

Homelessness Reduction Bill

A Bill to amend the Housing Act 1996 to make provision about measures for reducing homelessness; and for connected purposes.

1 Definition of homelessness and threatened homelessness

- (1) The Housing Act 1996 is amended as follows.
- (2) In section 175 (*Homelessness and threatened homelessness*), after subsection (2), insert—
 - “(2A) A person in respect of whom a valid notice under section 21 of the Housing Act 1988 (orders for possession on expiry or termination of assured shorthold tenancy) has been given is to be treated as homeless from the date on which that notice expires.” [s175.001]
- (3) In subsection (4) of section 175, for “28 days”, substitute “56 days”. [s175.002]

2 Duty of local housing authority to provide advice

- (1) The Housing Act 1996 is amended as follows.
- (2) For Section 179 (*Duty of local housing authority to provide advisory services*) substitute—

“179 Duty of local housing authority to provide advice

 - (1) A local housing authority must provide or secure the provision, without charge, of a service to provide, people in its area with:
 - (a) information and advice relating to:
 - (i) preventing homelessness,
 - (ii) securing accommodation when homeless or likely to become homeless,
 - (iii) gaining access to any other help available for people who are homeless or may become homeless, and
 - (b) assistance in accessing help under this Part or any other help for people who are homeless or may become homeless.
 - (2) In relation to subsection (1)(a), the service provided must include, in particular, the publication of information and advice on the following matters:
 - (a) the system provided for by this Part and how the system operates in the particular local authority’s area;
 - (b) whether any other help for people who are homeless or may become homeless (whether or not the person is threatened with homelessness within the meaning of this Part) is available in the authority’s area; and
 - (c) how to access help falling under (2)(b) that is available.
 - (3) In relation to subsection (1)(b), the service must include, in particular, assistance in gaining access to help to prevent a person becoming homeless which is available whether or not the person is threatened with homelessness within the meaning of this Part.

- (4) A local housing authority must, in particular, ensure that the service is designed to meet the needs of groups at particular risk of homelessness, including but not limited to:
- (a) people leaving prison or youth detention accommodation,
 - (b) young people leaving care,
 - (c) people leaving the regular armed forces of the Crown,
 - (d) people leaving hospital after medical treatment for physical injury or illness or mental illness or disorder as an inpatient,
 - (e) people with a learning disability, or
 - (f) people receiving mental health services in the community.
- (5) In discharging the duty under Subsection (4), a local housing authority may work with other public authorities, voluntary organisations and other persons, to identify and meet the needs of people defined by that subsection.
- (6) Two or more local housing authorities may jointly secure the provision of a service under this section for their areas; and where they do so —
- (a) references in this section to a local housing authority are to be read as references to the authorities acting jointly, and
 - (b) references in this section to a local housing authority's area are to be read as references to the combined area.
- (7) The service required by this section may be integrated with the service required by Section 4 (*Providing information and advice*) of the Care Act 2014. [s179.003]

3 Mandatory code of practice

- (1) The Housing Act 1996 is amended as follows.
- (2) In section 182 (*Guidance by the Secretary of State*), after subsection (1), insert—
- “(1A) The Secretary of State must provide a code of practice for local authorities on the services they provide aimed at reducing homelessness, in writing, including guidance on, but not limited to, the following areas:
- (a) the duty of care of a local authority towards homeless people,
 - (b) the content and standards of staff training in services provided under this Part,
 - (c) the minimum standards required of the service to be provided under s179, and
 - (d) recommendations for best practice in all relevant areas, with particular regard to the duties under s179 and ss184A-184D,
 - (e) making a P1E return (*households dealt with under the homelessness provisions of the 1996 Housing Act, and homelessness prevention and relief*), and
 - (f) any other matter relating to advice or help for, or the recording and reporting of information about, homeless people, people threatened with homelessness, people who may become homeless or people in a group at particular risk of homelessness falling under s179(4).”
- (1B) The Secretary of State may not implement a code, or amendment to a code, falling under subsection (1A) before the code or amendment has been approved by a resolution by each House of Parliament as if the code was a draft statutory instrument under the affirmative resolution procedure.

