

HOW WE REVIEW DECISIONS ON HOMELESS APPLICATIONS

These notes explain that you do not have the right of a review of all decisions, and gives information about the process that is followed when the Council reviews a homeless decision.

This is a statutory review and is carried out by the Council in accordance with Section 202 of the Housing Act 1996 as amended:

Which decisions can I ask to be reviewed?

You have a right to seek a review of the following decisions made in relation to your homeless application:

1. Eligibility (if found 'not eligible') s.202(1)(a)
2. Duties owed to those found to be homeless or threatened with homelessness s.202(1)(b) – (priority need, intentionality, restricted duty)
3. The steps to be taken in a personalised housing plan at the prevention duty s202(1)(bc)(i)
4. The prevention duty has ended s202(1)(bc)(ii)
5. The steps to be taken in a personalised housing plan at the relief duty s.202(1)(ba)(i)
6. The relief duty has ended s.202(1)(ba)(ii)
7. Received a Notice for deliberate and unreasonable refusal to co-operate with the Council s.202(1)(bb)
8. Referral to another housing authority because it is considered that the conditions for referral are met s.202(1)(c)
9. Suitability of accommodation offered (you can only request a review of the suitability of your temporary accommodation where the Council has accepted a full housing duty towards you s.202(1)(f).
10. Applicants can request a review of the suitability of accommodation whether or not they have accepted the offer s.202(1B)
11. Suitability of accommodation offered by way of a private rented sector offer s. 202(1)(g)

12. Suitability of accommodation offered by way of a final accommodation offer or a final offer through the Council's Housing Allocation Policy s.202(1)(h).

When can I ask for a review?

You must ask for a review within 21 days of notification of the decision. It is preferable for your request to be in writing so to act as a record of your concerns.

Can I get help with my request for a review?

There are solicitors that specialise in Housing Law who may be able to represent you. Alternatively you can seek assistance from a support worker, family or friend or any other statutory or non statutory agency.

Who will deal with your review?

The Officer who will carry out the review will not have been involved in making the decision which you want reviewed and will be senior to the Officer who made the decision

What information should I put in my review request?

Ideally you should explain why you think the original decision is incorrect and provide any new information that supports your request for a review. However, simply putting in writing that you want to request a review is enough to start the process.

You may be given a reasonable period during the review to make any further submissions or provide additional information.

What happens next?

Once the Council has received your written request for a review you should receive a letter within seven days acknowledging receipt of your request for a review (apart from 3, 5, 7 decisions listed above). It will also explain the process by which your review will be carried out and provide you with the name of the reviewing officer.

How long will the Review take?

Most reviews should be completed within 8 weeks (56 days) apart from those reviews listed in points 3,5 & 7 earlier in this document, in these three circumstances they should be completed within 3 weeks (21 days). If your review is going to take longer to complete we will advise you in order to agree an extension.

Please note:

If you are seeking the review of a negative decision, we would strongly advise you to try and find alternative accommodation yourself and liaise with your Homeless Prevention or Relief Officer if you require further assistance. If you wait until your review is complete, there is no guarantee that on review the Council will overturn the original decision.

If you require further information, please contact:

**Housing Department
Reigate and Banstead Borough Council
Town Hall
Castlefield Road
Reigate
RH2 0SH**

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