

STEWARTS
THE LEGAL SERVICE

RE-HOUSING



Re-housing

If you are in an accident and suffer serious injury, you may require new accommodation. If adaptations to your current property may not be sufficient to meet your needs, it may be necessary to find an alternative property.

Homelessness

Legally, homelessness has a wider meaning than not having a house to live in. You may be considered to be legally homeless if it is unreasonable for you to stay in your current accommodation due to a serious health condition or disability. This may be because your property's physical characteristics make it inaccessible to you as a result of your increased needs following a serious injury and it cannot be adapted to make it manageable for you to live in.

Local authority assistance

Your local authority may have a duty to offer you help if you become legally homeless. The amount of help you will get depends on your circumstances. Local authorities use four tests to determine whether they have a duty to rehouse you.

1. Homeless or threatened with homelessness

As explained above, you can be considered homeless if you have accommodation but it is not reasonable for you to continue living there.

2. Eligible for assistance

Eligibility depends on your nationality and immigration status. You are likely to be eligible if you are a British citizen, unless you do not normally live in the UK.

3. In priority need

There are a number of instances in which a person will be considered to have a priority need for housing, one of which is where a person is vulnerable. A person may be considered vulnerable as a result of a health condition. Your local authority will make the decision as to whether your circumstances make you a vulnerable person. When making their decision, they will look at how you may cope with being homeless by considering:

- How your illness or disability affects your daily life
- Any support available to you from friends, family and other services
- The risk of harm to you compared to the risk of harm to other homeless people

4. Not intentionally homeless

The local authority will look at whether you deliberately did or failed to do something that has made you homeless. However, the local authority cannot determine that you have become intentionally homeless if it is not reasonable for you to continue to occupy your property.

If it is no longer possible for you to reasonably occupy your property due to a serious health condition or disability, then you may be legally homeless.



In order to get help with your housing needs, you must contact your local authority and tell them you wish to make a homelessness application. This can be done in writing, by phone or in person. An application can also be made by a person acting on your behalf, such as a friend or relative.

The local authority has a duty to assess your application and make a decision on it. If the local authority decides it has a duty to rehouse you, they will be obliged to provide you and those who can be reasonably expected to live with you, such as family members, with accommodation to meets your needs.

Renting privately

It may be quicker to seek your own private rented accommodation and apply for Universal Credit to help pay the rent.

Universal Credit is means tested. There is a sliding scale of how much is payable depending on your income and what benefit rent you can pay.

You should seek advice before moving to ensure that you are aware of any potential consequences.

“After the accident and all the emotion that goes with it, the support of the Legal Service team was very reassuring and supportive. The personal touch and the information given when so many life changing decisions needed to be made was comforting.”

(SW a former client)

“The highly efficient and impressive pro bono service provided by Stewarts proved to be of immense practical use both to myself and my husband after my husband suffered a serious fall. I was very impressed with their professionalism throughout.”

(FM a former client’s wife)

“If you had an injured family member, you’d want to take them to Stewarts every time.”

Chambers

“The phenomenal Stewarts remains the standout firm for claimant personal injury.”

The Legal 500

“They are unbeatable in terms of results and client care.”

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