



# Prevention of Homelessness Duties:

## An analysis of homelessness advice cases provided by Scotland's CAB network

### Introduction

To contribute to the Scottish Government and COSLA's joint consultation on the Prevention of Homelessness Duties,<sup>1</sup> Citizens Advice Scotland (CAS) partnered with Crisis to carry out an analysis of one years' worth of case studies collected by CAS where clients have experienced homelessness or been at risk of homelessness. The intention of this analysis was to inform each organisation's response to the consultation and publish evidence that might inform the design of a new homelessness system in Scotland.

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<sup>1</sup> Scottish Government (2021) Prevention of homelessness duties: consultation. Available from: <https://www.gov.scot/publications/prevention-homelessness-duties-joint-scottish-government-cosla-consultation/>

## Key findings

Based on 185 cases from CAS between January 2021 and January 2022 the analysis has found:

### Causes and triggers of homelessness

- The causes and triggers of homelessness identified from the case analysis are similar to the most common causes identified by the Scottish Government's official homelessness statistics<sup>2</sup>; namely, domestic abuse, relationship breakdown, and eviction from private residential tenancies. In addition to these well-known causes of homelessness, the case analysis revealed other triggers of homelessness, including cases in which the conditions in private or socially rented housing made the property uninhabitable, anti-social behaviour on the part of neighbours, and a small number of cases in which the family was forced into homelessness due to overcrowding. In a lot of these cases people would have been considered 'threatened with homelessness' within six months under the proposals for a new extended homelessness prevention duty currently being consulted on.
- The case analysis revealed anti-social behaviour and problems with neighbours as one of the most common causes of clients experiencing homelessness or threatened with homelessness. In many of these cases, the local authority, Housing Association, Police and other services had been made aware of the issues and, from the clients' perspective, had not done enough to resolve the situation. Many of the anti-social behaviour cases identified involved discrimination on the basis of the client's nationality, ethnicity or disability.
- Eviction from the private rented sector was one major cause of homelessness identified in the case analysis, often because the landlord wished to sell or occupy the property themselves. This included many cases where the landlord was not complying with regulations, for example not being registered as a landlord or offering the proper tenancy agreement. Evictions from the social rented sector were far less common, although this may be due to the emergency coronavirus legislation in place at the time, which prevented evictions.
- Poor conditions in both the private and social rented sector were another common cause of homelessness identified in the case analysis. In some cases, landlords had rented out properties that did not meet the tolerable standard and/or were not complying with regulations or their responsibilities as landlords. In some cases, the client reported that the social landlord or Environmental Health had not acted quickly to carry out repairs or had not deemed the case a priority.
- There were fewer cases of clients experiencing homelessness due to living costs and rent arrears. However, this is perhaps also related to the ongoing financial assistance related to the coronavirus pandemic, and the protections from eviction in place at the time.<sup>3</sup>

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<sup>2</sup> Scottish Government (2021) Homelessness in Scotland: 2020 to 2021. Available from: <https://www.gov.scot/publications/homelessness-scotland-2020-2021/>

## Opportunities for early intervention

- The analysis revealed several examples of clients being told by various services – including their local authority’s housing and homelessness services - that they would not be able to access support to resolve their housing situation before experiencing homelessness, implying that making an application for homelessness support was the best route into other more suitable accommodation.
- A number of cases revealed clients being told that they would be awarded points which gave them higher priority for housing when they were evicted and had become homeless, and that there is little the housing and homelessness services are able to do before that. This was demonstrated in several cases where clients were at risk of eviction from their private residential tenancies. In such cases, clients were often told the local authority was unable to help them “unless they have an eviction notice.”
- Other cases revealed experiences where clients have tried to seek help from the local authority but found them unresponsive or their systems difficult to navigate.
- The case analysis provides insight into the kinds of services that clients have had contact with prior to experiencing homelessness which could play a bigger role in preventing homelessness, such as health services, addiction services and the Police.
- The case analysis revealed how a lack of integration of services sometimes presents a missed opportunity to resolve someone’s housing situation before they reach crisis point. This includes clients with complex needs such as relating to mental health and drug and alcohol issues, who sometimes felt that they had been passed from one service to another without receiving the support they needed.
- Clients in this situation sometimes had difficulty navigating housing and homelessness services, finding them confusing and difficult to understand. Many of the cases included in the analysis demonstrate the crucial role provided by advice and advocacy services and third sector charities, who often help individuals to navigate complex systems and understand their rights.

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<sup>3</sup> The Coronavirus (Scotland) Act 2020 introduced extended notice periods for eviction, and gave the First Tier Tribunal discretion over evictions from Private Residential Tenancies on all grounds.

## **Experiences in the homelessness system**

- When it came to the experiences in the homelessness system, the most common problems reported were the quality and suitability of temporary accommodation, support to cover living costs while living in temporary accommodation, and time spent in the homelessness system.
- Some cases revealed how the environment associated with temporary accommodation, such as drug and alcohol use by other occupants, noise, and anti-social behaviour, could exacerbate individuals' mental health when forced to live in these conditions.
- Many of the cases demonstrated clients in temporary accommodation experience similar issues with the benefits system as others who live in settled housing, such as the five-week wait at the outset of a Universal Credit claim, the removal of the £20 uplift to Universal Credit, and the interaction of benefit payments with earnings from work. In several cases these issues left clients in temporary accommodation with no money for necessities such as food and toiletries.

## **Housing options, moving on, and settling in**

- Suitability of settled accommodation was often an issue. Some cases demonstrate instances where a client had been offered permanent accommodation that they did not feel was suitable to their needs, for example, because of requirements related to health or disability. In other cases, clients felt the housing they were being offered by the local authority was not suitable due to the location, and the proximity to schools or health services.
- In some cases, particularly in rural locations, clients were concerned about a lack of suitable properties in the local area, either in the social or the private rented sector.
- Aside from the suitability and conditions of the housing on offer, one major theme that emerged from the case analysis was clients not having the right support in place to settle into their new homes after a period of homelessness. In particular, support to access furniture came up in a large number of the cases. Often the barriers were related to the administration of Community Care Grants from the Scottish Welfare Fund. In other cases, clients spoke about a lack of support, such as with budgeting and mental health, that could potentially put them at risk of being unable to sustain new tenancies.

## Barriers experienced by particular groups

- The case analysis revealed particular experiences of homelessness and systemic barriers to accessing support and financial assistance experienced by different groups.
- It was clear that women often have a different experience of homelessness than men, related in particular to experiences of domestic abuse and/or being the main parent responsible for children.
- Some of the clients included in this case analysis were asylum seekers or refugees. These cases revealed barriers experienced by this group relating to having no recourse to public funds, and/or interactions between the Home Office and the Local Authority.
- Other cases demonstrated barriers faced by EU Nationals experiencing homelessness. These tended to centre around the EU Settlement Scheme and/or the Department for Work and Pensions (DWP) Habitual Residence Test and its implications for access to benefits and support from homelessness services.
- There were some cases which showed the experiences of young people in the homelessness system. In particular, they demonstrate the vulnerability of young people experiencing homelessness, some as young as 16 and 17 years old, in some cases estranged from their families.
- There was some evidence of young people with experience of homelessness facing particular difficulties when trying to claim benefits. Sometimes this related to the difficulty full time students face when claiming benefits whilst living in temporary accommodation. Other times, these difficulties were related to creating new benefits claims when young people have previously been attached to another benefit unit (for example the family home they have left).

## Background and context

In 2018, The Homelessness and Rough Sleeping Action Group (HARSAG) recommended that the Scottish Government should “legislate for a new prevention duty that brings the ‘Housing Options’ approach into the heart of the statutory homelessness framework – so that outcome-orientated preventative practice can be better regulated, and also encouraged, so local authorities engaging in good preventative work will no longer be exposed to legal challenge.”<sup>4</sup> HARSAG also recommended that a prevention duty should place responsibility on public bodies and other allied organisations to work effectively together to prevent and relieve homelessness.

In response to these recommendations, the shared Scottish Government and COSLA Ending Homelessness Together Action Plan<sup>5</sup> committed to develop a new duty on local authorities, wider public bodies and delivery partners for the prevention of homelessness. The Scottish Government asked Crisis to convene an independent group of experts chaired by Professor Suzanne Fitzpatrick of Heriot-Watt University to develop legislative proposals to prevent homelessness.

This group, the Homelessness Prevention Review Group,<sup>6</sup> was made up of experts from local government, the homelessness sector and academia, and was supported by the Prevention Commission – a group of people with lived and frontline experience of homelessness. The Group produced its final recommendations in February 2021 on how to introduce legal duties to prevent homelessness.<sup>7</sup>

The Scottish Government is consulting on these proposals between 23rd December 2021 and 31st March 2022, with a view to introducing legislative changes in a housing bill to be brought before the Scottish Parliament in 2022.

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<sup>4</sup> Scottish Government (2018) Homelessness and Rough Sleeping Action Group: final recommendations report. Available from: <https://www.gov.scot/groups/homelessness-and-rough-sleeping-action-group/>

<sup>5</sup> Scottish Government and COSLA (2018) Ending Homelessness Together: High Level Action Plan. Available from: <https://www.gov.scot/binaries/content/documents/govscot/publications/strategy-plan/2018/11/ending-homelessness-together-high-level-action-plan/documents/00543359-pdf/00543359-pdf/govscot%3Adocument/00543359.pdf>

<sup>6</sup> Homelessness Prevention Review Group: <https://www.crisis.org.uk/ending-homelessness/scotland-prevention-review-group/>

<sup>7</sup> Homelessness Prevention Review Group (2021) Preventing Homelessness in Scotland: Recommendations for legal duties to prevent homelessness: A report from the Prevention Review Group. Available from: <https://www.crisis.org.uk/media/244558/preventing-homelessness-in-scotland.pdf>

## Methodology

This short report sets out the findings from a qualitative analysis of case notes from citizens advice bureau (CAB) across Scotland. The sample of cases was taken from one year's worth of cases sent from CAB to the CAS policy team – January 2021 to January 2022 – which included the keyword 'homelessness.' These cases are called 'social policy feedback forms' and represent issues that CAB advisers have self-selected as ones they wish to highlight to the CAS policy team. For this reason, the cases included in this analysis tend to represent where things have gone wrong, rather than all the instances when people experience homelessness and are successfully supported by services.

