Housing Rights

Briefing Paper

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Housing Rights Briefing to the Committee for Communities: Housing (Amendment) Bill

October 2026

Introduction

1. Housing Rights is Northern Ireland's leading independent provider of specialist housing advice. For over 60 years, we have been helping people to find and keep a home. We believe that prevention is better than the cure. Our work seeks to ensure that individuals and families living in Northern Ireland do not reach this crisis point. We recognise, however, that this is not always possible, and we also provide advice and assistance to help ensure that the experience of homelessness is rare, brief and non-recurrent.

2. Housing Rights welcomes the opportunity to provide evidence to the Committee in relation to the Housing (Amendment) Bill. We refer Committee members to our consultation response on the Bill for a detailed submission.

3. In the time since completing and submitting our consultation response, the Minister for Communities has announced the establishment of a Homeless Commission, stating, '*independent, expert panels will carry out comprehensive reviews of our homelessness legislative framework and the operational and institutional changes required to transform how we prevent and respond to homelessness.*'[1]

4. This development signals recognition of the need for significant reform of both the legislative framework and implementation of homelessness policy in Northern Ireland.

5. In addition, some further information about the implications of the Bill and the gaps in information available, as highlighted in the Assembly's Research and Information service's briefing paper, inform our views on the discussions and evidence on the proposed legislation. This briefing paper seeks to set out Housing Rights' position within this evolving context.

Reflections on the Housing (Amendment) Bill

6. For more than a decade, Housing Rights has been advocating for a stronger focus on homelessness prevention within Northern Ireland's housing and homelessness system. Homelessness prevention has been a long-standing policy ambition of the Northern Ireland Housing Executive's (NIHE) Homelessness Strategies. However, in practice, prevention is frequently deprioritised as resources are directed towards crisis intervention to meet the NIHE's statutory duties. This creates a clear tension between legal obligations and policy ambitions, highlighting the importance of legislative reform. Housing Rights believes that this demonstrates why legislative reform is necessary. Statutory duties create accountability and help ensure that prevention remains a priority even during periods of increased demand and resource pressure.

7. Housing Rights thanks Mr Gildernew MLA for introducing the Housing (Amendment) Bill. At a time when housing need and homelessness continue to rise, the Bill signals welcome recognition of the need to strengthen homelessness prevention through legislation. The Bill is significant because it seeks to underpin that objective with a legislative framework, helping to ensure that preventing homelessness becomes a consistent and enduring priority within the housing system. Given the scale of the current housing and homelessness crisis, this legislative focus is both timely and necessary.

[1] Lyons to drive once-in-a-generation system change on homelessness | Department for Communities

8. In principle, Housing Rights supports the overall purpose of the Bill and the proposal to extend the period during which a person is considered *threatened with homelessness* from 28 to 60 days. The existing 28-day period is inadequate and compares unfavourably with provisions in neighbouring jurisdictions. In fact, even a revised 60-day period compares poorly with other regions. For example, in Wales, authorities must act if an individual is threatened with homelessness within 6 months[2].

9. In theory, an extended *threatened with homelessness* period would enable the NIHE to intervene earlier to take steps to sustain existing accommodation, or secure suitable alternative housing for households at risk of homelessness, which we would consider a positive reform.

10. In addition, the proposed change would provide individuals and households with a longer period in which to access support once they become aware that they are at risk of homelessness. This would include private renters, as the Department for Communities is currently developing legislation to increase the minimum notice-to-quit period that landlords must provide to tenants. The proposed minimum notice period of eight weeks would align with an extended threatened with homelessness period, enabling tenants to access support at the earliest opportunity and increasing the likelihood of preventing homelessness. The change would also benefit homeowners facing repossession proceedings.

11. What is less clear, however, is how the NIHE will secure the resources, capacity and operational tools required to make effective use of the extended prevention period. While Housing Rights welcomes, in principle, the proposal to extend the period during which a person is considered *threatened with homelessness*, this legislative change alone is unlikely to deliver the transformational shift in homelessness prevention that is required. Without corresponding investment in prevention services, workforce capacity and implementation, there is a risk that the full benefits of the reform will not be realised.

12. During the Second Stage reading of the Bill on 21 September 2026, the Minister referenced a NIHE estimate that the implementation of the Bill would cost approximately £2.5 million per annum.[3] The Assembly's Research and Information Service (RaISe), in a briefing paper published on 25 September 2026, noted that it had not yet been provided with the assumptions or modelling underpinning this indicative estimate[4].

