COVID-19 property as a regular placement and not for self-isolation

Any tenancy or hostel placement that they hold must be terminated immediately along with any Housing Benefit claim to a landlord or Hostel.

The placement in the COVID-19 accommodation then becomes a regular placement.

In these cases a Booking-In Form should be completed and clearly marked COVID-19 Accommodation with HB to be claimed.

The Housing Solutions (or Patch) team making the placement is responsible for ensuring that the Housing Benefit claim is submitted within 2 working days of the placement commencing and with as much information and supporting evidence as possible in order to ensure efficient processing. It remains the responsibility of these staff to liaise with the applicant and the relevant Housing Benefit staff to ensure that any follow-up information required to assess the claim is provided by the applicant in a timely manner.

In COVID-19 properties the Housing Benefit should then be claimed online with the Housing Executive listed as the landlord due to the block-booking arrangements in place. This will allow HB to be paid to the Housing Executive. **This application and attached Booking In Confirmation should be completed within 2 working days of the placement commencing.**

Cases are to be marked as 'COVID-19' to ensure HB staff are aware to process these under specific arrangements for these properties.

Applicants should be advised that failure to provide the required Housing Benefit information may result in arrears and, if not resolved, the subsequent termination of the placement.

When a placement ends, a Booking Out Confirmation form **MUST** be completed and forwarded to the relevant Housing Benefit Unit within 2 working days of the placement ending.

In these cases a Booking-In Form should be completed and clearly marked COVID-19 Accommodation with HB to be claimed.

The Housing Solutions (or Patch) team making the placement is responsible for ensuring that the Housing Benefit claim is submitted within 2 working days of the placement commencing and with as much information and supporting evidence as possible in order to ensure efficient processing. It remains the responsibility of these staff to liaise with the customer and the relevant Housing Benefit staff to ensure that any follow-up information required to assess the claim is provided by the customer in a timely manner.

In COVID-19 properties the Housing Benefit should then be claimed online with the Housing Executive listed as the landlord due to the block-booking arrangements in place. This will allow HB to be paid to the Housing Executive. **This application and attached Booking In Confirmation should be completed within 2 working days of the placement commencing.**

Cases are to be marked as 'COVID-19' to ensure HB staff are aware to process these under specific arrangements for these properties.

Applicants should be advised that failure to provide the required Housing Benefit information may result in arrears and, if not resolved, the subsequent termination of the placement.

When a placement ends, a Booking Out Confirmation form **MUST** be completed and forwarded to the relevant Housing Benefit Unit within 2 working days of the placement ending.

Please note recording these properties as COVID-19 and identifying the landlord as the Housing Executive on the Housing Benefit and Booking In forms is VITAL.

7.10.2 COVID-19 properties for customers with no, or partial Housing Benefit Entitlement

As noted above, from 1st December 2020, applicants who have either a nil or partial Housing Benefit entitlement will have to make payments to the Housing Executive using a temporary rent card. Homelessness Contracts team will deal with the administration of this process; they will issue rent cards and advise applicants of their charge. If an applicant who is **not** in receipt of full HB is placed in a COVID-19 property they will be required to pay to the level of their Local Housing Allowance (plus rates).

In cases where it is assumed the applicant will have a partial or nil entitlement to Housing Benefit, staff should email **covid19homeless@nihe.gov.uk** with details of the placement so that Homeless Contracts team can follow up and issue temporary rent cards and advise the applicant of their charge.

This email should confirm if an online Housing Benefit form has been completed or if the applicant is working and likely to have nil entitlement to Housing Benefit. On a weekly basis Homelessness Contracts team will receive a report from Housing Benefit unit listing cases in receipt of partial Housing Benefit and the charge required. Homeless Contracts will advise the applicant of requirements.

Equally, when a placement ends in a property where the applicant is making payments, staff should email the above inbox so that Homeless Contracts are aware that payments should now cease. Payments will not be requested for the period of any placement prior to 1st December 2020.

The Designated Officer should fully discuss the affordability of all temporary accommodation options with applicants before making a placement and should give

consideration to referring the applicant to the relevant Financial Inclusion Manager for benefits/income maximisation advice.

7.10.3 Existing Single Lets and Housing Benefit

It should be noted that the principles of the previously issued 'Transitional Arrangements for the Acquisition and Management of Single Lets' applicable for existing single lets. As per that document, determining Housing Benefit entitlement for customers at sign-up is essential in ensuring that providers are paid promptly & correctly.

Costs up to the Local Housing Allowance are met from the HB budget or by the applicant where there is no or partial HB entitlement. The difference between the agreed rent and the Local Housing Allowance (top-up) is paid to the provider via Discretionary Housing Benefit and funded from the Homeless budget.

The Designated Officer should fully discuss the affordability of all temporary accommodation options with applicants before making a placement and should give consideration to referring the applicant to the relevant Financial Inclusion Manager for benefits/income maximisation advice.

Applicants placed in Single Let accommodation where they are not entitled to full Housing Benefit will have a contribution to pay. The relevant HB officer will advise the applicant, the provider and email the relevant Housing Solutions Team inbox.

All applicants must complete an application for Housing Benefit at sign-up. As per the above note, this claim should be completed online. Even if the stay is likely to be only one or two nights a claim for Housing Benefit must be completed. **NOTE: All questions on the application form must be answered and ID provided.**

A change of address form is adequate where the claimant is in receipt of HB and moving either from single let to single let or from rented accommodation to single let as long as there is no breaks in the dates of occupation. Where no HB is in payment or where there is a break between leaving one property and moving into the other, even if it is only a one day break, then a full HB application is required.

