https://www.housingrights.org.uk/housing-advice/homelessness/homelessness-assessment

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Homelessness assessment

This information is for people living in Northern Ireland.

Homelessness can mean many things and can happen for many reasons. It’s not your fault. There are different kinds of support and groups that can help you.

The Housing Executive assesses whether someone is homeless. They will consider whether you are homeless under the legal definition.

You may be at risk of homelessness if you:

- live in unsafe housing
- have health problems that have been affected by your living conditions
- must leave your home within 28 days
- do not have your own home and are staying with friends or family

The Housing Executive is also responsible for tackling and preventing homelessness. They can give you information about your housing options and the duties they owe to you.

Contact the Housing Executive for help

If you are homeless, the Housing Executive must look into your situation. Contact the Housing Executive if you:

- do not have a home
- cannot stay in your home
- must leave your home within 28 days

The Housing Executive will:

- ask about where you're living
- find a way to help you stay in your home (only if this is safe)
- talk to you about temporary housing
- start a homelessness assessment to see if they need to give you accommodation

It can take about five weeks for the Housing Executive to do the assessment. They might have to give you somewhere to stay during this time. This depends on your circumstances. Speak to us if the Housing Executive refuses to give you temporary accommodation.

What a homelessness assessment involves

Speak to our advisers:

- if the Housing Executive refuses to start a homelessness assessment
- for help with a review if you receive a negative housing decision

In doing their assessment, the Housing Executive will look at four tests. If you pass these four tests, you will meet the legal definition of being homeless. This will also decide what support the Housing Executive must give you.

The tests look at whether you:

- are homeless or threatened with homelessness (homelessness)
- are eligible for assistance (eligibility)
- are a vulnerable person (priority need)
- made yourself homeless (intentionality)

1. Homelessness test

The first test looks at whether you are homeless or threatened with homelessness. It checks your current housing situation. The Housing Executive might:

- ask for your most recent address
- talk to your current or previous landlord

- talk to the people you lived with to find out why you had to leave
- ask for proof that you’re experiencing homelessness

Proof of experiencing homelessness can include:

- an eviction notice from a landlord
- proof you're living in temporary housing
- statements from people you lived with who told you to move out
- police reports showing you were harassed or victimised in your home
- medical reports showing you have health problems because of your home
- reports about the impact your housing is having on your children's health. This could be from a teacher or a social worker
- statements from people you spoke to about being subject to abuse in your home. For example, a solicitor or counsellor

2. Eligibility test

This test looks at whether you are eligible for help with your housing situation. It checks whether there’s a reason you cannot get homelessness support. This includes if you:

- cannot apply for help with housing because of your immigration status
- have been involved in antisocial or unacceptable behaviour

Unacceptable behaviour usually covers the past two years and can include:

- criminal or nuisance behaviour that upsets your neighbours
- behaviour at a former address or in temporary housing
- behaviour of someone else in your household or a visitor to your home

If you’re in temporary housing when you fail this test, you may be able to stay if you ask for a review of the decision. Our advisers can help you with this process. As part of the review, you will have to explain the reason for your behaviour and how your behaviour changed. For example, if you:

- have a disability
- got treatment or counselling
- now have support services that help you cope
- were diagnosed with or treated for a specific illness
- were in a situation that affected your behaviour, which has now changed

3. Priority need test

This test examines whether you or someone in your household is vulnerable. It assesses how vulnerable you would be if you became homeless. They will compare your situation with the 'average person'.

You will pass this test if you:

- are pregnant
- are younger than 20 and at risk of sexual or financial exploitation
- have dependent children. Dependent children may be younger than 16. Or they may be under 18 and in full-time education or on a government training scheme.
- are homeless or are at risk of homelessness due to violence
- are homeless because of a natural disaster (for example, a flood)
- have medical reports stating you're vulnerable. This can include being due to old age, illness, disability or health

Shared caring responsibilities

You might share caring responsibilities for children with another person. This person may not live with you. For example, if you have separated from your partner. To be counted for the priority need test:

- dependent children must normally live with you
- children who often stay with you but normally live somewhere else may not count

The Housing Executive may investigate further if it is not clear where the children live.

4. Intentionality test

This test looks at whether you did or failed to do something that led to your homelessness. The Housing Executive must prove that you made yourself homeless. It's not your responsibility to prove otherwise.

The Housing Executive will decide you're intentionally homeless if:

- your deliberate actions led to you losing your home, and
- you could have kept living in that home

The Housing Executive might say you're intentionally homeless if you:

- decided not to pay rent when you could afford to
- were evicted because of antisocial behaviour
- ignored advice that would've helped you stay in your home

If the Housing Executive considers you intentionally homeless, this can reduce your options. To avoid this, before you leave your home:

- get proof of your situation
- get advice on your housing options
- apply for a homelessness assessment and get your homelessness points

You are not intentionally homeless if you lost your home for specific reasons. For example, you:

- had to leave because of someone you lived with
- followed bad advice that led to you losing your home
- were evicted because you complained about the property
- caused antisocial behaviour due to a mental health condition or disability
- could not afford your rent because your situation and needs changed

After the homelessness assessment

Passing all four tests

If you pass all four tests, you will get 'Full Duty Applicant' (FDA) status. This means that you are entitled to:

- temporary housing while you wait for rehousing
- 70 housing points, which are awarded automatically
- two reasonable offers of long-term accommodation

Depending on your situation, the Housing Executive may also:

- store your belongings while you wait for a home
- pay for your travel costs to temporary housing

Not passing a test

If you fail even one test, you will not receive FDA status. You will get a 'negative decision'. The Housing Executive should send a decision letter to you explaining:

- which test you did not pass and the reasons why
- how you can ask for a review of the decision

You should seek advice if:

- you do not get a decision in writing or
- the decision letter does not give you the reasons for the decision

Reviewing a negative decision

Contact us for specialist advice if you disagree with the Housing Executive's decision.

It can be difficult to ask for a review of a negative homelessness decision. Try to get specialist advice. It is possible for the Housing Executive to change their decision. However, normally, they will need more information and evidence to do this. We have a lot of experience in this area and can help you request a review.

If you do not pass all four tests, you can ask for a review of the decision, often called a ‘homelessness review’. A more senior member of the Housing Executive will review your application.

You or your representative has 40 days from the date you get the decision letter to ask for a review. But it's not just about asking for a review. The review should explain why you should pass the tests that they say you failed.

Get help from our advisers to ask for and submit a review. We want to help you get the right decision.

You might be entitled to temporary accommodation while they review your decision. If they fail to do this, we can advise you on challenging their decision.

Appealing a negative decision in court

The next step after asking for a review is a court appeal. This isn't possible for everyone.

Our expert housing advisers can look at your case and submit extra evidence. We can make legal arguments in a review request without going to court. You should contact Housing Rights as soon as you get a negative decision.

You can appeal to the county court if you do not pass the review. But you can only appeal on a point of law, not because of your situation and needs. Your options are much more limited if the review is unsuccessful.

More advice

- Emergency help
- Check your points
- The waiting list