13. Effective scrutiny of the Bill requires a clear understanding of the basis on which the estimated annual cost of £2.5 million has been calculated. **Housing Rights therefore recommends that the Committee seek evidence from the NIHE on the assumptions, methodology and modelling underpinning this estimate**. The Committee should also ask the Department from where this additional resource could be found, given an already pressurised homelessness budget and seek assurances that resources which have been earmarked for prevention, remain available in order to give best effect to the intention of the Bill.

14. **Housing Rights must also recognise that the legislative changes proposed in this Bill constitute only a small part of the wider reforms needed to transform Northern Ireland's homelessness system into one that is genuinely prevention-focused.** While the extension of the *threatened with*

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[2] https://www.legislation.gov.uk/asc/2026/3/part/1/crossheading/help-to-prevent-homelessness
[3] Official Reports
[4] Assembly Research and Information Service Briefing Paper - Review of Costs: Housing (Amendment) Bill

homelessness period is welcome, experience from elsewhere demonstrates that meaningful progress is most effectively achieved through a broader package of legislative and policy reforms.

15. Such reforms in Wales, for example, have included:

    a) Amending the definition of *threatened with homelessness* and extending it to six months
    b) Strengthening steps taken by local authorities to prevent homelessness
    c) Abolishing the priority need and intentionality tests
    d) Introducing a test for those who have engaged in 'deliberate manipulation' of the homelessness system to gain advantage when applying for social housing.
    e) Introducing a new duty on specified public authorities to 'ask and act' in relation to persons in Wales
    f) Placing new duties on local authorities to take reasonable steps to secure suitable accommodation is available for occupation for certain young people leaving care.

16. Housing Rights therefore views this Bill as an important step rather than a complete solution. If Northern Ireland is to realise the ambition of preventing homelessness before it occurs, further legislative, policy and operational reforms will be required across the housing, health, justice and social care systems.

Considerations in light of the Homelessness Commission

17. Housing Rights welcomed the Communities Minister's announcement of a new Homelessness Commission for Northern Ireland to consider the fundamental reforms required to transform Northern Ireland's response to homelessness, including both legislative change and the effective implementation of policy.

18. Whilst we await further details on the Commission's remit and functions, Housing Rights is encouraged that the proposed approach appears to mirror those adopted in Scotland and Wales. This aligns closely with the recommendations set out in our discussion paper: *Supporting Transformation in Homelessness Prevention*'[5], which highlighted the value of independent, expert-led processes in shaping and driving long-term reform.

19. The introduction of the Housing (Amendment) Bill should be considered alongside the work of the proposed Homelessness Prevention Commission. In Housing Rights' view, it is important that the Bill and the proposed Homelessness Commission be complementary. While the Bill advances an important reform by extending the prevention window, the Commission presents an opportunity to consider the wider legislative, policy and operational changes needed to ensure such reforms can be delivered effectively.

20. While the measures contained within the Bill are welcome in principle, there is a risk that implementing an expanded prevention duty could place additional demands on already stretched resources and organisational capacity at precisely the point when significant effort will be required to support the Commission's work.

[5] https://www.housingrights.org.uk/sites/default/files/documents/policy-research/%27A%20discussion%20Paper%20to%20Support%20Homeless%20Prevention%20in%20Northern%20Ireland%27%C2%A0_1.pdf

21. It is therefore important that the Bill does not pre-empt or detract from the broader system-wide reform agenda that the Commission is expected to consider. In Housing Rights' view, the Commission should be afforded the space and resources necessary to examine the full range of legislative, policy and operational changes required to strengthen homelessness prevention.

22. The Committee should therefore consider how implementation of the Bill can support, rather than inadvertently constrain, the wider reform process. In scrutinising the Bill, Committee must endeavour to ensure that attention and resources focused on delivering the legislative change do not come at the expense of pursuing the more comprehensive transformation that evidence from other jurisdictions suggests is required.

Interaction with Temporary Accommodation

23. As the owner of the relevant data and modelling capabilities, the NIHE is best placed to assess the impact that the proposed legislation may have on demand for temporary accommodation, including the use of non-standard accommodation. Without access to the underlying data and modelling assumptions, it is difficult for stakeholders, including Housing Rights, to fully assess the Bill's impact or to scrutinise its associated resource implications. As stated in paragraph 13 of this Briefing Paper, it is essential that the NIHE present the evidence for both their calculations of additional cost and of the impact on temporary accommodation to the Committee.

24. Housing Rights does not believe it is possible, on the basis of the information currently available, to determine with certainty whether the Bill would result in increased demand for temporary accommodation. Demand for temporary accommodation is influenced by a range of wider social, economic and housing market factors, including housing supply, affordability pressures, household debt, relationship breakdown and broader patterns of homelessness. Without access to NIHE data and modelling, it is difficult to appraise with certainty the impact the Bill would have on temporary accommodation demand. Temporary accommodation demand is primarily driven by the external societal and economic factors which are driving people to homelessness.