From a sample of 256 cases, 71 cases were removed from the analysis, due to their lack of relevance to issues relating to homelessness, leaving 185 cases for a more in-depth analysis. A thematic analysis of these 185 cases was carried out, with a focus on the following questions:

1. What do the cases show about the causes and triggers of homelessness?
2. What do the cases show about people's experiences of the homelessness system and support move into settled housing?
3. What do the cases show about opportunities to intervene earlier and prevent homelessness?

It should be noted that the cases as presented are not the exact words included in the case notes but are instead a summary of the important details. This means that a large amount of superfluous detail has been removed by the researcher, and sometimes words have been replaced with synonyms which make the case clearer and easier to understand. Wherever possible, the adviser's exact words have been included (which are themselves often a summary of what the client said). All identifying factors have been removed from the summaries.

These case studies are not necessarily representative of experiences of the overall population of households at risk of or experiencing homelessness, nor necessarily representative of the population of CAB clients experiencing housing issues, but they do provide an insight into some of the causes and experiences of homelessness, and some of the opportunities for early intervention.

## Findings from the case analysis

The themes which emerged from the case analysis are presented under headings which to some extent mirror a homelessness journey. Part 1 focuses on the causes and triggers of homelessness. Part 2 focuses on opportunities for early intervention and the role of other agencies in preventing homelessness. Part 3 focuses on experience in the homelessness system, particularly related to temporary accommodation. Part 4 focuses on housing options and support to settle into new tenancies following an experience of homelessness. Finally, Part 4 provides some insights into the issues experienced by groups based on characteristics such as immigration status and age.



## Part 1: Homelessness causes and triggers

The causes and triggers of homelessness identified from the case analysis were in many respects similar to the most common causes in the Scottish Government's official homelessness statistics;<sup>8</sup> namely, domestic abuse, relationship breakdown, and eviction from private residential tenancies. However, there were some triggers of homelessness which do not show up in the official statistics. These were cases where the individual or family had been subjected to anti-social behaviour from neighbours; cases in which the conditions in private or socially rented housing made the property uninhabitable, and a small number of cases in which the family was homeless due to overcrowding.

### 1.1 Domestic abuse

Some cases in which someone was homeless or at risk of homelessness due to domestic abuse included instances where other services, such as the Police, had been involved prior to the individual/family experiencing homelessness. There was also some evidence of local authority homelessness services not accepting applications for support from individuals fleeing domestic abuse.

▯▯ An East of Scotland CAB reports of a client who contacted the CAB to do a homeless application. After listening to the client's circumstances the local authority housing office advised the client to put in a housing application as her current circumstances were not considered homelessness. The client's ex-partner is the person that has the lease of the property. She is allowed to use one room that she shares with her child. She pays for the Council Tax. He is not living in the property but comes from time to time and uses the other rooms (she and her child are not allowed to use those rooms under threat of being denied access to the property). He pays for the rent and there are no rent arrears that she knows of. The client has never reported her ex-partner for domestic abuse, but she does not feel safe in the property. She agreed to receive details of Women's Aid services by email. The client is concerned about damaging the relationship between her child and their father. The police have been in the apartment once when the neighbours heard arguing and alerted the police, but there is no police case open.

Some cases in which there had been domestic abuse were ones where the individual had become homeless quite suddenly, for example having fled without any belongings.

▯▯ A West of Scotland CAB reports of a client who is homeless due to relationship breakdown. The client has been physically abused and is staying with a friend at present. The client has no clothes or telephone as her ex-partner destroyed these. The client says she has been to the local authority for help three times and turned to CAB to try to get help with a homeless application. The client is on a methadone programme and wants to stay in this area.

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<sup>8</sup> Scottish Government (2021) Homelessness in Scotland: 2020 to 2021. Available from: <https://www.gov.scot/publications/homelessness-scotland-2020-2021/>

In some of these cases, where the client had sought support from the local authority, they had been encouraged to complete an application for housing, rather than homelessness.

▯▯ North of Scotland CAB reports of a client who rang bureau stating that her partner had thrown her out of the house that came with his job. The client said that prior to their split her partner had been emotionally abusive towards her and that he had thrown her out of the house as he had found out that they had accumulated debts including a car loan and credit card debts. The client said her partner had not been physically abusive and that she was not worried about her safety now that she had left the property. The client was currently staying in her sister's two-bedroom flat with her child, The client and her child were sleeping on the couch. The client stated that she wanted to get back to the place where her child goes to primary school. When the client phoned the local authority for assistance, instead of being transferred to the homeless team, the client was told to fill out a housing application form online.

Some individuals who had fled domestic abuse had been helped by the local authority homelessness services, as they were staying in temporary accommodation.

▯▯ A West of Scotland CAB reports of a client who called the bureau as she has recently been made homeless after violent attacks at her home. She has been in emergency accommodation ever since. She advises that she has left her home without possessions and now has no spare clothing. The client wants to know if she can get help from a charity locally. The client feels that she is unable to return to her house to collect any of her possessions.

The following case provides details of the client's negative experience of living in supported accommodation after having left an abusive relationship.

▯▯ An East of Scotland CAB reports of a client who is living in supported accommodation, having escaped domestic abuse. The client witnessed a traumatic incident and phoned the police. The said she feels this has brought her own trauma back to her. She has reached out to her support worker at [charity] but has not yet heard back. She and other women she has spoken to have felt very unsupported by this charity and have felt like they are 'in prison' with no freedom or support (no friends are allowed into the building), and although the client knows this is for their safety, she feels that she should have been provided with a place of her own by now, as she has been living in the refuge for over nine months now.

Some cases demonstrate the complexities of establishing new benefit claims or immigration status after having left an abusive relationship, such as the following case where the ex-partner had been in receipt of Child Benefit.

▯▯ An East of Scotland CAB reports of a client who is currently going through a divorce with her ex-husband. The client has fled domestic abuse and is living in a refuge with her three children. The client's ex-husband was in receipt of Child Benefit, and likely still is. The client is now having to weigh up if there is a risk to her and her family if she was to request that the Child Benefit is moved into her name. Having Child Benefit

would be a significant help to the family, and help her to settle into her new home, however as applying for it will likely notify the ex-husband and may stop his benefit, the client must think about how much of a risk this is to her future safety.

## 1.2 Relationship breakdown and family issues

A second major cause of homelessness that emerged from the case analysis was relationship breakdown. There were some cases involving relationship breakdown which had happened very suddenly, leaving individuals to sleep rough or stay with friends. The following case demonstrates involvement of other services prior to the client experiencing homelessness, such as a Community Psychiatric Nurse (CPN), however it is not clear whether the other professionals supporting the client could have done anything to prevent her urgent need for housing.

▯▯ A West of Scotland CAB reports of a client who called the bureau as she had spent the previous night sleeping in the park due to leaving her partner. The client is very vulnerable and required support urgently. She had attended an appointment at the local authority that morning regarding reporting herself homeless. The client was offered [a particular] temporary accommodation, but the client had explained that she could not go and stay there as she had stayed in the past and had taken an overdose whilst there and did not want to repeat this. The client suffers from PTSD and has a psychiatrist and CPN who she sees regularly to support her with her health. Whilst at the CAB, the client called a friend and asked if she could stay with her that night until had a response from the local authority regarding her housing situation. The friend agreed and the client was relieved to know she would not be sleeping out again that night. The client said that she had not yet spoken with her psychiatrist or CPN in relation to any of these matters as had all been so sudden. The client gave permission for bureau manager to call the CPN and update that the client had left her partner and had reported herself homeless.


In most cases of family breakdown, it was the client themselves who had left the home they had been sharing with their partner. However, there were some cases in which the client was still living with their ex-partner, or where the partner had left unexpectedly, disrupting joint tenancies or joint mortgages.

▯▯ A South of Scotland CAB reports of a client who explained that her husband had left their home on boxing day and her adult son had left the following day. There had then been some incident where police and an ambulance went to the client's address resulting in police arranging for the son to return home to stay with the client and daily telephone support was arranged for the client. The client wanted advice about her housing situation and finances. She stated that their home was mortgaged in her husband's name only, that he had left taking the car which she pays monthly, and that she has very limited money because she was recently furloughed. The client referred to having heard from a family member that her husband has put their house up for sale but states that her solicitor has told her that it cannot be sold whilst she remains living in it. The client is not able to afford legal advice to assist her in protecting her rights through her marriage breakdown and will need to rely on legal aid.


A West of Scotland CAB reports of a client who lives in her ex-husband's Council property. The client is not on the tenancy agreement, and so the client has an appointment with local authority homelessness team. The client currently has no income, however her ex-husband has been assisting with money. The client has no access to the internet and very limited online skills.

The above cases are examples of situations where someone might be considered 'threatened with homelessness' within six months, under the proposals for a new extended homelessness prevention duty currently being consulted on.

In the following case, the relationship broke down before the couple moved in together, leaving the client with nowhere to go.


 A West of Scotland CAB reports of a client who has been in the UK since 2007, initially on a student visa. She is currently living in temporary accommodation with her 11-month-old baby, and advises she is being financially supported by Social Work. She previously lived in England and she met her ex-partner who was working down there, whilst living in Scotland. When she told him she was having the baby, he asked her to move up here to live with him. They never moved in together, and the client has been living in temporary accommodation since then. She advised that she is now unable to trace her ex-partner and he has provided no support with the baby.

In some cases, the relationship that broke down was a family relationship rather than a married or co-habiting couple, such as in the following case where the client's sister asked her to leave her property following a fight.

 A West of Scotland CAB reports of a client who is a single parent to two children. They currently live with the client's sister and the sister's boyfriend in her sister's owned house. The client has been asked to leave her current accommodation by her sister. The client confirmed her sister asked her to leave following a fight they had at the weekend. The client said sister has had fluctuating mood swings whereby she has caused the client to feel concerned about her own and her children's safety and wellbeing as well as her sister's. The client has spoken to Shelter Scotland who have assisted with arranging an appointment with housing team, but the client believes she needs help more urgently with her sister having more frequent outbursts and having asked her to leave. The client has not yet been provided with temporary accommodation, despite there being a duty on local authority to do so.

### **1.3 Anti-social behaviour and neighbour issues**


In the case analysis, cases involving anti-social behaviour and problems with neighbours were one of the most common causes of clients being homeless or threatened with homelessness. In many of these cases, the local authority, Housing Association, or other services had been made aware of the issues and, from the clients' perspective, had not done enough to resolve the situation. In some cases, such as the one below, clients were advised that their best option might be to apply as homeless.


