

Tenancy Sustainment and Homelessness

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Overview

- What is tenancy sustainment
- Why is it important
- What kind of activities does it imply
- How do you measure it
- Shelter Scotland example

By tenancy sustainment we mean preventing a tenancy from coming to a premature end by providing the necessary information, advice, and support for tenants to be able to maintain their tenancies.

Shelter Scotland report, October 2009

Why is tenancy sustainment important?

- The 2012 commitment
- Regulator expectations
- Cost effective
- High organisational priority
- Good social policy

Critical factors

- Household type
- Route into housing
- Length of tenancy
- Shock factors
- Practice factors
- Underlying reasons

What activities?

- Early intervention and advice
- Tackling rent arrears and evictions
- Access to benefits
- Providing support

Benefit cuts

- Non-dependant deductions
- Size-related HB penalties
- Loss of HB if on JSA for more than a year
- Reduced access to PRS?

Housing Support

Housing support funding 2007-08

£400 million

Housing support funding 2010-11

£273.9 million

The new legislation

- **Housing support: persons found to be homeless or threatened with homelessness**
- After section 32A of the Housing (Scotland) Act 1987 (c.26) insert—
- **“32B Housing support: persons found to be homeless or threatened with homelessness**
- (1) Subsection (2) applies where a local authority—
- (a) are subject to the duty under section 31(2) or 32(2) in relation to an applicant; and
- (b) have reason to believe that the applicant may be in need of prescribed housing support services.
- (2) The local authority must assess whether the applicant, and any other person residing with the applicant, needs prescribed housing support services.

- (3) In carrying out such an assessment the local authority must—
 - (a) conduct inquiries of such type as may be prescribed; and
 - (b) have regard to any prescribed matters.
- (4) Following such an assessment, the local authority must ensure that prescribed housing support services are provided to any person assessed as being in need of them.
- (5) The Scottish Ministers may by regulations made by statutory instrument make further provision about the provision of prescribed housing support services in pursuance of subsection (4) and may, in particular, specify—
 - (a) the period for which services are to be provided;
 - (b) matters to which a local authority are to have regard when ensuring provision of services.

- (6) Regulations made under this section may make different provision for different purposes and different areas.
- (7) Before making any regulations under this section, the Scottish Ministers must consult—
 - (a) such bodies representing local authorities;
 - (b) such bodies representing the interests of homeless persons; and
 - (c) such other persons,
 - (d) as they think fit.
- (8) Regulations under this section may be made only if a draft of the statutory instrument containing the regulations has been laid before, and approved by resolution of, the Scottish Parliament.
- (9) In this section, “housing support services” includes any service which provides support, assistance, advice or counselling to an individual with particular needs with a view to enabling that individual to occupy, or to continue to occupy, residential accommodation as the individual’s sole or main residence.”.

The new duty

- Applies to those who are in priority need and unintentionally homeless
- LA decides if the applicant or family member may be in need of support and, if so, carries out an assessment.
- If the assessment says that support is needed, it must be provided but regulations will determine the duration and scope of what is provided.
- There will be consultation on the regulations.

Measurement

Audit Scotland measure

Scottish Housing Regulator measure

Tenancy sustainment and rent arrears: pilot with Stirling Council

Aims:

- To visit the 10 most hard to reach tenants (who were in danger of losing their homes) to ensure they had independent advice and assistance (housing and debt advice) and to aim to prevent the loss of their home;
- To determine whether difficult to engage tenants would speak to an agency outside of the statutory sector;
- To attempt to draw tenants back into discussion with the council about their arrears position.

Outcomes of initial pilot

- Of the 10 tenants, Shelter made contact with 9 of them .
- All of these 9 tenants have subsequently been in touch with either the housing or benefits team of Stirling Council.
- 4 of them made payments to their accounts - 2 of these paid sufficient amounts to reduce their arrears and 1 is keeping to a repayment agreement.
- The remainder made no payments to their account.

Ongoing Pilot

- Required detailed pre-planning between both organisations.
- The project, whilst having a core group, will engage with tenants at different stages in the arrears process.
- Aims to re-engage tenants with Stirling Council.
- Offers advocacy and mediation between the parties.
- Works with Stirling Council staff in the joint objective of the presumption against eviction.
- Maintains independence and mutual respect.

Summing up

- Tenancy sustainment is increasingly important as 2012 approaches.
- There are critical factors in determining when services are most needed
- Approaches can include early contact, benefits access, arrears management, support but wider partnerships too.
- Benefit cuts pose a risk but new duties on support provide opportunities.