

<b>Subject:</b>	<b>Evictions from Temporary Accommodation Annual Update</b>		
<b>Date of Meeting:</b>	<b>18<sup>th</sup> September 2019</b>		
<b>Report of:</b>	<b>Executive Director for Neighbourhoods, Communities &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Sylvia Peckham</b>	<b>Tel: 01273 293318</b>
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<b>Ward(s) affected:</b>	<b>(All Wards);</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 Since June 2017 an annual report has been presented to Housing Committee, highlighting the numbers of evictions from Emergency accommodation over the year.
- 1.2 The number of evictions has increased slightly by 0.4% from the same period last year from 33 to 39 evictions. These numbers are very low in comparison to the number of placements made, representing only 3.7% of all placements.
- 1.3 Of those who were evicted there is a disproportionate amount who have been assessed as needing supported accommodation and find it difficult to manage general needs emergency/ short-term accommodation, although numbers overall are very low.
- 1.4 The impact of the Welfare Officers has been positive and enabled more collaborative working to resolve issues at an early stage and avoid eviction. Since the introduction of the Welfare Officers the previous year the number of evictions reduced considerably and have held steady this year.
- 1.5 We have 412 units of short term/emergency accommodation managed on our behalf and around 60 spot purchase units ie where we have no contract with the provider beyond a nightly room booking. The average stay is currently 5 months and so turnover is high. We made 1040 placements in those units in 18/19, which is a slight increase on the previous year of 996. Full details are in the table in 3.2.1.

**2. RECOMMENDATIONS:**

- 2.1 That the Housing Committee note the findings of the report.

### **3. CONTEXT/ BACKGROUND INFORMATION**

3.1 Housing and New Homes Committee requested a report into the evictions from Emergency Accommodation which was considered in June 2017. It was requested that the position be kept under review and an update report provided yearly. This report sets out the findings of the analysis of evictions over the past year. It focuses on Emergency/short term accommodation only and not longer term leased accommodation. The average length of stay in emergency accommodation has reduced from 18 months at the time of the last report to 5 months.

3.1.1 In 2018/19 we created 2 x welfare officer posts to help provide support to people in emergency accommodation and short term accommodation. Further budget was agreed in Policy Resources & Growth Committee in 2019 to expand this provision, which enabled provision to be increased to six Welfare Officers.

In 18/19 Quarter 1-3 there were 2 Welfare officers in post. This increased to three officers for Q4 and all six were in post from quarter 1 19/20.

3.1.2 The role of the welfare officers is to support residents and sustain their accommodation. Providers contact the officers regarding any issues of concern such as anti-social behaviour, welfare concerns or service charge arrears, which could lead to the risk of eviction. The welfare officer's work with residents to assist them to move onto accommodation that is more suitable, completing supported housing forms and supporting residents through the process. They also support older residents seeking to move into sheltered accommodation and assist with bidding.

3.1.3 Weekly welfare checks are undertaken at the larger accommodation blocks. This allows officers to have a presence and to ensure that residents are aware of the support available to them and undertaking referrals as appropriate. They also report any maintenance issues to the providers if residents do not feel confident to do so.

3.1.4 The welfare officers act as an intermediary between providers and residents negotiating and providing assurance that issues are monitored to avoid further risk of evictions.

3.2 Analysis of Eviction

3.2.1 Data has been gathered for the period of 01/04/18 to 31/03/19 on the number of placements made; the number of evictions and the reasons for any evictions. The figures below represent the total number of placements made in the period which includes the first time a household is placed and any subsequent transfers or replacements. The figures are not the actual number of households accommodated in a period as a household might have been placed more than once in a period. This follows the same rational as per the previous report and we have provided those figure in brackets for comparisons.

Period	No of Placements	No Of evictions	Evictions due to breach of licence	Homeless duty discharged	Re-accommodated	Didn't re-present
Q1 18/19	(273) <b>242</b>	(7) <b>5</b>	(7) 5	(2) 2	(5) 2	(0) 1
Q2 18/19	(301) <b>296</b>	(7) <b>6</b>	(7) 6	(2) 0	(4) 4	(1) 1 (+1 refused alternative offer)
Q3 18/19	(218) <b>259</b>	(9) <b>18</b>	(9) 18	(0) 6	(8) 11	(1) 4 (+1 went to Prison)
Q4 18/19	(204) <b>243</b>	(10) <b>10</b>	(10) 10	(0) 4	(8) 5	(2) 1
Total	(996) <b>1040</b>	(33) <b>39</b>	(33) 39	(4) 12	22 (25)	(4) 9
%		(3.3%) <b>3.7%</b>		30.77%	56%	20.51%

3.2.2 The council made 1040 placements in emergency accommodation in 2018/19. Of those

- 39 (3.7%) were evicted and
- 1001 (96.25%) remained in their accommodation.

3.2.3 Of the 39 evictions, the eviction was because the household had breached their licence conditions. Examples of those breaches are set out in Appendix 1. There was only one person evicted for service charge arrears alone. However, 22 of the 39 (56.41%) were re-accommodated. 12 Households had their homeless duty discharged. 3 were replaced under a different duty, and 7 did not re-present to us

3.2.4 Service charges cover the costs of providing communal lighting, cleaning of common ways, Heating and hot water where there are communal facilities and are set by the provider. Where there are individual electric meters in accommodation, the cost of that electricity is not part of the service charge and the cost of that is standard rates set by the utility company, not the accommodation provider.

3.2.5 Below is a list of the emergency accommodation providers and the number of units they have. In addition there were 34 households in Spot purchase on the 31.3.19.