 An East of Scotland CAB reports of a client living in local authority rented accommodation with her children. She is experiencing serious problems with her

neighbour which the client says involves “noise, dogs and fear.” The client says the local authority, the Police, and other community organisations have been involved and the issue has not yet been resolved. The CAB advised that the client could potentially apply as homeless if she believes it is unreasonable to be expected to stay there.

An East of Scotland CAB reports of a client who is living somewhere she does not feel safe because of threats made by her brother. She has a young child at home with her and no family support. She has applied to be rehoused and the Housing Options Officer has looked into the client’s application. They say they are unable to award additional priority to her application as she is not deemed to be at risk. The client disputes the information given by the police to the Safer Communities Team about her brother, and believes nothing has been recorded after the Police visited her. The situation is having a negative impact on her mental health, and she feels drained and unsafe in her home.

Many of the anti-social behaviour cases identified involved discrimination on the basis of the client’s nationality, ethnicity or disability. For example, in the following case, the client and his family were receiving xenophobic abuse and threats based on their nationality, but had not received the support with their housing situation from the services they were in touch with.

 An East of Scotland CAB reports of a client who is an EU national and has lived and worked in the UK for seven years and has settled status. The client lives in a Council rented property with his partner and two young children . Both the client and his partner work full time. For the past six months, a neighbour has been harassing the client and his family and telling them to “go back to their own country.” All incidents have been recorded with the police and the anti-social behaviour team at the Local authority, but no action has been taken to improve the situation. A homeless application was submitted several months prior, but they had not been offered anything. The problem with the neighbours is having a detrimental effect on all of the household’s mental health with the children afraid to go out and play or leave the family home.

 An East of Scotland CAB reports of a client who is an EU national and arrived in the UK three years ago to work full-time for two sisters. His partner arrived in the UK at the same time and worked for the first couple of months. The client lives in privately rented accommodation with their partner and three children. The family are dealing with anti-social behaviour from one of their neighbours and their children with several incidents being recorded over the past couple of months. They feel the behaviour is getting worse. The neighbours have been throwing stones at them and their windows and last Friday one of the client’s daughters was hit four times on the head with a piece of wood. All incidents have been reported to the police and someone from the local authority has been to their home yesterday to discuss this. The CAB advised that it might be possible for the local authority and the police to meet with the neighbour, talk about it and agree what to do about their behaviour. If this does not improve the situation, the local authority can apply to court to get an antisocial behaviour order (ASBO). If the local authority class the family as vulnerable, they should be offered support and help from the homelessness department and social work department.

Similarly in the following case, the client reports that her Housing Association had not made efforts to help with her situation, after she had experienced threatening behaviour from other residents.

▯▯ A North of Scotland CAB reports of a client who lives in a housing association flat. She has told the Housing Association that she is living in fear of her life. She rang her doctor to say that there are three drug dealers in her block and the receptionist told her to talk to them and ask them to refrain from smoking drugs in the hallway. She did this and was told “you better keep quiet, or I will gun you down.” She now cannot sleep at night. The client is also struggling financially; she has been getting help from friends for food and money, but this has ceased. She has accumulated rent arrears. The Housing Association seem to have made no attempt to help this client with her rent arrears situation or with the threats of violence. She is very scared and all alone and it appears that she is under threat of eviction.

Not all harassment was based on nationality or ethnicity. The following case demonstrates where a client has been subjected to derogatory language based on her disability. In this case, that client had been in touch with the homelessness team who were trying to rehouse her but had not yet due to the limited number of properties that met her mobility needs.

▯▯ An East of Scotland CAB reports of a client who lives in Housing Association housing and has been experiencing anti-social behaviour. The client says the behaviour has been going on some time and appears to be escalating. Although the client had put up a fence, the client says the neighbour “is intent on provoking her.” The client had physical and mental health issues and does not feel safe at her home. She has been subjected to the use of offensive terms relating to her ex-partner and her disability, threats of violence and threatening aggressive behaviour. She referred to night-long banging on the floor above her guest room when the neighbour was aware her mother had come to support her, a large stone being thrown through the window, and multiple incidents of flooding which she believes to have been intentional. It is happening frequently enough that the client is always anticipating the next occurrence. She has already been in touch with her landlord. She says her Housing Officer appears sympathetic, but when this is passed to the line manager “it is clear that they do not intend to take action.” She has a key worker through NHS who has made contact on her behalf indicating the effect on her wellbeing. She has been in touch with the homelessness team and they are looking at rehousing her but as she is limited in properties that meet her mobility needs, they have not found anywhere suitable. She feels it is at the stage where she would accept an unsuitable property rather than remain subject to the harassment. The CAB advised that she can ask to be treated as homeless, on the basis that she is not suitably housed because of the harassment.

## **1.4 Conditions of privately rented property**

Poor conditions in rented property was another common cause of homelessness identified in the case analysis. In some cases, landlords had rented out properties that did not meet the tolerable standard and/or were not complying with regulations or obliging with their responsibilities as landlords.

▯▯ An East of Scotland CAB reports of a client living in a private rented tenancy. It all looked freshly decorated but the client has had many issues since moving in. There are electrical issues, a problem with the plumbing and mould in every room of the client's house. The letting agent said it was black spot condensation, but the client disagrees. Since moving in, the client has become aware that other properties in the block have issues with mould. There is mould on both sides of the wall separating her house from that of her neighbour. Nothing had been done about the mould for several months and the client suffers from asthma and has a young baby who has been coughing. The client has withheld rent, she doesn't feel she should be paying rent due to the poor living conditions which are giving her and her daughter health issues. She is looking at properties in the private rented sector, but has no tenancy yet, and is waiting for the local authority to come and see the mould. If the present property is deemed unfit for her to live in, the client may be deemed homeless. The client was advised that this would not guarantee an immediate move to a permanent tenancy.

▯▯ A West of Scotland CAB reports of a client who phoned about the poor condition of the privately rented accommodation where she lives with her husband, daughter and young grandson who has complex needs. There are gaps in the backdoor, the bathroom floor is sinking, there is a problem with the shower electrics, and a hole in the floor. The landlord has not carried out repairs, so the client contacted Environmental Health who did visit, but the landlord said there was nothing the local authority could do. The client said she is so fed up trying to get repairs done that she is thinking of withholding the rent. The CAB adviser discovered that the landlord was not registered, nor was the deposit paid into a registered scheme. The client does not have a written tenancy agreement and no contact address or email for the landlord.

▯▯ An East of Scotland CAB reports of a client who had received an Eviction Notice on the grounds that the landlord intended to sell. The client has been in this property for four years. For over a year, the property has been in a state of disrepair due to flooding and was previously deemed to be uninhabitable. At that point, the client moved out and stayed with his girlfriend for some time and then moved back into flat, continuing to ask for repairs to be carried out. The client withheld rent for a couple of months and offered to arrange for the repairs to be carried out himself, but to no avail. The client says the stress of the situation has had an impact on his physical and mental health.

In other cases, the letting agent and landlord appeared to be doing what they could to resolve the disrepair, but not quickly enough to prevent the client being at risk of homelessness.

▯▯ An East of Scotland CAB reports of a client who contacted the CAB about ending his tenancy earlier than the 28 days' notice due to an infestation of woodlice and damp. The agency has sent pest control, however the infestation remains and a report has been produced stating that there is damp in property. The client was given details of the local authority homelessness team.

The following case, the landlord and letting agent are responding responsibly to the situation but are unable to prevent the risk of homelessness, and the client is concerned about his ability to let a different property due to not having enough for a deposit.

#### **Prevention of Homelessness Duties:**

An analysis of homelessness advice cases provided by Scotland's CAB network

▯▯ An East of Scotland CAB reports of a client who moved into a private residential tenancy with his friend as joint tenants. After about a month, the client notified the letting agency of two problems: a burst drainpipe outside, and damp in the flat. The drainpipe was repaired, and the agent commissioned a survey of the damp which concluded that puddling below the flat is causing rising damp and that the repair could be carried out with minimal disruption to the tenants. However, the previous week, the client found clothing he had left out overnight had gone mouldy. He emailed the agent requesting alternative accommodation until the repair is carried out, as the property no longer meets the tolerable standard. The agent replied that the landlord was doing what he could, but that he had no obligation to rehouse the client. The client has considered looking for alternative housing himself but is concerned that he would not receive the original deposit before needing another one. The CAB advised that the only option available to the client was a homeless application.

### **1.5 Conditions of socially rented property**

Cases demonstrating poor conditions were not limited to private rented property – cases sometimes revealed even worse conditions in social rented property. In such cases, clients often reported that the living conditions, such as mould, were causing detriment to their health and the health of their children.

▯▯ An East of Scotland CAB reports of a client who lives with her family in a Council house. The house is in very poor condition: mould has penetrated the walls so deeply it cannot be easily treated. Upon letting the house, the client has noticed blood stains on the floorboards from a previous tenant who had died, and the loft was filled with old clothes and used needles. The Housing Officer had admitted via email that she had not checked the house properly before it was let, as it was her understanding that a lot of money had been spent restoring it, and she believed it was in good condition. The client said her fuel bill is very high due to keeping the heating on all the time due to the damp. All the family are suffering from the mould; at a recent trip to the GP stating, the doctor agreed that the ill health of the client was probably due to the mould.

In the following case where the client is living in poor conditions, she says she needs rehousing but is 'experiencing local authority resistance to this.'

▯▯ An East of Scotland CAB reports of a client who lives in a Council property with young children. The floor has become unstable and mouldy, due to a long-term water leak. Previous flooding appears to have been caused by the same issue and insufficient investigation had been done at the time. The client is neurodivergent and has mental health issues. These are exacerbated by upheaval, concern about mould spores, and the safety of her children. The client needs rehousing but says she is experiencing local authority resistance to this. Following a conversation with the CAB adviser, the local authority proposed a short-term hotel stay, followed by return to property while longer term accommodation is found.

In some cases, the client reported that the social landlord or Environmental Health had not acted quickly to carry out repairs, or had not deemed the case a priority.