- (1C) Subsection 1B does not apply to an amendment proposed to a code under this section which is accompanied by a statement by the Secretary of State that he is satisfied that the amendment is are limited to updating, correction or clarification.” [s184.004]

4 Homelessness reduction duties

- (1) The Housing Act 1996 is amended as follows.
- (2) After Section 184 (*Inquiry into cases of homelessness, etc.*) insert—

“184A Duty to assess

- (1) In making its inquiries under section 184, a local housing authority must carry out an assessment of the applicant’s case according to the provisions of this section.
- (2) The assessment must include an assessment of:
- (a) the circumstances that have caused the applicant to be homeless or threatened with homelessness;
 - (b) the housing needs of the applicant and any person with whom the applicant lives or might reasonably be expected to live;
 - (c) the support needed for the applicant, and any person with whom the applicant lives or might reasonably be expected to live, to retain accommodation which is, or may become, available;
 - (d) to what extent the authority has a duty to the applicant under the provisions of this Part.
- (3) In carrying out an assessment under this section, the authority must:
- (a) seek to identify the outcome the applicant wishes to achieve from the authority’s assistance, and
 - (b) assess whether the exercise of any function under this Part could contribute to the achievement of that outcome.
- (4) The authority must keep their assessment under review during the period in which the authority consider that they owe, or may owe, a duty to the applicant under the provisions of this Part.
- (5) The authority must review its assessment where:
- (a) the applicant has been notified that a duty is owed to him under section 184B (*duty to help to prevent an applicant from becoming homeless*) and subsequently the applicant becomes homeless; and
 - (b) the applicant has been notified that a duty is owed to him under section 184C (*duty to help to secure accommodation for homeless applicants*) and subsequently it appears to the authority that a duty may be owed to the applicant under section 193 (*Duty to persons with priority need who are not homeless intentionally*).
- (6) The authority must notify the applicant of the outcome of their assessment (or any review of their assessment) and, in so far as any issue is decided falling short of, or in contradiction to, the outcome identified under subsection (3), must inform him of the reasons for their decision.
- (7) A notice under subsection (6) must:
- (a) inform the applicant of his or her right to request a review of the assessment and of the time within which such a request must be made,

- (b) be given in writing and, if not received, is to be treated as having been given if it is made available at the authority's office for a reasonable period for collection by the applicant or on the applicant's behalf, and
 - (c) provide a personal housing plan to the applicant and simultaneously, where a local connection has not been established, to the local housing authority of valid connection.
- (8) A personal housing plan must contain, but need not be limited to:
- (a) the name of the applicant,
 - (b) an address or location or email address or other means by which communications may be received by the applicant or a record of acknowledgement of the applicant that letters will be held for his inspection by the Housing Officer,
 - (c) the local housing authority of connection,
 - (d) the reason for homelessness,
 - (e) the outcome that the applicant wishes to achieve,
 - (f) a summary of circumstances or factors relevant to the applicant's accommodation needs and desired outcome,
 - (g) a summary of the advice given, available options described and steps to be taken, by the Housing Officer, and
 - (h) a summary of the steps to be taken by the applicant. [s184.005]

