



# Housing (Homeless Persons) Act 1977

## 1977 CHAPTER 48

### *Homelessness and threatened homelessness*

#### **1 Homeless persons and persons threatened with homelessness**

- (1) A person is homeless for the purposes of this Act if he has no accommodation, and a person is to be treated as having no accommodation for those purposes if there is no accommodation—
  - (a) which he, together with any other person who normally resides with him as a member of his family or in circumstances in which the housing authority consider it reasonable for that person to reside with him—
    - (i) is entitled to occupy by virtue of an interest in it or of an order of a court, or
    - (ii) has, in England or Wales, an express or implied licence to occupy, or
    - (iii) has, in Scotland, a right or permission, or an implied right or permission to occupy, or
  - (b) which he (together with any such person) is occupying as a residence by virtue of any enactment or rule of law giving him the right to remain in occupation or restricting the right of any other person to recover possession of it.
- (2) A person is also homeless for the purposes of this Act if he has accommodation but—
  - (a) he cannot secure entry to it, or
  - (b) it is probable that occupation of it will lead to violence from some other person residing in it or to threats of violence from some other person residing in it and likely to carry out the threats, or
  - (c) it consists of a movable structure, vehicle or vessel designed or adapted for human habitation and there is no place where he is entitled or permitted both to place it and to reside in it.
- (3) For the purposes of this Act a person is threatened with homelessness if it is likely that he will become homeless within 28 days.