▮▮ A South of Scotland CAB reports of a client who lived in a housing association property. The client had been told by her landlord that they would not be addressing any repairs to the exterior wall dampness for several weeks, despite her having raised the issue five months ago. The client said that she considers this to be completely unacceptable as the interior dampness is affecting her health so much.

▮▮ An East of Scotland CAB reports of a client who is living with his partner who is pregnant in a housing association property. The clients have issues with mould in the property and are receiving what they feel is an inadequate response from their landlord. The couple say they have supplied medical evidence but been told by the local authority Environmental Health that they are not a priority. This is causing a lot of anxiety and distress, and the clients are especially worried as they have a baby on the way.

In the following case, the client decided to withhold his rent from the local authority, to put pressure on them to carry out repairs which he had reported over a year previously, but is concerned that his rent arrears will mean he is deemed intentionally homeless.

▮▮ A West of Scotland CAB reports of a client who has been living in the UK since 2013, who is living in a housing association property. The client contacted the bureau for help with the ongoing damp problem in his flat, which he had reported over a year ago and nothing has been done about it. It is so bad that he has not been living there for the past couple of months - he has been staying with a friend - however he has been told by his friend that he will need to leave in a couple of weeks. The dampness has resulted in the flat being infested with slugs, worms, cockroaches and mice. The walls are damp and mouldy - and this is aggravating the client's asthma and skin conditions. The client has shown pictures of his flat and the dampness to his GP who has indicated that it is not suitable accommodation for the client to live in. The client has withheld his rent for the past two months and now owes arrears of approximately £180 to the housing association who have written to him demanding payment. He is considering applying as homeless, but is concerned that his arrears will mean he is deemed intentionally homeless. The client does not wish to return to the flat and does not know what to do.

In the above case, this client is arguably legally homeless due to the condition of the property and the fact that he has been staying with his friend.

## **1.6 Overcrowding**

There were a small number of cases in which clients were legally homeless because they were living in overcrowded conditions or had moved into overcrowded conditions after having become roofless. Often, households living in overcrowded conditions are large families, who face the additional barrier of there being few four bedroom properties available to rent.

A West of Scotland CAB reports of a client who lives in a housing association property with her partner and four children two of whom are disabled. The client said she and her family were struggling in two-bedroom accommodation. She has applied for a move via her

housing association and is bidding for three- and four-bedroom properties but is struggling as so few properties that size are available. The client has looked for private lets but because of her own mental health and children's conditions, she needs stability and does not wish to apply for private let; she would rather have a social rented property. The client wanted to know if there was anything else she could do. She was advised that she may be considered legally homeless as her family is living in overcrowded accommodation that may be a danger to their health.

In the following case, the client, who was living in overcrowded conditions with her baby after having left an abusive relationship, was rehoused by the local authority, but the accommodation she was offered may have put her at risk of further abuse.

▯▯ An East of Scotland CAB reports of a client who had been living with her ex-partner and her brother who has learning difficulties. She became pregnant and her ex-partner became violent and abusive towards the client, so she and her brother moved back in with their parents, meaning she was living in an overcrowded house with her family. The client has had a visit from a local authority worker and was advised to make a homeless application. She did so, and was offered a property in a building just above the pub where her ex-partner goes every night. The client says that although she had explained her concern, she was told "either take it or that's it." The client says she will not leave behind her brother as he has always been living with her. The client was very distressed when she called.

## 1.7 Living costs and arrears

There were, perhaps surprisingly, fewer cases of clients experiencing homelessness due to living costs and rent arrears. However, this is perhaps also related to the ongoing financial assistance related to the coronavirus pandemic, and the protections from eviction in place at the time.

In the following case, the client reported that the landlord was 'unhelpful' in responding to her attempts to establish an arrangement for the repayment of arrears.

▯▯ An East of Scotland CAB reports of a client with three children, who was in full time work, but had been off with stress. The client moved into a privately rented property in February 2021 and was paying full rent at £650 for the first 3 months. In May 2021, the client fell behind on rent. The client has now accrued rent arrears of £300. The client had contacted her landlord in May, as soon as she fell behind, and explained that she had depression, stress and anxiety and were struggling to meet the rent. The client asked the landlord if they could come to some arrangement. The landlord was not helpful and said that the client knew what she was signing up for when she entered into the contract. The landlord has now served the client with a Notice to Leave. The client has contacted the local authority homeless unit and has put in an application for housing.

In the following case, the client had accumulated Council Tax arrears because she was unaware that she could receive Council Tax Reduction.

▮▮ A West of Scotland CAB reports of a client who has Refugee status and access to public funds. She lives with her two children, in a temporary property, and currently receives Universal Credit, and Child Benefit. She is currently a full-time student and has been a student for a few years, however, hadn't realised earlier that she should have a Council Tax Reduction and has accumulated arrears as a result. She is struggling to contact the local authority about the arrears and now receiving debt collector letters.

The following cases demonstrate where clients have sought help not because they already have arrears, but because they are concerned about their continuing ability to afford rental payments.

▮▮ A North of Scotland CAB reports of a client who expressed deep concern about being able to stay in their present home as it is far too big and not suitable for them. The client has looked for private rented housing at the local estate agents, however, has been unable to find anything within an affordable price range and states there just aren't enough properties available anyway. The client is extremely worried due to the £20 uplift being removed. They are already contributing to the rent but with losing over £80 per week they realise they will need to find over £150 per month to pay the rent shortfall and, with the cold months drawing in, pay for heating as well.

▮▮ A West of Scotland CAB reports a is a single parent to two school-age children. The client asked if there were any other housing options for her, because she was currently privately renting at a cost of £590 a month which was unaffordable for her. The CAB advised that if she uses the "Housing Options" application form, she will be able to make an application once and it will be received by several housing associations, saving her a lot of paperwork.

## **1.8 Eviction from private rented sector**

Eviction from the private rented sector was one major cause of homelessness identified in the case analysis, often because the landlord wished to sell or occupy the property themselves. This included many cases where the landlord was not complying with regulations, for example not registered as a landlord or offering the proper tenancy agreement.

▮▮ An East of Scotland CAB reports of a client who lives in privately rented property with her son. The client has received a letter from the landlord which gave her four weeks' notice to vacate the property because the landlord wants to occupy the property. The CAB adviser discovered that the client had been provided with no written tenancy agreement and the start of the tenancy. Now the landlord is trying to evict with only four weeks' notice, which is not in line with amended coronavirus extension notice legislation.

▮▮ An East of Scotland CAB reports of a client whose landlord is evicting her and her two-year-old daughter because they intend to sell. It transpired that, at the beginning of the tenancy, the client was not given a valid tenancy agreement: she appears to have a personal document between her and her landlord. The advice from the CAB was that she needed a Notice to Leave from her landlord giving her 84 days' notice so that she

could take this to the local authority as she would be homeless in September. The CAB said: “the local authority cannot rehouse her until she has a Notice to Leave.”

The following case demonstrates issues with private renting and financial support for housing costs from the benefits system. In this case the client is under the impression that he is being evicted because he is in receipt of benefits.

▯▯ An East of Scotland CAB reports of a client, in full time work and in receipt of benefits. The client lives in shared accommodation. He was told by the DWP that he could not get help to cover the rent from Universal Credit because it hasn't been registered with the local authority. Now his landlord told him to leave accommodation before the end of the month because he wants to sell the flat. The client has been living there for more than two years and the client is under the impression that, because he is asking for papers to prove his rent liability to the local authority and DWP now, and he is one month behind with the rent, the landlord wants to end the tenancy.

### **1.9 Eviction from social rented sector**

There were far fewer cases of eviction from the social rented sector, although it is possible that this is partly due to emergency legislation remaining in place due to the coronavirus pandemic. In the following case, the client is facing eviction having accumulated substantial arrears, however she says there was no attempt to arrange an affordable repayment plan prior to eviction.

▯▯ An East of Scotland CAB reports of a client in part-time work and on low income. The client has been living in a two-bedroom housing association flat for the past ten years. She has received an eviction order on grounds that she has rent arrears in excess of £5,000. The client has nowhere else to live and will be homeless. The client says there were no attempts to arrange an affordable payment plan for the arrears until the notice was served at which time the housing association confirmed that it is too late. The client was advised to contact the local authority to make a homeless application.

## Part 2: Opportunities for early intervention

### 2.1 Opportunities for early intervention by the local authority

The analysis revealed several examples of clients being told by various services – including their local authority’s housing and homelessness services - that they would not be able to access support to resolve their housing situation before experiencing homelessness and implying that making an application for homelessness support was the best route into other more suitable accommodation. This was demonstrated in several cases where clients were at risk of eviction from their private residential tenancies. In such cases, clients were often told the local authority was unable to help them “unless they have an eviction notice.”

▮▮ An East of Scotland CAB reports of an elderly client who had been given notice to leave her current rented housing after having lived there with her husband for 14 years. Her landlord had given her verbal notice to leave by the end of August because his son wished to move into the property. She had been looking for properties in the private sector but was struggling to secure alternative accommodation because suitable accommodation was being taken very quickly. Her husband is 85, deaf and cannot manage too many steps. The local authority have told her that they cannot help her unless she actually has an eviction notice. She does not especially want to stay where she is but is worried with the end of August approaching that she is going to become homeless.

▮▮ An East of Scotland CAB reports of an elderly client who is retired and living in private rented property. The tenancy is ending because the landlord is seeking to sell. The client and her partner have been assessed by the Local Authority, and their priority is presently low because the landlord has not yet taken Tribunal action. The landlord is supportive and neither party wishes action to be raised. The client has a low income and is restricted to properties with rent that can be covered by Local Housing Allowance limits.

In other cases, such as the one below, clients are told that they will be awarded points which give them higher priority for housing when they are evicted and become homeless, suggesting that there is little the housing and homelessness services are willing to do before that is the case. In one of the cases presented below, the client is informed by the local authority that she “did not have many points at the moment and that she was to inform them once she was homeless.”

▮▮ A North of Scotland CAB reports of a client who lives with her partner and two children in private rented accommodation. Following a visit to the property by their letting agent, they were advised that the agent would no longer be able to rent it out due to disrepair, and the landlord has taken the decision to put it on the market. The client has been served a Notice to Leave. Since then, the client and her partner have been actively looking for alternative private lets but there is little on the market with affordable rent and very high demand for properties. They are on the Housing Register following a submission of a Housing Application Form when they were made aware of forthcoming eviction. They have been trying since November to engage with the local

authority Housing Department, but emails and telephone calls go unanswered. The client attended the Service Point last week to try to make progress with this, and she was told that they have been awarded 40 points based on their current circumstances. They will be awarded a further 100 points in April once they become homeless. The CAB adviser commented that: "it appears that the local authority are focusing on the April date and using homelessness as a route into accommodation."