184B Duty to help to prevent an applicant from becoming homeless

- (1) This section applies where the local housing authority are satisfied that an applicant is threatened with homelessness and is eligible for assistance.
- (2) The authority must help to secure that suitable accommodation does not cease to be available for occupation by an applicant.
- (3) Subsection (2) does not affect any right of the authority, whether by virtue of a contract, enactment or rule of law, to secure vacant possession of any accommodation.
- (4) The authority shall cease to be subject to the duty under this section if:
 - (a) the authority is satisfied that any of the circumstances described in subsection (5) apply; and
 - (b) the applicant has been notified in writing of the:
 - (i) authority's decision that it no longer regards itself as being subject to the relevant duty,
 - (ii) the reasons why the authority considers its duty has come to an end,
 - (iii) the applicant's right to request a review, and
 - (iv) the period of time within which such a request must be made.
- (5) The circumstances in which the duty at section 184B(2) comes to an end are where:
 - (a) the authority is satisfied that the applicant has become homeless; or
 - (b) the authority is satisfied that the applicant has ceased to be eligible for assistance; or
 - (c) the authority is satisfied (whether as a result of the steps it has taken or not) that:
 - (i) the applicant is no longer threatened with homelessness, and
 - (ii) suitable accommodation is available for occupation by the applicant for a period of at least 6 months; or
 - (d) the authority:

- (i) is satisfied that the applicant is unreasonably refusing to co-operate with the authority in connection with the exercise of its functions under section 184B(2) as they apply to the applicant, and
 - (ii) had notified the applicant in writing that it was minded to decide that he had unreasonably refused to co-operate, and of the reasons why, and had invited the applicant to reply orally or in writing no less than 14 days before the notification of the authority's decision under section 184B(4).
- (6) At any time the authority may secure that accommodation other than that occupied by the applicant when he made his application is available for occupation by him.
- (7) The Secretary of State by regulation provide for matters that may or may not be taken into account by a local housing authority when deciding that its duty at section 184B(2) has come to an end by virtue of section 184B(5)(d). [s184.006]

184C Duty to help to secure accommodation for homeless applicant

- (1) A local housing authority must help to secure that suitable accommodation is available for occupation by an applicant, if the authority are satisfied that the applicant is—
- (a) homeless, and
 - (b) eligible for assistance.
- (2) The duty in subsection (1) does not apply if the authority refers the application reasonably to another local housing authority.
- (3) The authority must have regard to:
- (a) their assessment of the applicant's case, and
 - (b) the applicant's desired outcome, under section 184A in fulfilling its duty under this section.
- (4) The authority shall cease to be subject to the duty under this section if:
- (a) the authority is satisfied that any of the circumstances described in subsections (5) or (7) apply; and
 - (b) the applicant has been notified in writing of:
 - (i) the authority's decision that it no longer regards itself as being subject to the relevant duty,
 - (ii) the reasons why it considers that the duty has come to an end,
 - (iii) the applicant's right to request a review, and
 - (iv) the period of time within which such a request must be made.
- (5) Where the local housing authority is satisfied that the applicant has a priority need, the circumstances in which the duty at section 184C(2) comes to an end are:
- (a) the end of a period of 56 days;
 - (b) where the authority is satisfied that the applicant has ceased to be eligible for assistance;
 - (c) before the end of a period of 56 days, where the local housing authority is satisfied that reasonable steps have been taken to help to secure that suitable accommodation is available for occupation by the applicant;
 - (d) where the authority is satisfied (whether as a result of the steps it has taken or not) that suitable accommodation is available for occupation by the applicant for a period of at least 12 months;

