

<b>Subject:</b>	<b>Evictions From Temporary Accommodation</b>		
<b>Date of Meeting:</b>	<b>13<sup>th</sup> June 2018</b>		
<b>Report of:</b>	<b>Larissa Reed</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Sylvia Peckham</b>	<b>Tel: 01273 293226</b>
	<b>Email:</b>	<b>Sylvia.Peckham@brighton-hove.gcsx.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE.**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 Housing & New Homes Committee in March 2017 requested a report looking into evictions from Temporary Accommodation and whether there is evidence to support the assertion that residents in temporary accommodation that lodge complaints about disrepair or staff conduct at their temporary accommodation are vulnerable to evictions.
- 1.2 This report was presented at the Housing & New Homes Committee in June 2017
- 1.3 It was agreed that this would be reviewed after a year and this report is the outcome of the review.

**2. RECOMMENDATIONS:**

- 2.1 That Housing and New Homes Committee note the findings of the report.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Housing and New Homes Committee had requested a report into the evictions from emergency accommodation which was considered in June 2017. It was requested that the position be kept under review and an update report provided a year later. This report sets out the findings of the analysis of evictions over the past year. This report focuses on emergency accommodation only and not longer term leased accommodation. The average length of stay in emergency accommodation is approximately 18 months.
- 3.2 Over the past year there have been a few changes as follows:
  - The Temporary Accommodation Action Group (TAAG) which is an independent group chaired by Justlife was established and has been in existence now for nearly a year. It comprises representatives from agencies supporting homeless people and those who are vulnerably

housed; BHCC commissioning officers; BHCC councillors; emergency accommodation providers; Adult Social Care; Public Health; BHCC temporary accommodation housing managers and temporary accommodation welfare officers

- Justlife, who are commissioned by the Brighton & Hove Clinical Commissioning Group, provide support to people in emergency accommodation to improve their health outcomes by accompanying them to appointments, engaging with health care services and support with issues around housing ( including bidding on Homemove and advising on other housing options), benefits and general wellbeing. They also provide wellbeing groups and activities, along with a wide range of support, for those in emergency and temporary accommodation which is funded by the lottery and other grant funders (until March 19). They have worked with around 250 people in emergency accommodation across the past year. They have recently launched a project to provide a 'move in pack' to those who need it when they are placed in emergency accommodation. The pack contains essentials like cooking utensils, towels and toiletries, along with other helpful items such as a notebook and pen and an alarm clock radio. They currently have funding for 100 packs but are looking to work with the community to develop this project.
- A sub group of TAAG was established in order to specifically look at evictions from Temporary Accommodation. This group, amongst other things, is working towards an agreement around what constitutes acceptable and unacceptable behaviour and hence when an eviction is warranted. The chair of TAAG has seen the findings of the review of evictions and has endorsed its findings.
- Since January 2018 we have employed two Temporary Accommodation Welfare Officers. Their remit is to work with vulnerable households in temporary accommodation where problems such as service charge arrears or anti-social behaviour are arising in their accommodation, and then to refer to the relevant support agencies to help address these issues. Their work is focussed on facilitating an agreement between the household and accommodation provider in order to prevent problems escalating and averting an eviction from taking place. We have been working closely with our accommodation providers to ensure that procedures set out in contracts are adhered to. We are also working with accommodation providers to ensure that the Welfare Officers are notified at an early a stage as possible when problems arise. One of our main accommodation providers has also established a Welfare Officer post themselves to address the same issues and who work closely with our own Welfare Officers.

### 3.3 Analysis of Evictions

- 3.3.1 Data has been gathered for the period 01/04/17 to 31/03/18 on the number of placements made; the number of evictions and the reasons for any evictions. The figures below represent the total number of placements made in the period - which includes the first time a household is placed and any subsequent transfers or re-placements. The figures are not the actual number of households

accommodated in the period as a household might have been placed more than once in the period. This follows the same rationale as per the previous report and we have provided those figures in brackets for comparison.

Period	No. of placements	No. of evictions	No. evicted due to breach of licence	No. housing duty discharged	No. re-accommodated	Didn't represent
1/4/17 – 30/6/17	273 (245)	7 (9)	7	2	5	0
1/7/17 – 30/9/17	301 (262)	7 (8)	7	2	4	1
1/10/17 – 31/12/17	218 (215)	9 (12)	9	0	8	1
1/1/18 – 31/3/18	204 (217)	10 (21)	10	0	8	2
Total	996 (939)	33 (50)	33	4	25	4

3.3.2 The council made 996 placements in emergency accommodation in 2017 / 18. Of those

- 33 (3.41%) were evicted and
- 963 (96.59%) remained in their accommodation.

3.3.3 Of the 33 evictions it was found that in all cases the eviction was because the household had breached their license conditions. However, 25 of the 33 (75.76%) were re-accommodated. The rationale for this is explained in para 3.8 below.

3.3.4 Only 4 households of those evicted (12.12%) had their housing duty discharged. A further 4 households (12.12%) did not re-present to us.