▮▮ A West of Scotland CAB reports of a client who is a single mother to a young child. They live in private rented accommodation. The client normally works part time but has been off sick. The client was recently informed by her landlord that he intended to sell the house and he had given her Notice to Leave the property. The client has applied for Local Authority Housing but had been informed that she did not have many points at the moment and that she was to inform them once she was homeless. The client would prefer to return home to the part of the UK where she's originally from, because she has no family support in Scotland, but her ex-partner – who had been emotionally controlling and abusive throughout their relationship – had informed her that he would take her to court to stop this from happening. The client is in financial hardship, having been on Statutory Sick Pay which has now come to an end. The CAB adviser asked whether she had enough food and whether she would consider using a food bank. The client said that she would not like to use a food bank and that she had been using food from her freezer.

In many of the cases which have been presented under the section on anti-social behaviour, clients have sought help with their housing situation, only to be told by housing departments that they are not high enough priority or that there's nothing services can do to rehouse them. In many of these cases, the Police had also been involved, but clients often report feeling that nothing is being done to resolve the situation. This is serious given that the individuals in these cases, including children, may be at risk of violence.

▮▮ An East of Scotland CAB reports of a client who is a Council tenant and has been subjected to sporadic vandalism of her home over several months. One night, while she was out at her mother's, her front door was badly damaged, and large scale glass breakage and leaving lots of blood at the scene. The Police were called, and the local authority attended and boarded up her door and window. She now has three windows boarded up. She is scared to return to the house and is temporarily staying with her mother. She had discussions with her Housing Officer who recommended that she declare herself homeless. She contacted the Homelessness Team who referred her back to her Housing Officer.

▮▮ An East of Scotland CAB reports of a client who is being harassed and scared by his neighbour. His door has been kicked, and he is shouted at many times a day and often through the night. He has often fled to relatives to feel safe. He has contacted the police who say there is not enough evidence. It is a private rental and so is the neighbour's. The CAB advised he could ask the local authority for help as they do have powers to intervene when there is anti-social behaviour. The client felt this would not work as he feels the local authority have "given up on him anyway" and he was concerned that this would make matters worse and that he would be scared

for his life. The client kept saying he just “wants out now,” so he was advised that he can try looking for another private let or can declare himself homeless due to it being unreasonable for him to remain in such a state of fear. The CAB adviser commented that: “this is a vulnerable client who seems to have been disregarded by Police and the local authority, or at least that is his perception. He says he has been “written off”. He now fears for his safety and feels he just has to get out of his accommodation at all costs.”

Other cases reveal experiences where clients have tried to seek help from the local authority but found them unresponsive or their systems difficult to navigate, such as in the below case where even the CAB adviser finds the Council’s website difficult to use.

▯▯ An East of Scotland CAB reports of a client whose relationship with her partner has broken down. They have agreed to separate but at the moment they are staying in the same house, albeit in separate rooms of a four-bedroom privately rented house. The client finds her present situation “intolerable” and has tried to contact the local authority Housing Department, but has had some difficulty logging a housing application. She is aware that there is a very long waiting list (6,600) for housing. She has also logged an application with a Housing Association, and she has been looking for houses to rent. The client has a young child and does not want to move outside the area because it would be disruptive for her child to have to move to another school. The adviser discussed whether there was an option for her ex-partner to move out so that she could stay where she is, but the client said that she could not afford to stay there when the joint claim for Universal Credit ends. The client said she didn’t know how she might pay a deposit for a private rental property, especially given that she currently had a lot of debt. The CAB adviser commented that: “there is an issue with the new system for making an application for housing on the Council’s website. The software is very difficult to navigate, and it is likely that applicants find it difficult or impossible to use. This client could not figure out whether she had submitted an application or not, even after calling and discussing with one of the Housing staff and had become very stressed as a result.”

In the following case, this elderly client who was selling his house did have capital from the house sale that could have helped him access privately rented accommodation, but he did not know how to search for a property that would be suitable for him. With a little assistance in finding a private let, he might have avoided the anxiety of being about to become homeless.

▯▯ An East of Scotland CAB reports of a client who is an elderly widower with a disability. The client had sold his house which was due to complete imminently. He was concerned he would then be homeless. He said he did not intend to own a home again. He told the local authority several months ago that he was at risk of homelessness and asked if they could help him find somewhere to rent. He has been told by his housing officer that his chances of getting somewhere in time are very remote. They have suggested hostels but he is suicidal with many health issues and has told them he “will just kill myself” if he goes into a hostel. He has huge anxiety and stress issues and has support from a mental health nurse. He will have capital from the

house sale when it completes, so the adviser suggested he could look for private lets. He said he'd find it difficult because he has no internet.

In the following case, the client seemed to have been told by the homeless caseworker that if he was assessed as homeless, he would have to be taken into temporary/emergency accommodation, rather than stay with friends, which was his preference, as it would allow him to continue spending time with his child.

▯▯ A West of Scotland CAB reports of a client who is a who had been living in a two-bedroom housing association property and was threatened with homelessness [it is not clear why]. The client said that he had approached the homeless casework team to be assessed to be homeless, but he was told that in order for them to accept him as being homeless, he would have to be taken into temporary/emergency accommodation. He would then be eligible to pay around £600 per month for this accommodation because he is working full time. He was also advised that the temporary accommodation is not suitable for children and, as he is a single male and does not have full custody of his child, the local authority would not be able to offer him a safe place to be with his child. The client decided that he could not risk his access obligations to his child by missing appointments and overnight stays, so he decided to stay with his family and friends. He also felt that he would not be able to afford to pay £600 per month for temporary accommodation when he needed to save for his first month's rent and furniture that he would need. The CAB advised the client that he should still have been able to be assessed as homeless without having to make use of the temporary accommodation.

## 2.2 Discharge from institutions

One of the topics covered in the Prevention of Homelessness Duties Consultation is homelessness following discharge from institutions such as prisons and hospitals. The case analysis did not include many cases where the client was homeless after having left an institution, but the following two cases show two clients who are each living in temporary accommodation following release from prison. Each of these cases mention the clients' mental health conditions.

▯▯ A West of Scotland CAB reports of a client who is single, no dependents, and recently released from prison. The client has health conditions including heart problems, asthma, and paranoid schizophrenia. The client is being assisted to make a claim with the Challenging Behaviour Unit and is currently living in temporary accommodation.

▯▯ An East of Scotland CAB reports of a client who has had a drug dependency and depression for over 20 years, and was released from prison recently, after serving a five-month sentence. Someone from the housing support service assisted with a Housing Benefit application for accommodation but nothing else. Prior to living in temporary accommodation, he was in [name of another temporary accommodation] but this did not work out.



There was also some evidence in the case analysis of individuals leaving the armed forces without support to settle back into civilian life, as is demonstrated in the case below, and others throughout this report.

▯▯ An East of Scotland CAB reports of a client who is registered homeless and is currently staying with a friend after his aunt asked him to leave. He has been living off his savings after his discharge from the Armed Forces in January 2021.

### **2.3 The role of other public bodies**

One major aspect of the Scottish Government's Prevention of Homelessness Duties consultation focuses on the role of other public services – such as social work, health and social care, and criminal justice services – in preventing homelessness. The case analysis provides insights into the kinds of services that clients have had contact with prior to experiencing homelessness, and where a lack of integration of services sometimes presents a missed opportunity to resolve someone's housing situation before they reach crisis point.

The following case shows a veteran who has mental health needs who is not getting the support he requires, despite potentially being a risk to himself. The case details how he is passed from one service to another, to eventually be told he cannot be helped because the "area is very short of psychiatrists."


▯▯ An East of Scotland CAB reports of a client who is a veteran and living in homeless accommodation. The client had been trying to seek support from the mental health team and was clearly frustrated by this. Later in the day he sent a message to the CAB adviser again saying he was "in the woods and frightened of himself and other people." As a result of the client's message, the adviser rang the Community Mental Health Team where the client had been referred by his GP. They claimed they had not received the referral and told the adviser to go back to the GP. The adviser rang the GP and the senior partner explained that the Community Mental Health Team had refused the referral and asked him to be referred to [name of a veterans' service]. The veterans' service said that he needs a psychiatrist and that they do not have one at the moment so they cannot help. The GP explained that the area is very short of psychiatrists at the moment; he said that as the client had made an appointment to talk to the CAB adviser tomorrow, he was probably not a suicide risk tonight and so there was no need to call the police.

Similarly, the following case provides another example of a client with complex needs including mental health needs and addiction, who has been passed from one service to another and feels like services are "just ignoring him" and that the system has "badly let him down." In fact, he goes as far as to say that the addiction support he was able to access in prison was better than that which he was able to access out of prison.


▯▯ A West of Scotland CAB reports of a client came out of prison in the last few months, and is currently living in a temporary furnished flat, and is receiving benefits. He has a history of addiction, both alcohol and drugs, and has experienced violence in the past and says he had a traumatic childhood. He has severe anxiety and depression as well as addiction issues. He is currently taking medication and was referred to the NHS Crisis

Assessment and Treatment Team when he came out of hospital. However, he thinks they have “just ignored him” by not returning calls. He spoke to them a few weeks ago and they said he would be referred to another support service for addiction. The client says he hasn’t heard from them since. He also has a support worker in relation to his housing situation who is supporting him to find a suitable permanent tenancy. He is also engaging with the Community Link Worker at the GP practice, and she is referring him to appropriate mental health and addiction support. He says he feels the system has badly let him down, and that he had been getting some addiction support when in prison, but can’t seem to access this now, and has started drinking again. He doesn’t leave the house, other than to go to the shop downstairs, to pick up snack food and drink, as he doesn’t do any shopping for proper meals. He says he feels anxious and unmotivated to wash and dress or leave the house.

The following case shows a client who has severe mental health needs, including psychosis, and is having difficulty navigating a housing application process which he finds confusing and difficult to understand.