- (e) where the applicant, having been notified of the possible consequence of refusal or acceptance of the offer, refuses an offer of accommodation from any person which the authority are satisfied is a suitable offer for the applicant (including availability of that accommodation for occupation by the applicant for a period of at least 12 months);
 - (f) where the authority is satisfied that:
 - (i) the applicant is unreasonably refusing to co-operate with the authority in connection with the exercise of its functions under section 184C(2) as they apply to the applicant, and
 - (ii) that the applicant had been notified in writing by the authority that it was minded to decide that he had unreasonably refused to co-operate, and of the reasons why, and had invited the applicant to reply orally or in writing no less than 14 days before the notification of the authority's decision under section 184C(4).
- (6) The cessation of the duty under subsection (5) shall have no effect on any duty or duties of the authority to the applicant under sections 188, 190, 193 or 200.
- (7) Where the local housing authority is satisfied that the applicant does not have a priority need, the circumstances in which the duty at section 184C(2) comes to an end are:
- (a) the end of a period of 56 days;
 - (b) where the authority is satisfied that the applicant has ceased to be eligible for assistance;
 - (c) where the authority is satisfied (whether as a result of the steps it has taken or not) that suitable accommodation is available for occupation by the applicant for a period of at least 12 months;
 - (d) where the applicant, having been notified of the possible consequence of refusal or acceptance of the offer, refuses an offer of accommodation from any person which the authority are satisfied is a suitable offer for the applicant (including availability of that accommodation for occupation by the applicant for a period of at least 12 months);
 - (e) where the authority is satisfied that:
 - (i) the applicant is unreasonably refusing to co-operate with the authority in connection with the exercise of its functions under section 184C(2) as they apply to the applicant, and
 - (ii) that the applicant had been notified in writing by the authority that it was minded to decide that he had unreasonably refused to co-operate, and of the reasons why, and had invited the applicant to reply orally or in writing no less than 14 days before the notification of the authority's decision under section 184C(4).
- (8) The period of 56 days mentioned in subsections (5) and (7) begins on the day the applicant is notified of the outcome of the assessment under section 184A.
- (9) The authority shall notify the applicant of the steps which they have taken in helping to secure accommodation under this section and the outcome of such assistance.
- (10) The Secretary of State by regulation may provide for matters that may or may not be taken into account by a local housing authority when deciding that its duty at section 184C(2) has come to an end by virtue of section 184C(5)(f) or section 184C(7)(e). [s184.007]

184D How to secure or help to secure the availability of accommodation

- (1) Where a local housing authority is required under this Part to help to secure (rather than “to secure”) that suitable accommodation is available, or does not cease to be available, for occupation by an applicant, the authority—
- (a) is required to take reasonable steps to help, having regard (among other things) to the need to make the best use of the authority’s resources;
 - (b) is not required to secure an offer of accommodation under Part 6 of the Housing Act 1996 (allocation of housing);
 - (c) is not required to otherwise provide accommodation.
- (2) A local housing authority may help to secure that suitable accommodation is available, or does not cease to be available for occupation by an applicant by:
- (a) arranging for a person other than the authority to provide something;
 - (b) themselves providing something;
 - (c) providing something, or arranging for something to be provided, to a person other than the applicant, or
 - (d) other reasonable means.
- (3) To help to secure that suitable accommodation is available, or does not cease to be available, for occupation by an applicant, a local housing authority may provide, arrange or facilitate:
- (a) mediation;
 - (b) payments by way of grant or loan;
 - (c) guarantees that payments will be made;
 - (d) support in managing debt, mortgage arrears or rent arrears;
 - (e) security measures for applicants at risk of abuse;
 - (f) advocacy or other representation;
 - (g) accommodation;
 - (h) information and advice;
 - (i) other services, goods or facilities;
 - (j) a private rented access scheme; or
 - (k) other reasonable means.
- (4) The Secretary of State may provide guidance to local housing authorities on how they may help to secure that suitable accommodation is available, or does not cease to be available, for occupation by an applicant. [s184.008]

- (3) Sections 195 (*Duties in case of threatened homelessness*) [s195.009] and 196 (*Becoming threatened with homelessness intentionally*) [s195.010] are repealed.

5 Duty to accommodate in priority need cases

- (1) The Housing Act 1996 is amended as follows.
- (2) In Section 188 (*Interim duty to accommodate in case of apparent priority need*), after subsection (3), insert—
- (4) Where the local authority has notified the applicant that it is satisfied that the duty to help to secure accommodation at section 184C applies and the local authority has reason to believe or is satisfied that the applicant may have a priority need, they shall secure that accommodation is available for his occupation until the applicant is notified under section 184C(4) that the duty has come to an end.” [s188.011]