Provider	No units	Service charge singles P/W	Service charge Others P/W	No Evictions
Baron Homes & Moretons	241	£20 HMO only	£0	16
Helgor Trading	120	£12.50	£15	15
Colgate & Gray	51	£0	£0	8
Total	412			39

- 3.2.6 When we are considering whether the eviction will result in a discharge of the Housing duty owed we carry out enquiries, which includes obtaining records and evidence from accommodation providers pertaining to an eviction, in addition to information provided by the resident.
- 3.2.7 If a household is evicted then the housing duty will only be discharged if it can be sufficiently demonstrated that the threshold as set out in Part 7 of the Housing Act 1996 relating to 'intentional homeless' has been met. In the event of disputed evidence that cannot be reconciled, the council in accordance with the Homeless Code of Guidance will err on the side of the resident and would not discharge the housing duty.
- 3.2.8 Monthly operational meetings are scheduled between the council and the accommodation providers to ensure that accommodation is being managed in accordance with the contract and that households are receiving the support they require to manage their accommodation. Prior to any eviction, wherever possible, the Welfare officers and providers will work to try and effect a resolution to any problems that have arisen. In addition, there are quarterly contract meetings.

Under the contract, the provider has to notify us they have issued a warning that behaviour is likely to lead to eviction if not addressed. In the event that the Provider becomes aware that an Occupier has breached or is likely to breach any of the terms of their Occupier Agreement the Provider shall inform the Council and take all reasonable enforcement steps. However, if the breach is serious, then immediate eviction may result in order to safeguard staff and other residents.

- 3.2.9 A significant proportion of single people in emergency accommodation have complex support needs and are waiting for supported accommodation. Of the above 39 evictions, 14 were waiting for supported accommodation. This reflects the difficulties people have trying to manage in general needs accommodation whilst waiting for a supported despite the intervention of welfare officers.
- 3.2.10 Of those 14 waiting for supported accommodation, 9 were subsequently moved into supported accommodation after their eviction. The high demand for supported accommodation means that people can be waiting for a considerable amount of time for a suitable vacancy. This can mean that whilst people may be linked in with support services, they do not cope well in Emergency accommodation.

- 3.2.11 Residents currently waiting for supported accommodation are as follows

12 High/Medium Support  
10 Low Support  
7 Young People support

Currently the average length of wait is 6 months

- 3.2.12 Appendix one provides some examples of the reasons why households are evicted.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 We have considered that the disproportionate number of people evicted were awaiting supported accommodation. Work is already underway between Adult Social Care Commissioning and Housing to consider how better to provide supported accommodation and with regard to developing the specification for short-term managed accommodation going forwards as part of the re-procurement.
- 4.2 We are also working towards and have funding for developing council owned short term /emergency temporary accommodation which will be managed in house, enabling greater control and flexibility to reflect the changing needs of clients.
- 4.3 Finally, we are changing the model to have less short-term managed accommodation and a higher ratio of longer-term accommodation whilst reducing the overall amount of temporary accommodation needed over the next few years.

Year	Short Term/Emergency Units at start of year	Resulting number of Units by Year end
2019-20	472	322
2020-21	322	250
2021-22	250	200
2022-23	200	170
2023-24	170	148

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

Consultation was carried out with the Temporary Accommodation Action Group who we continue to work collaboratively with. The chair has commented as follows:

“It is good to see evictions rate have stayed at a similar level and not risen to the level of 2016/17 (5.3%) . I am proud of the part that the Temporary Accommodation Action Group is playing in trying to ensure peoples stay in emergency accommodation is as safe and healthy as possible. All stakeholders need to continue to work together to achieve this aim for people experiencing the crisis of homelessness and placed in emergency accommodation”

#### **6. CONCLUSION**

- 6.1 The number of evictions has increased slightly by 0.4% from the same period last year. This reflects the number of households who are waiting for supported accommodation and find it difficult to manage general needs emergency/ short-term accommodation.
- 6.2 The impact of the Welfare Officers has been positive and enabled more collaborative working to resolve issues at an early stage and avoid eviction. Since the introduction of the Welfare Officers the previous year the number of evictions reduced considerably and have held steady this year.

- 6.3 We will continue to monitor evictions to identify further actions, support or training to enable people to maintain their accommodation and prevent disputes escalating into evictions where possible.
- 6.4 We are planning to reduce our use of short-term managed accommodation over the next few years and to develop council owned and managed short term accommodation so we will have greater control and flexibility over the management.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

The costs of this review relate to staff time, which is met from the current Housing Options budgets for Housing General Fund. The cost of the 6 welfare officers is met from a one year budget resource of £0.250m agreed at Budget Council in February 2019 and therefore there is currently no funding for this service beyond 31<sup>st</sup> March 2020.

*Finance Officer Consulted: Monica Brooks*

*Date: 12/08/19*

### Legal Implications:

There are no significant legal implications arising from this review of temporary accommodation evictions. The procedures outlined in the report to review evictions address relevant statutory obligations such as the Equality Act 2010.

*Lawyer Consulted:*

*Name Liz Woodley*

*Date: 28/09/19*

### Equalities Implications:

- 7.3 There may be some vulnerable groups (in particular those with a disability) within the group being accommodated and it is important to note that where this is identified it is reflected in the decision making process whether to evict or to re-accommodate.

## **APPENDIX ONE**

### **Examples of the reasons providers have submitted for the evictions in the report**

- Allowing overnight visitor, caretaker asked them to leave 7 times and resident refused to ask their visitor to leave.
- Injecting in the communal bathroom, blood all over the walls and sink. Brought a drug dealer into the building who was bagging up and weighing drugs in the communal kitchen.
- Theft from other residents' rooms
- Threatened to kill staff and had a knife.
- Visitor physically assaulted security staff
- Drug dealing, ASB, fighting with other residents.

