



Comhairle Cathrach
& Contae Luimnigh

Limerick City
& County Council

Seirbhísí Tacaíochta Tithíochta,
Comhairle Cathrach agus Contae Luimnigh,
Ceannteathrú Chorpáraideach,
Cé na gCeannaithe,
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14th November 2022

To: The Mayor and Each Member of Limerick City and County Council

Adoption of Homeless Policy Document

A Chomhairleoir, a chara,

I attach herewith, for your consideration, copy of the revised Homeless Policy document.

Full Council adopted the Homeless Policy Document on the 24th January 2022; however following feedback, it emerged that there was a requirement to amend the policy to reflect the following:

- Definition of homelessness remains the basis for determining if a person is homeless or not
- Assessment and eligibility criteria replaced with definition of homeless as per Section 2 Housing Act 1988

The purpose of the document remains the same which is to provide persons who find themselves homeless (Single Persons, Couples, Families) with a clear understanding of the Services provided by the Council in terms of Emergency Accommodation and the support they will receive in terms of exiting homelessness.

The Homeless Policy document was presented at the meeting of the Home and Social Development Strategic Policy Committee on 19th October 2022 who recommended that it be forwarded to the full Council for adoption.

Is mise le meas,



Caroline Curley

Director of Housing

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Limerick City and County Council - Homeless Policy

The purpose of this Homeless Policy Document is to provide Persons who find themselves homeless (Single Persons, Couples, Families) with a clear understanding of the Services provided by the Council in terms of Emergency Accommodation and the support they will receive in terms of exiting homelessness.

Background

The Council's **Homeless Action Team (HAT)** located at No. 2 Church Street, St. Johns Square; provide a wide range of support services including Assessment and Placement, Tenancy Support Services, HAP Place Finder, Housing First, Accommodation Resettlement. The Team provide a Service from each of the Council Area Office when required and provide an Outreach of any reported rural homelessness.

The HSE support and compliment the Teams operations in terms of providing a Mental Health and Public Health Nurse Service dedicated to persons who are currently in emergency accommodation or at risk of Homelessness.

The HAT Service provides a daytime operation where appointments are managed in order of priority to ensure those most in need are supported with the most appropriate accommodation placement or information. Limerick City and County Council operate a dedicated Out of Hours Emergency Homeless Freephone which is 1800 606060; the number operates between 5pm and 9am Monday to Friday and all Weekend.

Limerick City and County Council contract Homeless Accommodation Providers who specialise in the delivery of Homeless Accommodation. These organisations have a wide range of accommodation to meet the needs of the Council including Single Female Hostel, Single Male Hostel, Mixed Hostel, family Hubs, Women Only with Children and Various Tenancy Support and Information Services.

Housing Legislative Framework for Homelessness

Housing Act 1988

Housing (Miscellaneous Provisions) Act 2009

Mid-West Regional Homelessness Action Plan

Policy and Legislation

Key legislation relating to homelessness in Ireland includes the Health Act, 1953 and Childcare Act, 1991, the Housing Act 1988 and most recently the Housing (Miscellaneous Provisions) Act 2009.



Definition of homelessness

Section 2 of the Housing Act, 1988 states that a person should be considered to be homeless if:

(a) there is no accommodation available which, in the opinion of the authority, he, together with any other person who normally resides with him or who might reasonably be expected to reside with him, can reasonably occupy or remain in occupation of,

Or

(b) he is living in a hospital, county home, night shelter or other such institution, and is so living because he has no accommodation of the kind referred to in paragraph (a), and

(c) he cannot provide accommodation from his own resources.

While the 1988 Act does not impose a duty on housing authorities to provide housing to people who are homeless, it does clearly give responsibility to the local authorities to consider their needs and expand their powers to respond to those needs. Specifically authorities may house homeless people from their own housing stock or through arrangement with a voluntary body. The Act also enables the local authority to provide a homeless person with money to source accommodation in the private sector.

Overcrowding

Overcrowding is not considered a direct emergency homeless accommodation requirement. Persons in such a situation will not be the main tenant of the property but named as an occupant, they should be encouraged to apply for housing directly because of the overcrowding (ensure this is highlighted on their Housing Application). As per the Limerick City and County Council Allocation Scheme 2017, 5th Priority is designated to Overcrowding as defined in Section 63 of the Housing Act 1966. See Appendix 2.

If a person or family present to HAT or Customer Services stating that they are already approved as a Housing Applicant, staff will ensure that they do have a valid Open Housing Application with the Status Overcrowding. This will allow the priority be dealt with correctly by the Allocation Team.

Emergency Accommodation Options Available (Via HAT Placement Only)

Temporary Emergency Accommodation Service: single females/males is provided by Novas (Edward Street)

Single Men:-

Emergency Accommodation for single men is provided by St. Vincent DePaul (St. Patrick's Hostel) Novas (Bro Russell House);

Mixed:- Emergency Accommodation for single females/males is provided by Novas (McGarry House);

Single Women:-

Emergency accommodation for single women is provided by Associated Charities Trust (Thomond House).

