



# Housing (Wales) Act 2014

2014 anaw 7

## PART 2

### HOMELESSNESS

#### CHAPTER 2

#### HELP FOR PEOPLE WHO ARE HOMELESS OR THREATENED WITH HOMELESSNESS

##### *Duties to help applicants*

**75 Duty to secure accommodation for applicants in priority need when the duty in section 73 ends**

- (1) When the duty in section 73 ( duty to help to secure accommodation for homeless applicants) comes to an end in respect of an applicant in the circumstances mentioned in subsection (2) o r (3) of section 74, the local housing authority must secure that suitable accommodation is available for occupation by the applicant if subsection (2) or (3) (of this section) applies.
- (2) This subsection applies where the local housing authority—
  - (a) is satisfied that the applicant—
    - (i) does not have suitable accommodation available for occupation, or
    - (ii) has suitable accommodation, but it is not likely that the accommodation will be available for occupation by the applicant for a period of at least 6 months starting on the day the applicant is notified in accordance with section 84 that section 73 does not apply,
  - (b) is satisfied that the applicant is eligible for help,
  - (c) is satisfied that the applicant has a priority need for accommodation, and

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*Changes to legislation: There are currently no known outstanding effects for the Housing (Wales) Act 2014, Section 75. (See end of Document for details)*

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- (d) if the authority is having regard to whether or not the applicant is homeless intentionally (see section 77), is not satisfied that the applicant became homeless intentionally in the circumstances which gave rise to the application;
- (3) This subsection applies where the local housing authority is having regard to whether or not the applicant is homeless intentionally and is satisfied that—
- (a) the applicant became homeless intentionally in the circumstances which gave rise to the application,
  - (b) the applicant—
    - (i) does not have suitable accommodation available for occupation, or
    - (ii) has suitable accommodation, but it is not likely that the accommodation will be available for occupation by the applicant for a period of at least 6 months starting on the day on which the applicant is notified in accordance with section 84 that section 73 does not apply,
  - (c) the applicant is eligible for help,
  - (d) the applicant has a priority need for accommodation,
  - (e) the applicant is—
    - (i) a pregnant woman or a person with whom she resides or might reasonably be expected to reside,
    - (ii) a person with whom a dependent child resides or might reasonably be expected to reside,
    - (iii) a person who had not attained the age of 21 when the application for help was made or a person with whom such a person resides or might reasonably be expected to reside, or
    - (iv) a person who had attained the age of 21, but not the age of 25, when the application for help was made and who was looked after, accommodated or fostered at any time while under the age of 18, or a person with whom such a person resides or might reasonably be expected to reside, and
  - (f) the authority has not previously secured an offer of accommodation to the applicant under this section following a previous application for help under this Chapter, where that offer was made—
    - (i) at any time within the period of 5 years before the day on which the applicant was notified under section 63 that a duty was owed to him or her under this section, and
    - (ii) on the basis that the applicant fell within this subsection.
- (4) For the purpose of subsections (2)(a)(ii) and (3)(b)(ii), the applicant is to be treated as notified on the day the notice is sent or first made available for collection.

#### Commencement Information

- I1** S. 75(1)(2)(4) in force at 27.4.2015 by S.I. 2015/1272, art. 2, **Sch. para. 26** (with art. 6)
- I2** S. 75(3) in force at 2.12.2019 by S.I. 2019/1479, **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Wales) Act 2014, Section 75.