 A West of Scotland CAB reports of a client who lives with his wife in privately rented accommodation. The client brought his tenancy agreement which indicated that the tenancy had expired. The client said that the property was on the market and that the Police were unable to find the landlord. The client was confused as to why the Police were involved and repeated that he was about to be homeless. The client said that he has been threatened frequently by people and that the Police have attended the property on numerous occasions and have now given the client a direct number to call them if the client needs further assistance. The client said that he had applied to the local authority for housing previously. He had contacted the local authority numerous times and had still not had a call back from them. The client was very anxious about experiencing homelessness. The client had also brought paperwork with him which indicated that he had been assessed as eligible for housing on the grounds of medical need - he has incontinence and Type 2 Diabetes and is now having issues with his feet which is affecting his mobility. The client had also brought with him supporting information from his GP and Consultant Psychiatrist which indicated that the client has severe depression, and this has resulted in him having psychotic episodes. During the appointment the client seemed confused and appeared to be experiencing auditory delusions. The client also was anxious as he thought that there was someone outside the building looking into the interview room.

The following case also demonstrates the interactions between housing and health, where a client is potentially at risk of homelessness following a relationship breakdown and feels she has had little help following discharge from hospital or from her GP.

 A South of Scotland CAB reports of a client who lives in private rented accommodation in a joint tenancy with her partner. Following the breakdown of her relationship with her partner, the client was admitted to hospital and self-discharged two weeks later. The client has long term mental health issues, is on the autism spectrum, has been

diagnosed with bi-polar and dyslexia. Her partner left home after the breakdown and is in a homeless shelter following intervention by the Police. The client doesn't have many friends locally, and no relationship with her parents, and is living alone. The client was advised by the hospital to obtain advocacy help but this was not forthcoming. The client also claims she has had little help from her GP or the hospital.

The case analysis also revealed a few examples of when other services have played an important role in helping to avoid homelessness. For example, in the case below, the client's social worker stepped in and helped to arrange a repayment plan with the client's landlord.

▮▮ A North of Scotland CAB reports of a client who is working part-time and living in housing association housing. As a result of being the victim of fraud, the client is in rent arrears of around £390. She has managed to make payments and has set up a repayment plan. The social worker has spoken to the housing association who are not happy, but understand, the situation. The client has been told she does not face any proceedings at present if she maintains payments.

## 2.4 The role of landlords

As has already been presented in the sections above on conditions of rented property and evictions from rented property, landlords do not always comply with regulations, nor do they always do everything that they can do to prevent homelessness for their tenants. However, at times it is the landlord themselves who is a barrier to a situation getting resolved, such as in the following case where the tenant is living in intolerable conditions and the client's Independent Living Support worker has struggled to get in touch with the landlord, in this case a housing association.

▮▮ A South of Scotland CAB reports of a client who is having problems with her neighbour who had been hoarding. Both the client and her Independent Living Support worker have reported issues and repeatedly asked for support and assistance from the landlord, without any response. The landlord has lost the formal complaint and therefore is taking no action to address the issues. Meanwhile the client's health is deteriorating living in this property. The client was eventually informed that she would be prioritised in getting moved into a more suitable property, but the Housing Offer has now retracted this with no explanation.

Some cases show circumstances in which a client might be able to avoid homelessness with better communication, advice and assistance from a private landlord. For example, in the below case, the client and her children are at risk of homelessness due to disrepair, but the landlord might have been able to give her information about how long the repair was likely to take, so that she could make an informed decision about what to do next.

▮▮ A West of Scotland CAB reports of a client who was living with her two children in a private rented flat. The client had had to move out of her property the previous week due to a leak from the flat upstairs that had made her flat unsafe to live in. She had moved temporarily into a hotel but felt she was unable to sustain the cost of this for more than a few more days and says that if she cannot return to her flat, she will have to become homeless. The client said she had not had any information from

her landlord about what she should do under these circumstances and because her confidence in her landlord had been affected, she would probably look for alternative accommodation regardless of the outcome. The client had contacted the local authority homelessness unit in anticipation of experiencing homelessness and has been told that they will start an investigation into her circumstances to ascertain if she can move back in, and what repairs might be required.


Finally, many of the cases included in the analysis demonstrate the crucial role provided by advice and advocacy services and third sector charities, who often help individuals to navigate complex systems and understand their rights.


## Part 3: Experiences in the homelessness system

This section explores some of the themes that emerged from the case analysis relating to experiences whilst in the homelessness system. The most common themes were the quality and suitability of temporary accommodation, support to cover living costs while living in temporary accommodation, and time spent in the homelessness system.


### 3.1 Quality and suitability of Temporary Accommodation

Some cases demonstrate problems with the conditions of temporary accommodation, or the difficulties clients face in getting repairs carried out.


 A West of Scotland CAB reports of a client who is a refugee who has health issues and young dependent children. She is in temporary accommodation which she says is overcrowded, damp and previously had problems with the water supply.

 A West of Scotland CAB reports of a client who is staying in temporary accommodation with his partner and two children. The client then advised that the washing machine in the property isn't working and he is struggling to keep things clean for his two young children. He advises that he has spoken to the local authority who referred him to the Home Office case worker, who in turn then referred him back to the local authority. The CAB helped the client to apply for a Community Care Grant.

The following case demonstrates difficulties dealing with issues related to temporary accommodation, such as carrying out repairs, when it is leased from the private sector by the local authority.

 A West of Scotland CAB reports of a client who was staying in temporary accommodation earlier that year, with his mother and school-aged sister. The house they are in is a private sector leased property, provided by the local authority. The client must contact the Homeless Unit if there any problems with house, but it is the owner who has to carry out the repairs, which has taken time. There is an electricity debt of £7,000 attached to the property from a previous tenant, which the client has brought to the attention of the Homelessness Unit, but nothing was done, and the supply has now been cut off. The client has found this very frustrating and worrying. There is no offer of permanent housing yet.

The following case demonstrates a situation where the client felt that the temporary accommodation he had been offered was not suitable to his needs relating to care of his non-resident children.

 A North of Scotland CAB reports of a young client who had been staying with his mum as he had left his ex-partner a few months previously. The client says that last night his mum had "kicked him out" of the house stating that there was no room for him and that he had spent the night sleeping in a friend's lorry. The client said that he was currently at a friend's house to keep warm and that he had £1.36 in his bank account and that his friend had said he would cook him a meal tonight. The client said he had

rung the local authority homeless team that morning and had been offered temporary accommodation 24 miles away. He had told his housing officer that he felt this was unacceptable because he had no car and due to the rural location of the temporary accommodation, and the low amount of Universal Credit he was in receipt of, he would not be able to get back to the main town to care for his son at the weekends. Due to his ex-partner's disability, he often had to look after his son for additional nights during the week and this would be impossible if he was so far away. The client said that he was extremely worried about where he was going to sleep that night.

### 3.2 Temporary accommodation environment and impacts on individuals

Another important theme that emerged was about the environment associated with temporary accommodation, such as drug and alcohol use by other occupants, noise, and anti-social behaviour, and how these experiences could exacerbate the individuals' mental health when forced to live in these conditions.

▮▮ A North of Scotland CAB reports of a client who is care experienced and has not had any settled or permanent housing for several years. His brother has "kicked him out" of his house. He is currently staying with his partner, but this is not viable because she needs to have her children come and visit. He feels there is a lack of choice and that the only option is to come back to [specific temporary accommodation]. He doesn't want to live here as he does not believe the services is suitable for his needs. He has high anxiety with other people around, noise etc. and has diagnosed mental health needs. He feels this situation is exacerbated by rural locations, lack of provision and choice.

▮▮ An East of Scotland CAB reports of a client who is homeless and living in temporary accommodation. The client is a veteran and is suffering from PTSD. He says he is triggered by noises that take him back to his time in Afghanistan. He needs some medical evidence to support an application for his pension, but the organisation he had approached for help said they thought his PTSD was from his childhood.

The client in the following case feels that his experience in temporary accommodation is undermining his ability and incentive to work.

▮▮ A North of Scotland CAB reports of a client who is working, and staying in temporary accommodation. He says that being homeless is exacerbating his mental health needs due to the environmental factors including the transient community that changes daily, drug and alcohol use and the noise. This makes it a difficult place to live and move on from and progress in life. He says the service [at the temporary accommodation] is badly managed and poorly run. He played the CAB adviser a video of the noise that he encounters regularly through the night of music being played loudly and screaming and shouting. The CAB adviser said the best thing was to support him to move on soon so that he can settle and maintain his job and keep working, which is all undermined by his current environment. The client made the point that there is no incentive to work as all his pay is taken in rent for the accommodation that costs over a £1,000 per month, with very little support, and he is left with an allowance of £74.00 per week.

### 3.3 Time spent in the homelessness system

There were two cases which mentioned clients as having been homeless for over ten years.

▯▯ A North of Scotland CAB reports of a client who has been homeless for around ten years, one year in the central belt and nine years in [name of island]. He has spent most of his time in [name of homeless accommodation]. The client has issues with alcohol and depression. When he was in [named temporary accommodation] he was surrounded by people who also had problems with alcohol, and this made it difficult for him to stop. Someone suggested he come to [name of another island] where he would not be near this sort of environment. He saved up and moved down here. He has been here for just over a year and has managed to get his addiction under control. Recently, the client has been offered a house from a registered social landlord.

### 3.4 Temporary accommodation, interactions with the benefits system and living costs

Many of the cases demonstrated clients in temporary accommodation experiencing similar issues with the benefits system as others who live in settled housing, such as the five-week wait at the outset of a Universal Credit claim, the removal of the £20 uplift to Universal Credit, and the interaction of benefit payments with earnings from work.

The following cases demonstrate issues around the five-week wait at the start of a Universal Credit claim.

▯▯ A West of Scotland CAB reports of a client who is living in temporary accommodation. The client was turned away by the Jobcentre despite him being unable to claim Universal Credit via the phone or internet. This led to a further delay in the client beginning the five-week waiting period for the first payment. The CAB adviser says: "it could have been months before the client got paid his Universal Credit."

▯▯ A West of Scotland CAB reports of a client who is staying in temporary accommodation for last few weeks after leaving his mum's house a month ago. The relationship broke down with his mum and he then sofa-surfed and now the local authority are helping him as he is homeless. He has no work or income from any other benefits. At the moment, he is living with help from friends. The client sought advice from CAB about applying for Universal Credit, but he will have to wait five weeks before receiving his first payment. The only option is for him to take an advance which is putting him into debt and reducing his already small monthly payments.