6 Intentional homelessness

- (1) The Housing Act 1996 is amended as follows.
- (2) In Section 190 (*Duties to persons becoming homeless intentionally*), in subsection (1), after the words “eligible for assistance” insert “and has a priority need”. [s190.012]
- (3) In section 190, for subsection (2) substitute—
- “(2) Where the applicant has been notified by the authority that the duty at section 184C has come to an end as a result of one of the events at section 184C(5)(a), (c), (e) or (f), the authority must —
- (a) secure that accommodation is available for his occupation for such period as they consider will give him a reasonable opportunity of securing accommodation for his occupation, and
- (b) provide him with (or secure that he is provided with) advice and assistance in any attempts he may make to secure that accommodation becomes available for his occupation.” [s190.013]

7 Non-priority need

- (1) The Housing Act 1996 is amended as follows.
- (2) In Section 190 (*Duties to persons becoming homeless intentionally*), subsections (3), (4) and (5) are repealed. [s190.014]

8 Becoming homeless intentionally

- (1) The Housing Act 1996 is amended as follows.
- (2) In Section 191 (*Becoming homeless intentionally*), after subsection (3)(b), insert—
- “or
- (c) he has failed to accept a reasonable offer of accommodation provided by the local authority, or a private landlord, or otherwise failed to cooperate with assistance provided to alleviate homelessness.” [s191.015]

9 Somewhere safe to stay

- (1) The Housing Act 1996 is amended as follows.
- (2) After section 192 (*Duty to persons not in priority need who are not homeless intentionally*), insert—
- “192A Duty to persons with nowhere safe to stay**
- (1) This section applies where the local housing authority
- (a) are satisfied that the applicant is homeless, meets the criteria for a local connection established under section 199, and is eligible for assistance, but
- (b) are not satisfied that he has a priority need.

- (2) Where the local authority is satisfied that the applicant has nowhere safe to stay, the authority must secure that accommodation is available for his occupation for a maximum period of 56 days from the date of his application under section 183(1).
- (3) The duty in subsection (2) only applies in relation to a first application and does not apply if the applicant has previously accessed services under this section within a period of 6 months.
- (4) An applicant has ‘nowhere safe to stay’ for the purposes of section 192(3), where there is no accommodation available to him or, if there is accommodation, it is probable that his occupation of it will lead to violence against him or against a person who normally resides with him as a member of his family or any other person who might reasonably be expected to reside with him.
- (5) If an applicant applies for homelessness assistance under section 183(1) and the authority is satisfied that it or any local housing authority in England owed the duty at section 192(3) to him at any time in the six months immediately preceding the date of the application, the duty at section 192(3) shall not apply.” [s192.016]

10 Duty to persons with priority need who are not homeless intentionally

- (1) The Housing Act 1996 is amended as follows.
- (2) In subsection (1) of section 193 (*Duty to persons not in priority need who are not homeless intentionally*), for all the words after “he became homeless intentionally”, substitute “and are satisfied that the applicant has been notified under section 184C(4) that the duty to help to secure accommodation at section 184C has come to an end as a result of one of the events at section 184C(5)(a), (c), (e) or (f).” [s193.017]

11 Referrals to another authority

- (1) In subsection (1) of section 198 (*Referral of case to another local authority*), for the words “duty under section 193”, substitute “duties under sections 184C or 193”. [s198.018]

12 Definition of local connection

- (1) Section 199 (*Local connection*) of The Housing Act 1996 is amended as follows.
- (2) For subsection (1), substitute—
 - “(1) A person has a local connection with the district of a local housing authority if he is able to prove a connection with it—
 - (a) because he is, or in the past was, resident there for a period of more than 6 months without a break, and that residence is or was of his own choice,
 - (b) because he is, or will be, employed there for a period of more than 6 months without a break,
 - (c) because of family associations affecting persons under the age of 18 or those with long term disabilities, or
 - (d) because of special circumstances.” [s199.019]