Should you encounter an applicant that does not wish to complete an HB application form they must however complete as a minimum an HB pro forma, which is required to ensure the provider receives the top up element of the single let payment via the DHP functionality in I-world.

Failure to complete a claim for Housing Benefit will mean eligible housing costs will not be paid via Housing Benefit. Should this occur the applicant will be responsible for payment up to the Local Housing Allowance rate.

In all cases a Booking In Confirmation Form must be completed. If Housing Benefit is claimed online this form should be saved and uploaded through the additional evidence link on the online facility.

A completed Booking In Confirmation Form must be attached with the claim and all information should be sent to the relevant Housing Benefit Unit within 2 working days of the placement.

The Designated Officer should ensure appropriate applicant ID is attached to the claim and uploaded through the additional evidence link on the online HB facility.

If the Housing Executive books an applicant out of single let accommodation a 'Single Let Booking Out Confirmation Form' [Housing Benefit Booking Out Confirmation Form] must be sent to the relevant Housing Benefit Unit within 2 working days of the placement ending.

7.11 The Licence Agreement

Applicants occupy single let temporary accommodation under a licence agreement. Therefore, in addition to the Standards of Behaviour in Temporary Accommodation, the accommodation provider must have the applicant sign a licence agreement document. Broadly speaking, a licence agreement will set out the conditions of the customer's occupation of the property. However, The Designated Officer should be aware that the Housing Executive is not party to the accommodation licence agreement (Single Lets) unless it is the accommodation provider itself, for example, the applicant has been placed in a Housing Executive hostel See [Appendix 1a Licence Agreement Housing Executive Hostels](#).

7.11.1 Obtaining a copy of a Licence Agreement

Where the Housing Executive has placed an applicant in temporary accommodation, the Designated Officer must ensure they obtain from the single let accommodation provider a copy of the signed licence agreement for record purposes only.

7.11.2 Obtaining a Licence Agreement for placements in a Housing Executive Hostel

Temporary Accommodation owned and managed by the Housing Executive or owned by the Housing Executive but managed by an external operator, the signed licence agreement should be completed by the Designated Officer when placing the applicant in a Housing Executive Hostel. (See [Appendix 1a for Copy of Licence Agreement for Housing Executive Hostels](#)) The Licence Agreement should be uploaded to the Housing Management System (HMS) and/or placed in the applicant's homeless file.

7.12 Refusal to Leave Non-Standard Temporary Accommodation

On Occasion the applicant may need to be placed in non-standard temporary accommodation for a variety of reasons as referred to in section [7.5 Use of Temporary Accommodation](#).

For example;

- no available standard temporary accommodation,
- refusal by provider to accept the customer in standard temporary accommodation etc.

It should be noted that the placement in non-standard temporary accommodation is for a limited time and this must be fully explained to the applicant when the placement in non-standard temporary accommodation is being sourced. The Designated Officer will actively case manage the applicant by continually seeking suitable standard temporary accommodation. Once standard temporary accommodation becomes available it must be offered to the applicant and arrangements made to move the applicant to the alternative standard accommodation in a timely manner.

Where an applicant refuses to vacate the non-standard temporary accommodation, the Designated Officer must advise the applicant that an offer of standard temporary accommodation has been made available for the customer to occupy, and in making this offer the Housing Executive is fulfilling its phased duty discharge. The Designated Officer should make it clear to the applicant that the placement in non-standard temporary accommodation will be closed from the date the standard accommodation is available. If the applicant insists on remaining in non-standard temporary accommodation it should be explained to the applicant that this would be as a private arrangement and at their own expense. The Designated Officer will advise the non-standard temporary accommodation provider of the closure of the placement by the Housing Executive and terminate placement via HMS. If the applicant feels that the standard temporary accommodation offered is unsuitable, the Designated Officer should inform the applicant of their legal right to request a review of this decision as set out below

LSAN HSG 08/21 Temporary Accommodation Offer Letters Closure of Temporary Accommodation due to Unacceptable Behaviour

Designated Officers should keep a note of this advice on HMS.

The Designated Officer should inform the applicant that should they require alternative temporary accommodation in the future they should contact the Housing Executive requesting temporary accommodation.

Robust notes of all discussion with the applicant must be kept on HMS.

7.13 Bail Addresses

Designated Officers should establish if the Housing Executive has a duty to the applicant under The Housing (NI) Order 1988 (as amended) to discharge its homeless duties found therein, namely Article 8 (interim duty to accommodate) or Article 10 (duties to persons found to be homeless). If there is a duty on the Housing Executive to accommodate, this duty be it an Interim Duty (pending enquiries) or a Main Duty to Accommodate remains and the Housing Executive must identify/make available to the applicant, temporary accommodation under the relevant provisions.

Accommodation that the Housing Executive provides at part of its duty under the '88 Order should not be interpreted to mean that the Housing Executive is providing a bail address. If an applicant contacts the Housing Executive for accommodation and is on bail and the Housing Executive owes them a duty as outlined above, then once temporary accommodation is identified and made available to the applicant, it must be stressed to the applicant that if they take up the offer of temporary accommodation then the responsibility lies with them to arrange for the terms of their bail conditions to be amended be that with the police or through the courts.