The following cases demonstrate how clients experiencing homelessness were affected by the removal of the £20 uplift to Universal Credit.

▯▯ A West of Scotland CAB reports of a client who is living in temporary housing association property with her young child. She is unemployed and in receipt of Universal Credit. The client will be affected by the removal of the temporary uplift to Universal Credit standard allowance of £20 per week. This effectively leaves the client over £80 per month worse off and having to try to budget on an already low benefit income.

▮▮ A West of Scotland CAB reports of a client who has refugee status, living with her partner and four children in Housing Association temporary accommodation. The client will be affected by the removal of the £20 temporary uplift of Universal Credit standard allowance. The client was not aware of this before coming to the CAB. This cuts the clients' UC income by £86.67 each month and will hugely affect her budget. Had it not been for CAB input, then it is unknown how long the client would have been left unaware of this pending cut to her UC payments.

The following case shows where a client's income from work impacts on his Universal Credit payment.

▮▮ An East of Scotland CAB reports of a client who is currently living in homeless accommodation. The client stopped work in the middle of July and applied for Universal Credit on the same day. However, the client was then paid his final pay packet at the end of July. The client said he was not informed by the DWP that his final salary would be taken into consideration in calculating his UC payment. The client is in financial hardship until his next UC payment and will be in debt due to the direct advance payment deductions from his UC award. The client will be living off food bank vouchers and unable to apply for another crisis grant before 28 days.

There appear to be particular issues associated with income from the benefits system for those who are students and living in temporary accommodation, as the case below demonstrates.

▮▮ An East of Scotland CAB reports of a client who is a full-time student and staying in homeless accommodation. She was enquiring about Housing Benefit because she could not work out why a student in homeless accommodation could not get Housing Benefit, and she had rent arrears accumulating. The adviser went through the rules for full time students, and explored all the exemptions, none of which the client met. The CAB asked if the client had looked into a college discretionary fund, but the client said they could only pay a maximum of £120 per month, and her rent is £1,400 per month. The client was advised that Universal Credit also has similar rules to Housing Benefit so again, she would not be entitled to get this benefit either. At this point client became very angry and upset, and said she can't believe she can't get any help.

The issues highlighted in the cases above, relating to income from the benefits system, in some cases leave those in temporary accommodation with no money for necessities such as food and toiletries.

▮▮ An East of Scotland CAB reports of a client who is staying in temporary accommodation with her two children, having escaped domestic abuse. The client was in receipt of Universal Credit and was due a payment which did not go into the clients' bank account [unclear if this is related to a joint UC claim with previous partner]. The client has no money, no food and was unable to get to the food bank as she had no money to travel there. The food bank does not deliver food parcels and the client was refused a Scottish Welfare Fund Crisis Grant. She is unable to ask family for assistance due to her parents' low income and she does not live near family or friends.




▮▮ A West of Scotland CAB reports of a client who is currently homeless and living with a friend. The client contacted the CAB to ask for financial help as she has used the £50 crisis grant that she received at the start of December. The client said she used the grant money for gas, electric and sanitary wear. The client also asked if we could give her sanitary wear and toiletries.


## Part 4: Housing options, moving on, and settling in


This section identifies some of the themes that emerged from the case analysis regarding the housing options available to households experiencing homelessness, and experiences of moving into settled housing.


### 4.1 Suitability of housing options

Some cases demonstrate instances where a client had been offered permanent accommodation that they did not feel was suitable to their needs, for example, because of requirements related to health or disability.

 A West of Scotland CAB reports of a client who has health issues and young dependent children. She is in temporary accommodation which she says is overcrowded and damp. The client rejected an offer of permanent accommodation by the local authority due to difficulties managing the stairs involved. The CAB supported the client to submit requests for the local authority to review that decision, but the homelessness team did not respond to the requests and there is a significant delay in a decision being made. The client was becoming increasingly frustrated with her housing situation.

 A West of Scotland CAB reports of a client who was in homeless accommodation and has been offered a secure tenancy from the local authority. The client has significant mobility issues after being in a serious accident. She continues to get operations which at times leave her immobilised and having to use a wheelchair. The client is currently living in temporary accommodation which suits her needs and she is not sure if the new tenancy on offer, which is a housing association flat, will suit her needs. This is the second housing offer she has received, and the local authority agreed with the client that the initial offer was not suitable for her needs, but believe this current offer to be suitable. The CAB adviser explained to the client the danger that the local authority could say it is discharging its duties if they believe their offer is suitable. They advised that the local authority must only make one suitable offer of housing. If the client turns it down, the local authority has no further duty to find the client permanent accommodation and would be putting herself in danger of being in a worse predicament.

 An East of Scotland CAB reports of a client who is currently going through a divorce with her ex-husband, following domestic abuse. She has been living in a refuge with her three children. The client says she is concerned about the type of flooring in a new property that she might be offered, as she has been told it will be carpeted throughout for her. One of her children has a health issue that would be exacerbated with carpeted flooring. She has discussed this with her Housing Officer.

 An East of Scotland CAB reports of a client who is disabled and has a tenancy that does not meet her needs. The client wishes to be closer to family, in a building more compatible with her mobility needs and away from immediate environment which she finds stressful. It appears that this had started to be put in motion but has been delayed due to the pandemic.

In some cases, clients feel the housing they are being offered by the local authority is not suitable due to the location, and the proximity to schools or health services.

▮▮ A rural, North of Scotland CAB reports of a client who had been in temporary accommodation with her five high-school and primary-school-aged children, after having experienced domestic abuse. The client has been offered a new-build three-bedroom property in [location]. The client is hesitant to accept this offer because it would mean a daily trip of over 120 miles to take the children to school. She was concerned about the impact this would have on the children's lives and the cost and pressure on her. The client says she has been told by the housing officer that if she declines the offer, she and her family will be removed from the Housing List. The CAB adviser commented that: "there is a lack of emergency housing provision for larger families and also lack of permanent housing stock for larger families."

▮▮ A West of Scotland CAB reports of a client who has just been allocated a Council rented property. The client suffers from trapped nerve in his spine, mental health issues and alcohol dependency. The client was previously in homeless accommodation in [location] and is struggling with how remote the new [location] is, as he needs to access the pharmacist three times a week for his prescription. The client has no money and has been walking 16 miles along the road to get to the pharmacy and back. The client has a support housing officer but has not been able to contact her

In some cases, like the one below, the clients report of a lack of suitable properties in the local area, either in the social rented sector or the private rented sector.

▮▮ A rural, West of Scotland CAB reports of a client who was living in a private residential tenancy with her young child when she received a 'Notice to Leave' from her landlord, with a period of three months' notice. The client has been in regular contact with the Housing and Homelessness departments over the last three months but has so far not been allocated any alternative accommodation. The housing department have informed the client that she is unlikely to be offered housing within the town she currently lives in, due to a lack of availability. The client has been looking for other private rental properties in her hometown, but has found no suitable homes available, mainly due to the rent being more than she can afford. She is concerned that if she is not placed in her town, her son's schooling will be disrupted along with her employment

## **4.2 Conditions of settled housing**

In a few cases, there was evidence of clients having been offered housing, following a period of homelessness, which was in a poor condition.

▮▮ A West of Scotland CAB reports of a client who, after a period of homelessness, has been housed in a housing association property with her son. The new property has an infestation, with small holes throughout the property in the skirting boards, ceilings, and walls. There is also a smell of cat urine in her property and stated that she was

going to remove the old carpets but was asked by her Housing Officer to leave them and the housing association will arrange to have them uplifted. However, she came to the CAB because her housing officer has not been in touch. This causing the client extreme distress and anxiety about her new property.

### 4.3 Settling in – support and furniture

Aside from the suitability and conditions of the housing on offer, one major theme that emerged from the case analysis was clients having the right support in place to settle into their new homes after a period of homelessness. In particular, support to access furniture came up in a large number of the cases. Often the issues were to do with the administration of Community Care Grants from the Scottish Welfare Fund.

▯▯ A West of Scotland CAB reports of a client who had just moved into a social rented tenancy after having stayed with family and friends while he was homeless. The client had applied for a Community Care Grant for kitchen lino and carpets for the new flat and been refused on the grounds that he was not eligible as he was not homeless. The client doesn't understand; he had been homeless, sofa-surfing with family and friends before getting tenancy.

▯▯ West of Scotland CAB reports of a client who recently moved into a housing association property with her four children. She was previously registered as homeless and received her keys for the new property at the end of March. The client made an application for a Community Care Grant with the support of her homeless caseworker. At the end of April, she received a decision that she would be awarded the items. She is expecting a delivery of her items at the end of May. She said she'd been told that this was the quickest that the goods could be delivered. The CAB adviser made the following note: "delivery waiting times are causing home move issues for clients and forcing them to be financially responsible for two properties longer than expected. This client has not waited as long as some others."

In other cases, clients spoke about a lack of support, such as support with budgeting and mental health, that could potentially put them at risk of being unable to sustain new tenancies.

▯▯ A West of Scotland CAB reports of a client who was recently in temporary accommodation following a period of rooflessness. The client had rent arrears of around £360 and she has been contacted by a debt collection agency. The client also owes around £2,500 for overpayment of tax credits dating back to when her daughter lived with her, she has Council Tax arrears totalling around £220 and she thinks she owes money to an energy company but is not sure how much. The CAB adviser's comment on this case was: "the client has mental health issues that make it hard to deal with money issues, yet she is facing debt problems and financial hardship with little or no support available."

▯▯ A West of Scotland CAB reports of a client, aged 16-17, who is a father of non-resident children. He was offered a temporary furnished flat, following a 12-week stay in a B&B.

When he called the casework team back one hour later to accept the offer, he was told he would get a call back to give him further details. The call never came and when the client called again, he was told that the property had been given to someone else. This caused the client further stress and anxiety and resulted in him not being able to spend quality time with his children as the B&B does not allow visitors. The CAB adviser's comment was: "the casework team are not providing clients with information on how to sustain a successful tenancy. This is an issue that I have seen a few times."

The following case provides an example of a young person who became homeless at age 17, who did not have the independent living skills to sustain a tenancy. Unfortunately, the client in this case was again experiencing homelessness, and again feeling like he was not receiving the right kinds of support.