13 Duties

- (1) Section 200 (*Duties to the applicant whose case is considered for referral or referred*) of the Housing Act 1996 is amended as follows.
- (2) In subsection (1), for the words "duty under section 193 (the main housing duty)", substitute "duties under sections 184C (duty to help to secure) or 193 (the main housing duty)". [s200.020]
- (3) In subsection (3), for the words "duty under section 193 (the main housing duty)", substitute "duties under sections 184C (duty to help to secure), 188(4), 190 and 193 (the main housing duty)". [s200.021]
- (4) In subsection (4), for the words "duty under section 193 (the main housing duty)", substitute "duties under sections 184C (duty to help to secure), 188(4), 190 and 193 (the main housing duty)". [s200.022]

14 Reviews of decisions

- (1) Section 202 (*Right to request review of decision*) of the Housing Act 1996 is amended as follows.
- (2) In subsection (1), insert paragraphs as follows:
 - (a)
 - (aa) any assessment of the applicant's case under section 184A (*Duty to assess*),
 - (ab) any assistance given to the applicant under section 184B (*Duty to prevent homelessness*),
 - (ac) any assistance given to the applicant under section 184C (*Duty to help to secure accommodation*),” [s202.023]
 - (b) “(ba) any decision of a local housing authority that any of the duties owed to an applicant under sections 184B, 184C, 190, 192, 192A and 193 have come to an end,” [s202.024]
- (3) In subsection (1), paragraph (b), leave out the words, “and 195 [and 196] (duties to persons found to be homeless or threatened with homelessness)”. [s202.025]
- (4) In subsection (1), paragraph (f), after the words “in paragraph (b)”, insert “or (ba)”. [s202.026]
- (5) For subsection (1A), substitute—
 - “(1A) An applicant who is offered accommodation as mentioned in sections 184B, 184C, 190, 192A, 193(5), (7) (7AA) or 200 may under subsection (1)(f) or, as the case may be, (g) request a review of the suitability of the accommodation offered to him whether or not he has accepted the offer.
 - (1B) A review undertaken under subsection (1)(aa) shall extend to:
 - (a) steps taken by the authority in carrying out the assessment,
 - (b) matters taken into account in connection with the assessment,
 - (c) any findings of fact made in the course of the assessment,
 - (d) any decision which is adverse to the applicant's interests,
 - (e) the outcome of the assessment, including any recommendation as to the nature of the authority's duties to the applicant, or
 - (f) any failure to review the assessment under section 184A(4) or (5).
 - (1C) A review undertaken under subsection (1)(ab) and 1(ac) shall extend to:
 - (a) the process followed by the authority in helping to prevent homelessness or in helping to secure the availability of accommodation (as the case may be),

- (b) the nature and extent of any assistance given, and whether such assistance was appropriate and adequate to the applicant's circumstances,
- (c) the outcome of the assistance given, and
- (d) the suitability of any accommodation which may be offered to him in the course of the performance of the authority's functions under sections 184B or 184C (as the case may be)."

[s202.027]

(6) After subsection (3), insert—

- “(3A) In relation to a review under subsection (1) (aa), (ab) and (ac), a request for review must be made before the end of the period of 21 days beginning with the day on which he is notified as provided under sections 184A(5), 184B(8) or 184C(10) (as the case may be) or such longer period as the authority may in writing allow.”

[s202.028]

15 Discharge of local housing authority functions

(1) The Housing Act 1996 is amended as follows.

(2) In section 206 (*Discharge of functions by local housing authorities*), after subsection (1), insert—

- “(1A) In subsection (1), “securing” and “secure” include “helping to secure” and “help to secure” under sections 184B and 184C.”

[s206.029]

16 Accommodation suitability

(1) The Housing Act 1996 is amended as follows.

(2) In section 210 (*Suitability of accommodation*)—

(a) After subsection (1), insert—

- “(1A) In determining for the purposes of this Part whether accommodation is suitable for an applicant, or any person who might reasonably be expected to reside with him, the local housing authority –

- (a) shall also have regard to the fact that the accommodation is to be temporary pending the determination of the applicant's claim for asylum; and
- (b) shall not have regard to any preference that the applicant, or any person who might reasonably be expected to reside with him, may have as to the locality in which the accommodation is to be secured.”