25. Under the legislation, the NIHE can make an offer of temporary accommodation at any time after a person presents as homeless or threatened with homelessness, where it is apparent that an interim duty[6] is owed, or when the relevant statutory tests are met.[7] In Housing Rights' experience, it is extremely rare for temporary accommodation to be taken up during the period in which a person is threatened with homelessness. It is usually only at the point of the person becoming actual homeless that, as a last resort, temporary accommodation is accessed. Indeed, it is commonplace for applicants to be advised by NIHE to present on the day they become homeless to access temporary accommodation.

26. There are many factors at play which could influence the NIHE's decision on when to offer temporary accommodation, and a person's decision on when to enter it. Depending on a person's circumstances, their decision on whether to access temporary accommodation might be entirely different. For example, a private renter would remain liable for rent until the day their notice to quit

[6] In some circumstances, the Housing Executive must provide temporary accommodation while investigating a homeless application. This duty arises if it has reason to believe that the applicant may be:

- homeless and
- in priority need

[7] The Housing (Northern Ireland) Order 1988

expires, and they would not be entitled to housing benefit for both their current accommodation and temporary accommodation. This would influence both the NIHE's decision to make an offer, and that person's decision to accept. On the other hand, someone experiencing a severe relationship breakdown may wish to leave their current accommodation as soon as possible.

27. However, Housing Rights would anticipate that extending the period during which a person is considered *threatened with homelessness* is likely to increase the number of households engaging with homelessness services at an earlier stage. This would increase the NIHE's prevention caseload and create additional demand for assessment, advice and intervention activities.

28. Whether this translates into increased demand for temporary accommodation is less clear. In principle, providing support at an earlier stage should create greater opportunities to prevent homelessness and therefore reduce the need for temporary accommodation. However, the extent to which this is realised will depend on the availability of resources, staff capacity and effective upstream prevention tools and interventions. **The key policy question is therefore not simply whether more people will engage with services earlier, but whether the extended period is accompanied by sufficient investment and operational capacity (and whether the other levers within the housing system to provide access to affordable housing are in place) to enable successful prevention outcomes**.

Challenges presented by the current policy context

29. In practice, preventing homelessness often depends on factors beyond the length of the statutory *threatened with homelessness* period. The availability of suitable housing in the private rented and social housing sectors, access to financial assistance, tenancy sustainment support, mediation services, and other preventative interventions will all influence whether homelessness can be successfully avoided.

30. In the context of Northern Ireland's current housing crisis, there is a risk that extending the *threatened with homelessness* period alone may not deliver the intended outcomes if chronic shortages of affordable and suitable housing continue to limit the options available to households experiencing housing instability.

31. Housing Rights has observed that it remains commonplace for applicants to present as homeless and require emergency temporary accommodation at very short notice. The Bill has the potential to reduce the frequency of such situations by enabling earlier engagement and intervention. However, this outcome cannot be assumed and will depend on whether preventative support and alternative housing options are available in practice.

32. **Effective prevention requires a coordinated, whole system approach that enables legislation and agencies to work together to identify risks at an early stage, respond appropriately, and prevent homelessness. Housing Rights therefore believes that wider reform of homelessness legislation should be an Executive priority.** This should include consideration of a broader statutory homelessness prevention duty and an extension of the *threatened with homelessness* period beyond 60 days, informed by the evidence and recommendations emerging from the Homelessness Commission.

Commencement of the Bill

33. Housing Rights recognises that implementation of the Bill will require the NIHE to make operational, financial and organisational preparations to support delivery of the extended *threatened with homelessness* period. This may include operational planning, service redesign, development of prevention tools and interventions, and consideration of any additional resource requirements arising from the legislation.

34. Housing Rights therefore believes that, in order to give best effect to the Bill, sufficient time should be provided between Royal Assent and commencement of the Act to enable these preparations to take place. The appropriate commencement period should be informed by evidence from the NIHE regarding implementation readiness, resource requirements and lessons from comparable reforms in other jurisdictions. The Committee should therefore assure itself that the commencement period is sufficient. In our experience, 6 months is unlikely to be sufficient in this regard and a longer lead time would allow for meaningful preparation and changes to systems, processes and adequate training for staff in the statutory and voluntary sectors.

35. The Bill is likely to complete its passage through the Assembly, and may also be commenced, before the Homelessness Commission has completed its recommendations. Housing Rights, therefore, believes it is important that the legislation be viewed as a first step rather than a final destination. The Committee may wish to consider how any emerging findings from the work of the Homelessness Commission can influence and shape this legislation, in order to future proof its effectiveness in line with the legislative aims.