▯▯ A West of Scotland CAB reports of a client aged 27 who had prior experience of homelessness. The client said that the reasons for him being homeless was that he was provided with a property when he was aged 17 from the homeless casework team but was not provided with enough support. He states that he did not know anything about running a household and did not know how to apply for all the benefits he was entitled to. He said he got into debt and did not understand the law so "gave his property up" thinking that he was going to be evicted or his goods would be repossessed. His mental health deteriorated due to this, and he ended up back in the care of the local authority. More recently, the client was provided with a new property from the homeless casework team who, according to the client, have not supported him at all with his transition. The caseworkers completed his Section 5 referral and referred to a housing association to handle the signing of the tenancy agreement, and then referred him to Turning Point who provided information and assisted him to complete Scottish Welfare Fund application.

## Part 5: Barriers experienced by particular groups

Finally, this last section provides details of systemic barriers or difficulties experienced by groups based on age or immigration status. The case analysis also revealed that women have different experiences of homelessness than men, related in particular to experiences of domestic abuse and/or being the main parent responsible for children. However, given that these issues have been presented throughout the report, they have not been repeated here.

### 5.1 Based on immigration status

Some of the clients included in this case analysis were asylum seekers or refugees. These cases revealed barriers experienced by this group relating to having no recourse to public funds, and/or interactions between the Home Office and the Local Authority.

▯▯ A West of Scotland CAB reports of a client who is 59 years old and has Refugee status and is receiving universal credit (UC). She advises she is currently living in temporary accommodation alone. The client has recently applied for her children to come to Scotland under the family reunion process, due to the dangers they are facing in their country, which is causing her serious anxiety. She hasn't been offered a tenancy yet. She requires a ground floor property, however she has received a letter from the Home Office advising she should leave the temporary accommodation in a week's time. The CAB adviser tried to determine why the client has been asked to leave the temporary accommodation, when she hasn't been allocated a tenancy yet. The client couldn't explain and was getting quite upset. The client said the local authority have told her they are trying to secure a tenancy which is appropriate, but it is unclear whether the Home Office and the local authority are communicating with each other.

▯▯ A West of Scotland CAB reports of a client who is an Asylum Seeker who came to the UK with her husband and seven-month-old baby. The client is expecting another baby. They are currently living in temporary hotel accommodation, supported by the Home Office. They have a case worker and an Asylum Lawyer. They wanted some general money advice. The CAB advised the clients that due to their immigration status they cannot access public funds, and this will change if they are granted Asylum and given Refugee Status. The adviser suggested they could contact a food bank, the Scottish Refugee Council or the Red Cross, who can all provide support.

Sometimes, clients in this situation found it more difficult to receive the correct advice because of language barriers and needing to use an interpreter.

▯▯ A West of Scotland CAB reports of a client who is currently an Asylum Seeker and living in temporary accommodation with her five-year-old child. She has no recourse to public funds. Her child was going into Primary 2, and the client wanted help to apply for the new School Clothing Grant. The call was difficult due to the language barrier even with the interpreter, and the line kept cutting out.

Other cases demonstrated issues faced by EU Nationals experiencing homelessness. These tended to centre around the EU Settlement Scheme and/or the Habitual Residence Test and its implications for access to benefits and support from homelessness services.

#### Prevention of Homelessness Duties:

An analysis of homelessness advice cases provided by Scotland's CAB network

- ▮▮ An East of Scotland CAB reports of a client who received a benefit payment from Universal Credit, but was subsequently asked to repay it on the grounds that she failed the Habitual Residence Test. The client asked the DWP to reconsider. The decision has had a serious impact on her situation as her homelessness application has been refused on the same grounds and she finds herself accumulating debts and 'abusing a friendship' in order to have somewhere to live.
- ▮▮ East of Scotland CAB reports of a client who is an EU citizen living in the UK since 2017 and worked full time for a construction company until the beginning of lockdown in 2020. He has been living with his mother until her boyfriend moved in three weeks ago. This is when he presented to the local authority as homeless and has been staying at a hostel ever since. He recently received a decision that his homeless application has been unsuccessful as he has not registered with EU Settlement Scheme and is therefore a person subject to immigration control with no recourse to public funds. He wanted assistance appealing the homeless decision. The CAB explained that there are no real appeal arguments in law but that the guidance from COSLA states "support from the local authority should not be based on whether or not an EEA national has applied for or secured status under the EU Settlement Scheme."
- ▮▮ An East of Scotland CAB Reports of a client who is an EU citizen, but moved to UK in 2012. She obtained Settled Status, but regarding her claim for Universal Credit, the DWP told her she is not eligible for an advance payment because a Habitual Residence Test had not yet been carried out. The CAB recommended that the client contact the DWP to confirm they are aware she has obtained settled status. The client currently lives in temporary accommodation provided by the local authority with her five children and she is concerned that this will impact on her ability to receive support from the homelessness service.
- ▮▮ An East of Scotland CAB reports of a client who is an EU national aged 18-24 years who has been asked to vacate her temporary accommodation by Wednesday. The CAB tried to phone the local authority Homelessness team three times, but there was no answer each time. The adviser eventually got through and they responded that the client has no right to residency as she's got no pre-settled status yet. The CAB shared the code which demonstrates that she has got a pending EU Settlement Scheme application. The client was seen as not eligible for homelessness support.

## 5.2 Youth homelessness

Some cases simply demonstrate the vulnerability of young people experiencing homelessness, given that in many cases they are estranged from family. In one case, the 19-year-old in question did not have access to any income, was estranged from her family members and did not know how to seek support from homelessness services or the benefits system.

In the following case, the local authority was planning to accommodate the young person in a hostel but "because of her age and her health issues she and her support workers are looking for alternatives." It is likely that if this 16-17 year old was placed in that hostel, she would have been living alongside much older adults with their own complex needs.

### Prevention of Homelessness Duties:

An analysis of homelessness advice cases provided by Scotland's CAB network

An East of Scotland CAB reports of a client who is 16-17 years old and is homeless and staying with friends. The client stopped living with her mum in April 2020 and made a homeless application at the time and is still waiting to hear. Her grandparents have been helping her financially every now and then. The client suffers with fibromyalgia, depression and anxiety. She has reports from the medical professionals involved in her care. A youth homelessness charity is providing the client with support and are in negotiations with the local authority. The local authority was planning to put the client in a hostel, but because of her age and her health issues she and her support workers are looking for alternatives. The family she is currently staying with are on benefits they would rather she found alternative accommodation as soon as possible as they are struggling financially. The client has received a Universal Credit decision letter which states that she is not entitled as she does not fit the criteria. She is submitting a mandatory reconsideration but if she needs to upload evidence, she won't be able to because the DWP has closed her claim. The client only gets a £30 a week Education Maintenance Allowance.

The following case demonstrates issues full time students living in temporary accommodation have accessing benefits and support with housing costs.

▯▯ A North of Scotland CAB reports of a girl, still at high school, living in temporary accommodation provided by the local authority. The client works part time after school and at weekends. The client was seeking help from the CAB in completing her Universal Credit claim. She had partially completed an online application but was unsure how to complete the section regarding work and earnings. The CAB adviser tried to help but found that benefit calculators are unable to calculate estimated benefit entitlement for full time students or clients under 18 who are living in homeless temporary accommodation.

The following cases demonstrate other issues young people with experience of homelessness face when trying to claim benefits. The first client faces issues because his benefits claim is attached to a previous address where he used to live; the second faces issues because he is no longer entitled to benefits after he has resolved issues with family and returned home.

▯▯ An East of Scotland CAB reports of a client who is aged 16-17 years old and is staying with friends. When the client called, he was irate. He had been at the Jobcentre for a meeting and had walked out. They had told him he wasn't entitled to Universal Credit as he had previously used his mum's address on the application form and that someone is claiming Child Benefit for him and that as he was no longer in education he did not qualify. He was so upset, angry and frustrated at being homeless and being told he was not entitled to any financial help, that he did not want to continue with the application. He discussed with the CAB adviser the idea of returning to the family home. He says he is not in danger if he was to return to his parents' house but expressed that there had been an emotional breakdown of his relationship with his mum. He had not been able to return to the home since leaving.



▯▯ A West of Scotland CAB reports of a client who was requesting a benefit check for her 17-year-old son. Her son has recently returned to live with client after a disagreement that led him to declare himself homeless and move to supported accommodation. The client's son is not able to claim Universal Credit or contribution based Jobseekers Allowance. Unless there are exceptional circumstances (disability/health condition) he cannot claim Universal Credit at 17 years old, nor contribution based Jobseekers Allowance because he is too young to have made the necessary contributions. The client's son is in full-time employment, but his income is very low. The CAB advised that his options are for him to leave the home again, or for him to find a further education place that will mean his mum is eligible to claim Child Benefit for him again. The adviser's comment: "this young person has resolved previous issues with his family and returned to the family home. He has made a positive move that he is happy with, and is no longer relying on supported accommodation, but is not entitled to any benefits."

## Conclusion

Although the sample of cases is not representative of the population of those experiencing homelessness in Scotland, this case analysis has revealed insights into the causes and triggers of homelessness for CAB clients during 2021. It has identified a lack of support for certain groups to stop homelessness happening in the first place, and has highlighted the different services that individuals are often in touch with prior to an experience of homelessness. This shines a light on some missed opportunities to intervene earlier and prevent or resolve housing issues before they reach crisis point. Learning can be drawn from this to inform the Scottish Government and COSLA's Prevention of Homelessness Duties consultation and the design of a new homelessness system in Scotland focused on prevention.



Crisis is the national charity for people facing homelessness. We know that homelessness is not inevitable, and we know that together, we can end it. Every year we work directly with thousands of people experiencing homelessness in 11 areas across England, Scotland and Wales. We provide vital help so that people can rebuild their lives and are supported out of homelessness for good. We offer one to one support, advice and courses according to individual needs. We use research to find out how best to improve our services, but also to find wider solutions to end homelessness.

### **Crisis Scotland**

[www.crisis.org.uk/about-us/scotland](http://www.crisis.org.uk/about-us/scotland)



Scotland's Citizens Advice Network is an essential community service that empowers people through our local bureaux and national services by providing free, confidential, and independent advice. We use people's real-life experiences to influence policy and drive positive change. We are on the side of people in Scotland who need help, and we change lives for the better.

### **Citizens Advice Scotland**

[www.cas.org.uk](http://www.cas.org.uk)