(b) After subsection (2), insert—

- “(3) For the purposes of this Part, accommodation secured from a private landlord as defined at section 217(1) shall not be regarded as suitable where one or more of the following apply:

- (a) the local housing authority are of the view the accommodation is not in a reasonable physical condition;
- (b) the local housing authority are of the view that any electrical equipment supplied with the accommodation does not meet the requirements of regulations 5 and 7 of the Electrical Equipment (Safety) Regulations 1994;
- (c) the local housing authority are of the view the landlord has not taken reasonable fire safety precautions with the accommodation and any furnishings supplied with it;

- (d) the local housing authority are of the view the landlord has not taken reasonable precautions to prevent the possibility of carbon monoxide poisoning in the accommodation;
- (e) the local housing authority are of the view the landlord is not a fit and proper person to act in the capacity of landlord, having considered if the person has –
 - (i) committed any offence involving fraud or other dishonesty, or violence or illegal drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements);
 - (ii) practised unlawful discrimination on grounds of sex, race, age, disability, marriage or civil partnership, pregnancy or maternity, religion or belief, sexual orientation, gender identity or gender reassignment in, or in connection with, the carrying out of any business;
 - (iii) contravened any provision of the law relating to housing (including landlord or tenant law); or,
 - (iv) acted otherwise than in accordance with any applicable code of practice for the management of a house in multiple occupation, approved under section 233 of the Housing Act 2004;
- (f) the accommodation is a house in multiple occupation subject to licensing under section 55 of the Housing Act 2004 and is not so licensed;
- (g) the accommodation is a house in multiple occupation subject to additional licensing under section 56 of the Housing Act 2004 and is not so licensed;
- (h) the accommodation is or forms part of residential property which does not have a valid energy performance certificate as required by the Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007;
- (i) the accommodation is or forms part of relevant premises which do not have a current gas safety record in accordance with regulation 36 of the Gas Safety (Installation and Use) Regulations 1998; or
- (j) the landlord has not provided to the local housing authority a written tenancy agreement, which the landlord proposes to use for the purposes of a private rented sector offer, and which the local housing authority considers to be adequate.”

[s210.030]

17 Co-operation between authorities and others

- (1) The Housing Act 1996 is amended as follows.
- (2) For section 213 (*Co-operation between relevant housing authorities and bodies*), substitute—

“213 Co-operation between relevant housing authorities and bodies

- (1) A local housing authority must make arrangements to promote co-operation between the officers of the authority who exercise its social services functions and those who exercise its functions as the local housing authority with a view to achieving the following objectives in its area—
 - (a) the prevention of homelessness,
 - (b) that suitable accommodation is or will be available for people who are or may become homeless,

- (c) that satisfactory support is available for people who are or may become homeless, and
 - (d) the effective discharge of its functions under this Part.
- (2) If a local housing authority requests the co-operation of a person mentioned in subsection (5) in the exercise of its functions under this Part, the person must comply with the request unless the person considers that doing so would—
- (a) be incompatible with the person’s own duties, or
 - (b) otherwise have an adverse effect on the exercise of the person’s functions.
- (3) If a local housing authority requests that a person mentioned in subsection (5) provides it with information it requires for the purpose of the exercise of any of its functions under this Part, the person must comply with the request unless the person considers that doing so would—
- (a) be incompatible with the person’s own duties, or
 - (b) otherwise have an adverse effect on the exercise of the person’s functions.
- (4) A person who decides not to comply with a request under subsection (2) or (3) must give the local housing authority who made the request written reasons for the decision.
- (5) The persons (whether in England or Wales or Scotland) are—
- (a) a local housing authority or local authority;
 - (b) a social services authority in England or Wales, or social work authority in Scotland;
 - (c) a registered social landlord;
 - (d) a new town corporation;
 - (e) a private registered provider of social housing;
 - (f) a housing action trust;
 - (g) the National Health Service Commissioning Board;
 - (h) a clinical commissioning group ;
 - (i) an NHS trust or NHS foundation trust
 - (j) a Health and Well-being Board as defined at section 194 Health and Social Care Act 2012;
 - (k) the National Probation Service;
 - (l) a community rehabilitation company;
 - (m) a police force;
 - (n) a Police and Crime Commissioner; or
 - (o) Jobcentre Plus.
- (6) The Secretary of State may amend subsection (5) by order to omit or add a person, or a description of a person.
- (7) An order under subsection (6) may not add a Minister of the Crown.
- (8) In this section—
- “housing action trust” means a housing action trust established under Part 3 of the Housing Act 1988;
- “new town corporation” has the meaning given in Part 1 of the Housing Act 1985;
- “private registered provider of social housing” has the meaning given by Part 2 of the Housing and Regeneration Act 2008;
- “registered social landlord” has the meaning given by Part 1 of the Housing Act 1996.”