3.3.5 We could find no record that any of the households evicted had reported that repairs were needed to their property or had made any complaints.

3.3.6 Below is a list of the emergency accommodation providers and the number of units they have. In addition are 60 spot purchase units.

Accommodation Providers	Number of Units
Baron Homes including Moretons	<b>255</b>
Helgor Trading (excluding Baytree)	<b>120</b>

Colgate and Gray	<b>54</b>
<b>Total</b>	<b>429</b>

3.4 During the year there was an Ombudsman investigation where it was found that the Council had failed to obtain evidence from an accommodation provider to support the reason for an eviction. Following that finding we now ensure that we obtain records and evidence from accommodation providers pertaining to an eviction and ensure that all processes in the contract are adhered to as per the following contract clause -

- “In the event that the Provider becomes aware that an Occupier has breached or is likely to breach any of the terms of their Occupier Agreement the Provider shall inform the Council and take all reasonable enforcement steps. All warnings and enforcement steps taken by the Provider against the Occupier must be made in writing to the Occupier (the form of these notices to be agreed with the Council). Records of all these actions must be kept by the Provider and provided to the Council on request”

3.5 We are setting up operational monthly meetings between the Council and the accommodation providers to ensure that households are receiving the support they require to manage their accommodation, as well as to discuss ongoing operational matters such as disrepair, complaints, void control etc.

3.6 If a household is evicted then the housing duty will only be discharged if it can be sufficiently demonstrated that the threshold as set out in Part 7 of the Housing Act 1996 relating to ‘intentional homelessness’ has been met. In the event of disputed evidence which cannot be reconciled the council in accordance with the homelessness Code of Guidance will err on the side of the applicant and would not discharge the housing duty.

3.7 Prior to any eviction and wherever possible, work will have been ongoing between the council’s Temporary Accommodation Housing Officers and Welfare Officers; the accommodation providers and any support agencies involved, to try and effect a resolution to any problems that have arisen.

3.8 A significant proportion of single people in emergency accommodation have complex support needs and are waiting for supported accommodation. The high demand for supported accommodation means that people can be waiting for a considerable amount of time for a suitable vacancy. This can mean that whilst people may be linked in with support services, they do not cope well in emergency accommodation which may lead to difficulties arising and the licence agreement being breached. In those circumstances it is sometimes better to move the person into alternative emergency accommodation where they may

cope better. This in part explains why the housing duty is discharged for only a very small number of those who are evicted.

- 3.9 Please see Appendices below for some examples of the reasons why households are evicted.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 None

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The Temporary Accommodation Action Group was consulted over the collation of the results.

#### **6. CONCLUSION**

- 6.1 The numbers of evictions has fallen to 3.4% of all placements made compared to 5.32% the same period last year. The total number of placements made has increased slightly from 939 in 2016/ 17 to 996 in 2017 / 18.

- 6.2 This is a positive outcome attributable to a more collaborative working relationship between providers, support agencies, the TAAG and the council to identify and intervene to resolve issues at a early stage so as to better support people.

- 6.3 We will continue to monitor evictions to identify further actions, support or training to enable people to maintain their accommodation and prevent disputes escalating into evictions where possible.  
Following the implementation of the Homelessness Reduction Act on 3rd April we are actively intervening at an early stage to prevent homelessness before it happens and thereafter reduce the need to place households in temporary accommodation.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 The cost of this review into temporary accommodation evictions has been met from the current budget resources within the Housing Options service. The two new welfare officers are being funded through the Flexible Homelessness Support Grant that currently runs until 31<sup>st</sup> March 2020.

*Finance Officer Consulted: Monica Brooks*

*Date: 18/05/18*

##### Legal Implications:

- 7.2 There are no legal implications of concern in this report.

Equalities Implications:

- 7.3 There may be some vulnerable groups ( in particular those with a disability) within the group being accommodated and it is important to note that where this is identified it is reflected in the decision making process either to evict or to re-house.

Sustainability Implications:

- 7.4 None

Any Other Significant Implications:

- 7.5 None

**Appendix: 1**

**Examples of some of the reasons for the evictions in the report:**

Threatening behaviour, aggressive, armed police called to the scene.

Damages to the property, had a dog, bullied other tenants, abusive to the caretaker and staff at the office and refused to move out.

Urinated from the top floor down to the court yard, drunk all the time and very disruptive

Harassment and bullying against another tenant, police called over 5 times, was arrested.

Known drug dealer, always allowed his dog into his room and the building and had parties, disturbing other residents, police called.

Allowing non-residents into the building, drugs and service charge arrears.

Antisocial and threatening behaviour to staff and other residents.

Gave keys to non-residents.

Verbal abuse etc to caretaker.

Drug use and visitors.

**Documents in Members' Rooms**

None

**Background Documents**

None

Crime & Disorder Implications:

None

Risk and Opportunity Management Implications:

None

Public Health Implications:

None

Corporate / Citywide Implications:

None