

## Homelessness assessment

Homelessness can mean many things and can happen for many reasons. It's not your fault and there are many kinds of support and groups to help you.

Northern Ireland has a legal definition of being 'homeless.' It means you passed the homelessness assessment, and the Housing Executive has a legal duty to give you accommodation.

You may be at risk of homelessness if you:

- live in unsafe housing
- have health problems affected by your living conditions
- must leave your home within 28 days
- do not have your own home and are staying with friends or family

[The Housing Executive is responsible](#) for addressing and preventing homelessness. They can give you information about homelessness and housing and tell you your rights and options.

## Contact the Housing Executive for help

The Housing Executive must look into your situation if they have reason to believe you might be homeless. Contact the Housing Executive if you:

- do not have a home
- cannot stay in your home
- must leave your home within 28 days

The Housing Executive will:

- ask about where you're living
- find a way to help you stay in your home (only if this is safe)
- talk to you about temporary housing
- start your homelessness assessment (this is how they figure out if they need to provide accommodation)

It can take about five weeks for the Housing Executive to do the assessment. They may give you temporary housing while you wait for their decision. Speak to our advisers if the Housing Executive refuses to give you temporary accommodation during your assessment.

## Starting the homelessness assessment

[Speak to our advisers:](#)

- if the Housing Executive refuses to start a homelessness assessment
- for help with a review of a negative housing decision

The assessment has four tests. If the Housing Executive decides you meet the legal definition of being homeless, this is usually referred to as 'passing the four homelessness tests.'

The Housing Executive must look into each of these to figure out what support they must give you.

The tests look at whether you:

- are homeless or threatened with homelessness (homelessness)
- are eligible for assistance (eligibility)
- are a vulnerable person (priority need)
- made yourself homeless (intentionality)

## What a homelessness assessment involves

### 1. Homeless test

This test checks your current housing situation. The Housing Executive might:

- ask for your most recent address

- talk to your current or previous landlord
- talk to people you lived with to find out why you had to leave
- ask for proof that you're experiencing homelessness

Proof of experiencing homelessness can include:

- an eviction notice from a landlord
- proof you're living in temporary housing
- statements from people you lived with who told you to move out
- police reports showing you were harassed or victimised in your home
- medical reports showing you have health problems because of your home
- reports from teachers or social workers that your children have health problems because of your home
- statements from someone you talked to about being abused in your home (for example, a solicitor or counsellor)

## **2. Eligibility test**

This test checks if there's a reason you cannot get homelessness support. This includes if you:

- cannot apply for help with housing because of your immigration status
- have been involved in antisocial or unacceptable behaviour

Unacceptable behaviour usually covers the past two years and can include:

- criminal or nuisance behaviour that upsets your neighbours
- behaviour at a former address or in temporary housing
- behaviour of someone else in your household or a visitor to your home

If you're in temporary housing when you fail this test, you may be able to stay if you ask for a review of the decision. Our advisers can help you with this process. If the Housing Executive reviews the decision, explain the reason for your behaviour and how your behaviour changed. For example, if you:

- have a disability
- got treatment or counselling
- now have support services that help you to cope
- were diagnosed with or treated for a specific illness
- were in a situation that affected your behaviour, that has now changed

## **3. Priority need test**

This test checks if you'd be more vulnerable than the average adult if you were to experience homelessness.

You will pass this test if you:

- are pregnant
- are younger than 20 and at risk of sexual or financial exploitation
- have dependent children younger than 16, or younger than 18 and in full-time education or a government training scheme
- are homeless or are at risk of homelessness due to violence
- are homeless because of a natural disaster (for example, a flood)
- have medical reports stating you're vulnerable due to old age, illness, disability or health

#### **4. Intentionality test**

This test checks if you're 'intentionally homeless.' You're intentionally homeless if you do not have a home because of something you did on purpose. The Housing Executive must prove that you made yourself homeless. It's not your responsibility to prove otherwise.

The Housing Executive will decide you're intentionally homeless if:

- your deliberate actions led to you losing your home, and
- you could have kept living in that home

The Housing Executive might say you're intentionally homeless if you:

- decided not to pay rent when you could afford to
- got evicted because of antisocial behaviour
- ignored advice that would've helped you stay in your home

Take care not to get into a situation where the Housing Executive considers you intentionally homeless. If you're having problems in your home, before you leave:

- get proof of your situation
- get advice on your housing options
- apply for a homelessness assessment and get your homelessness points

If you leave without points or proof, the Housing Executive may say you're intentionally homeless.

You are not intentionally homeless if you lost your home for certain reasons. For example, you:

- had to leave because of someone you lived with
- followed bad advice that led to you losing your home
- were evicted because you complained about the property
- caused antisocial behaviour due to a mental illness or disability
- could not afford your rent because your situation and needs changed

## **After the homelessness assessment**

### **Passing all four tests**

If you pass all four tests, you're a 'full duty applicant (FDA).' This means you can get:

- temporary housing while you wait for a home
- 70 housing points, often called 'homeless points'
- two reasonable offers of long-term accommodation

Depending on your situation, the Housing Executive may also:

- store your belongings while you wait for a home
- pay for your travel costs to temporary housing

### **Not passing a test**

The Housing Executive will send a decision letter explaining:

- which test you did not pass and why
- how to ask for a review of the decision

If the Housing Executive decides that you do not pass one of the tests, this is called a 'negative decision.' It means the Housing Executive does not need to give you support. They do not need to offer you long-term accommodation. Private housing may be an option for you.

## **Reviewing a negative decision**

[Contact us for specialist advice](#) if you do not agree with the Housing Executive's decision.

Asking for a review of a negative homelessness decision can be difficult and needs specialist advice. It's rare for the Housing Executive to change their decision without more information and evidence. We have lots of experience in this area and can support you in asking for a review.

If you do not pass all four tests, you can ask for a review of the decision, often called a 'homelessness review'. A more senior person at the Housing Executive will look at your application.

You, or your representative, have 40 days from the date you get the decision letter to ask for a review. It's not just about asking for a review though. The review should explain why you should pass the tests they say you failed.

[Get help from our advisers](#) to ask for and submit a review. We want to help you get the right decision.

The Housing Executive can give you temporary accommodation while they review your decision.

## **Appealing a negative decision in court**

The next step after asking for a review is a court appeal. This isn't possible for everyone.

Our expert housing advisers can look at your case and submit extra evidence. We can make legal arguments in a review request without going to court so [contact Housing Rights as soon as you get a negative decision](#).

If you do not pass the review, you can appeal to the county court. But you can only appeal on a point of law, not because of your situation and needs. Your options are much more limited if the review is unsuccessful.

[Speak to our advisers](#) for help with a review or if the Housing Executive does not give you temporary accommodation while they review your decision.

## **More advice**

- [Emergency help](#)
- [Increase your points](#)

- [The waiting list](#)

## Footnotes