



# Homelessness Act 2002

## 2002 CHAPTER 7

### *Other functions relating to homelessness*

#### **7 Events which cause the main homelessness duty to cease**

- (1) Subsections (6) to (8) of section 193 of the 1996 Act (events which bring main homelessness duty to an end) are amended as follows.
- (2) In subsection (6), after paragraph (c) there is inserted—
  - “(cc) accepts an offer of an assured tenancy (other than an assured shorthold tenancy) from a private landlord,”.
- (3) For subsection (7) there is substituted—
  - “(7) The local housing authority shall also cease to be subject to the duty under this section if the applicant, having been informed of the possible consequence of refusal and of his right to request a review of the suitability of the accommodation, refuses a final offer of accommodation under Part 6.
  - (7A) An offer of accommodation under Part 6 is a final offer for the purposes of subsection (7) if it is made in writing and states that it is a final offer for the purposes of subsection (7).”
- (4) After subsection (7A) (which is inserted by subsection (3) above) there is inserted—
  - “(7B) The authority shall also cease to be subject to the duty under this section if the applicant accepts a qualifying offer of an assured shorthold tenancy which is made by a private landlord in relation to any accommodation which is, or may become, available for the applicant’s occupation.
  - (7C) The applicant is free to reject a qualifying offer without affecting the duty owed to him under this section by the authority.
  - (7D) For the purposes of subsection (7B) an offer of an assured shorthold tenancy is a qualifying offer if—

---

**Changes to legislation:** Homelessness Act 2002, Section 7 is up to date with all changes known to be in force on or before 11 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

---

- (a) it is made, with the approval of the authority, in pursuance of arrangements made by the authority with the landlord with a view to bringing the authority's duty under this section to an end;
  - (b) the tenancy being offered is a fixed term tenancy (within the meaning of Part 1 of the Housing Act 1988 (c. 50)); and
  - (c) it is accompanied by a statement in writing which states the term of the tenancy being offered and explains in ordinary language that—
    - (i) there is no obligation to accept the offer, but
    - (ii) if the offer is accepted the local housing authority will cease to be subject to the duty under this section in relation to the applicant.
- (7E) An acceptance of a qualifying offer is only effective for the purposes of subsection (7B) if the applicant signs a statement acknowledging that he has understood the statement mentioned in subsection (7D).
- (7F) The local housing authority shall not—
- (a) make a final offer of accommodation under Part 6 for the purposes of subsection (7); or
  - (b) approve an offer of an assured shorthold tenancy for the purposes of subsection (7B),
- unless they are satisfied that the accommodation is suitable for the applicant and that it is reasonable for him to accept the offer.”
- (5) In subsection (8), for “subsection (7)” there is substituted “ subsection (7F) ” and the words “of accommodation under Part VI” shall cease to have effect.
- (6) Nothing in this section affects the operation of section 193 in relation to an offer of accommodation under Part 6 which is made before the commencement of subsection (3) above.

#### Commencement Information

- II** [S. 7](#) wholly in force at 30.9.2002; [s. 7](#) not in force at Royal Assent see [s. 20\(1\)](#); [s. 7](#) in force for E. at 31.7.2002 by [S.I. 2002/1799](#), [art. 2](#); [s. 7](#) in force for W. at 30.9.2002 by [S.I. 2002/1736](#), [art. 2\(1\)](#), [Sch. Pt. 1](#)

**Changes to legislation:**

Homelessness Act 2002, Section 7 is up to date with all changes known to be in force on or before 11 June 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- s. 7(5) repealed by [2011 c. 20 Sch. 25 Pt. 22](#)