Housing Rights

https://www.housingrights.org.uk/professionals/advice-and-information/homelessness-advice-professionals/applying-help-homeless-person

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Applying for help as a homeless person

This information is for professionals working in housing and homelessness in Northern Ireland.

If you are a member of the public looking for help, please visit our housing advice pages.

Out of hours homeless help

Contact the out-of-hours homeless service by calling 03448 920 908.

The out-of-hours service can arrange temporary accommodation if there is reason to believe the person is homeless and that person has priority need.

Making a homeless application

A homeless application does not have to be in a particular form.

A person should call the Housing Executive on 03448 920 908 to ask for help. The Housing Executive will appoint a housing officer to the case. This adviser must establish if there is reason to believe the applicant is homeless or threatened with homelessness, and open a homelessness assessment.

The Housing Executive must make further inquiries where they have reason to believe that an applicant is homeless or is threatened with homelessness.1

Reason to believe and gatekeeping

Not everyone is entitled to a homelessness assessment. But the Housing Executive is expected to make inquiries if they have reason to believe that a person is homeless or threatened with homelessness.

Courts have held that "...in the vast majority of cases, the making of the application will mean that it is difficult if not impossible for the Council not to believe that the applicant may be homeless or threatened with homelessness.[2]

The NIHE Homelessness Guidance Manual stresses that staff should not deter someone from making a homeless application or fail to open an assessment where there is reason to believe the person may be homeless or threatened with homelessness.[3]

An applicant can challenge a decision not to open a homelessness assessment by taking a judicial review.

Multiple and repeat applications

There is no limit to the number of homeless applications a person can make to the Housing Executive.[4]

The Housing Executive should accept a new application if there are new facts to differentiate the new application from the earlier one.

The Housing Executive should open a fresh investigation if:

- people have joined or left the household
- the person has had settled accommodation since their last application
- the person has a new health condition or an existing condition has deteriorated
- the person can provide new evidence about their situation which was not previously considered

Case law on repeat applications

There has been a considerable amount of case law in this area. The court of appeal has established criteria that the Housing Executive should consider when deciding whether to accept a repeat application[5]:

- the person applying must identify the new facts that make a fresh application different to an earlier one
- the Housing Executive must compare the facts of the new application against the facts on the date when they made their latest decision
- the Housing Executive is not required to open a fresh investigation if the only new facts are ‘fanciful or trivial’

Information not considered at the time of the application

The Housing Executive should open a new case if:

- information was available to them at the time of the original decision, but
- the housing officer did not take this information into account when making the decision

Although the fact is not new, it is a fact they were not aware of when they made the original decision.6

New medical information

While a repeat application may be very similar to an earlier application, the Housing Executive cannot immediately reject it as factually identical.

The courts granted an appeal where an applicant was able to provide new evidence showing her doctor had revised their initial assessment of the person’s risk of suicide.7

The courts granted an appeal where a person who had asserted that they were in good health later engaged with mental health services, which provided evidence to support a second application. There were new facts, and these were not fanciful or trivial.8

The homelessness assessment

A Housing Executive housing officer will open a homelessness assessment for a person if there is reason to believe they may be homeless.

This assessment will determine what, if any, responsibility the Housing Executive has towards the person.

The Housing Executive will investigate whether the applicant passes the 4 homelessness tests. These are sometimes referred to as the "homeless hurdles". The four homelessness tests assess whether an applicant is:

- eligible for assistance
- homeless or threatened with homelessness
- in priority need
- unintentionally homeless

An applicant who meets all these requirements is a full duty applicant. This means the Housing Executive accepts a responsibility to provide the applicant with housing.

The applicant should bring information to support their case. This may include:-

- notice to quit from a landlord
- proof of any disabilities or serious medical issues
- passport or other proof of their right to reside in Northern Ireland.

The Housing Executive uses a housing solutions and support approach with applicants. This approach aims to find the most appropriate solution to housing issues.

A housing solutions approach should not interfere with or delay the Housing Executive’s statutory duty to make inquiries where a person appears to be homeless.

The housing solutions interview

The objective of a housing solutions interview is to get a full understanding of the applicant’s circumstances, needs and housing issues. The applicant should get an opportunity to explain any housing and support needs they have.

Before the housing solutions interview, the housing officer will check if the applicant has:-

- an existing homeless or housing application
- a previous homeless or housing application
- any history of antisocial behaviour
- any history of rent arrears

The housing officer must open a homelessness assessment if there is any reason to believe the applicant may be homeless or threatened with homelessness. The housing officer must simply have reason to believe there may be a risk of homelessness, rather than having to be satisfied of this fact.

Adviser decides not to assess a person for homelessness

The Housing Solutions Handbook encourages the housing officer to explain why they are not opening a homelessness assessment if it seems appropriate to do so, for example, if the person thinks they should be assessed for homelessness.

The applicant should ask for this decision in writing and get advice about challenging the decision.

Withdrawing an application

An applicant can withdraw their application for help at any stage.

The Housing Executive will cancel a person's application for help with homelessness or housing if they:9

- fail to respond to contact from the Housing Executive within three months, or
- do not renew their application with the Housing Executive each year

Each year, the Housing Executive sends a form to everyone registered on the housing waiting list. This form asks the person to confirm that they wish to remain on the list. If a person fails to respond, their case is closed.

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Getting help with a homeless application

Some people may need help to make a homeless application.

A person should not be stopped from having a friend, family member or professional attend with them when they present as homeless to the Housing Executive.

Footnotes

- [1]

  Housing (Northern Ireland) Order 1988, Article 7

- [2]

  Aweys & Ors, R (on the application of) v Birmingham City Council [2007] EWHC 52 (Admin) (26 January 2007), Aweys & Ors, R (on the application of) v Birmingham City Council - Find Case Law - The National Archives, last accessed February 2026.

- [3]

  Northern Ireland Housing Executive, Homelessness Guidance Manual, Chapter 1.3.1.

- [4]

  Northern Ireland Housing Executive, Homeless Guidance, Chapter 6.9.

- [5]

  London Borough of Tower Hamlets v Begum [2005] EWCA Civ 340.

- [6]

  Ibrahim, R (On the Application Of) v Westminster City Council, (2021) EWHC 2616 (Admin).

- [7]

  Hoyte, R (on the application of) v London Borough of Southwark [2016] EWHC 1665 (Admin).

- [8]

Bukartyk v Welwyn Hatfield BC, [2019] EWHC 3480 (Admin).

- [9]

  Northern Ireland Housing Executive, Homelessness Guidance, Chapter 1.3.4.