[s213.031]

Annex – Index of amendments made by the Bill to the Housing Act 1996

<i>ID for amendment to Housing Act 1996 proposed by Bill</i>	<i>Text</i>
[s175.001]	<i>After s175(2) insert:</i> “(2A) A person in respect of whom a valid notice under section 21 of the Housing Act 1988 (orders for possession on expiry or termination of assured shorthold tenancy) has been given is to be treated as homeless from the date on which that notice expires.”
[s175.002]	(3) In subsection (4) of section 175, for “28 days”, substitute “56 days”.
[s179.003]	<i>Replacement section 179 ...</i>
[s184.004]	<i>Added subsection s184(1A) ...</i>
[s184.005]	<i>Added section 184A</i>
[s184.006]	<i>Added section 184B</i>
[s184.007]	<i>Added section 184C</i>
[s184.008]	<i>Added section 184D</i>
[s195.009]	<i>Repeal of s195</i>
[s196.010]	<i>Repeal of s196</i>
[s188.011]	<i>Added subsection (4)</i>
[s190.012]	In s190(1), after the words “eligible for assistance” insert “and has a priority need”.
[s190.013]	<i>Replacement s190(2)</i>
[s190.014]	<i>Repeal of s190(3)-(5)</i>
[s191.015]	<i>Added s191(3)(c)</i>
[s192.016]	<i>Added s192A</i>
[s193.017]	In 193(1), for all the words after “he became homeless intentionally”, substitute “and are satisfied that the applicant has been notified under section 184C(4) that the duty to help to secure accommodation at section 184C has come to an end as a result of one of the events at section 184C(5)(a), (c), (e) or (f).”
[s198.018]	In 198(1), for the words “duty under section 193”, substitute “duties under sections 184C or 193”.
[s199.019]	<i>Replacement s199(1)</i>
[s200.020]	In s200(1), for the words “duty under section 193 (the main housing duty)”, substitute “duties under sections 184C (duty to help to secure) or 193 (the main housing duty)”.
[s200.021]	In s200(3), for the words “duty under section 193 (the main housing duty)”, substitute “duties under sections 184C (duty to help to secure), 188(4), 190 and 193 (the main housing duty)”.
[s200.022]	In s200(4), for the words “duty under section 193 (the main housing duty)”, substitute “duties under sections 184C (duty to help to secure), 188(4), 190 and 193 (the main housing duty)”.
[s202.023]	<i>Added paragraphs s202(1)(aa)-(ac)</i>
[s202.024]	<i>Added paragraph s202(1)(ba)</i>
[s202.025]	In s202(1)(b), leave out the words, “and 195 [and 196] (duties to persons found to be homeless or threatened with homelessness)”.
[s202.026]	In s202(1)(f), after the words “in paragraph (b)”, insert “or (ba)”.
[s202.027]	<i>Replacement s202(1A); and added (1B) and (1C)</i>
[s202.028]	<i>Added s202(3A)</i>
[s206.029]	<i>Added s206(1A)</i>
[s210.030]	<i>Added s210(1A) and (3)</i>
[s213.031]	<i>Replacement s213</i>