Families/Parent with Children:-

Emergency accommodation is provided in various Family Hub Units, this accommodation is a mix of self-contained family units and shared communal units within the city environs. In the event that no vacancies are available in family accommodation, support may be sourced in emergency Hotel / B&B accommodation.

Conditions of Stay in Emergency Accommodation

See Appendix 1 for a comprehensive list of conditions designed to support those Service Users availing of Emergency Accommodation. The conditions are there as a reminder that Emergency Accommodation is a shared living environment and the rights of other Service Users and Staff must be respected at all times. It also acknowledges the external environment of the Accommodation must be equally respected in terms local neighbours and persons in the area.

Exiting Emergency Accommodation

The HAT Team works daily with Approved Housing Bodies, Private Landlords and the Councils Allocations Team to secure accommodation for homeless households. Because of the current levels of single persons and families in Emergency Accommodation, Limerick City and County Council disregards the order of priority given to a household under an allocation scheme where the household is being provided with a social housing support.

The Household may receive 1 offer of reasonable accommodation, this offer may not be in their area of choice given the current demands on accommodation. Households will automatically be afforded the chance to be placed on the transfer list immediately if they should they wish.

See Appendix 3 – Legislative power to disregard allocations scheme.



Appendix 1 – Conditions of Stay in Emergency Accommodation

Agreement between the Emergency Accommodation service user and Limerick City & County Council

This form is in relation to _____ from date _____

- Where applicable rent must be paid on time as required by the service provider.
- Failure to use the accommodation for one night will result in the Council withdrawing it; alternative accommodation will not be offered.
- No other persons are permitted to stay in the accommodation without authorisation from the Council.
- Families are to comply with the rules of the establishment into which they are placed. The accommodation is to be kept in a clean and reasonable state.
- Any anti-social behaviour or interference with other occupiers will result in the accommodation being withdrawn; alternative accommodation will not be offered.
- House rules of the accommodation provider are to be adhered to at all times
- Families in emergency accommodation will be listed as homeless on the LCCC housing list and will be eligible for social housing supports such as RAS scheme, HAP, Long Term Leasing and Approved Housing Bodies' accommodation and Council tenancies.
- Offers of housing to families in emergency accommodation will be made where possible in their areas of choice. However, in the event of a suitable property not being available in an area of choice, offers may be made outside of this area. A refusal of any offer may result in withdrawal of emergency accommodation.
- I understand that my exit from homeless emergency accommodation is to private rented/HAP property or in exceptional circumstance council housing or AHB (Approved Housing Bodies) and any refusal of same or disengagement will result in the withdrawal of homeless services and accommodation

Whilst in the emergency accommodation you will receive support to assist you particularly with finding rented accommodation under the HAP Scheme; this support may be from staff within the service that you are residing in or social care staff from the Council. It is a requirement of your stay in emergency accommodation that;

- I agree to engage with the HAP Placefinder service if in emergency accommodation and acknowledgement that failure to engage will result in withdrawal of housing supports
- I will give my commitment to try and source private accommodation with the aid of HAP Placefinder and the completion of a tracker form outlining efforts to be confirmed by HAP place finder
- I acknowledge where lack of effort to source accommodation or where anti-social behaviour is apparent, there will be withdrawal of social housing supports

Breach of any of the above will result in the immediate withdrawal of homeless accommodation and supports and no alternative accommodation or supports will be offered by the Council.

Signed: _____
Service User

Date: _____

Signed: _____
Service User

Date: _____

Signed: _____
On Behalf of LCCC

Date: _____



Appendix 2 – Scheme of Allocations 2017

<https://www.limerick.ie/sites/default/files/media/documents/2017-09/Allocations%20Scheme%202017.pdf>

Appendix 3 – Disregard for Allocations Scheme

Allocation
of dwellings. 22.— (1)
This
section
applies
to—

(a) dwellings provided under the *Housing Acts 1966 to 2009* or Part V of the Planning and Development Act 2000 —

(i) of which a housing authority is the owner, or

(ii) of which the housing authority is not the owner and which are provided under a contract or lease between the housing authority and the owner concerned, including rental accommodation availability agreements,

and

(b) dwellings owned and provided by approved bodies to whom assistance is given under section 6 of the Act of 1992 for the purposes of such provision.

(2) A housing authority may allocate a dwelling under this section to a household in accordance with a scheme made under *subsection (3)*.

(3) A housing authority shall, not later than one year after the coming into operation of this section, in accordance with this section and any regulations made thereunder, make a scheme (in this Act referred to as an “ allocation scheme ”) determining the order of priority to be accorded in the allocation of dwellings to—

(a) households assessed under section 20 as being qualified for social housing support, and

(b) households, in receipt of social housing support, that have applied to the housing authority to transfer to another dwelling or to purchase a dwelling under *Part 3* and the housing authority consents to the transfer, or purchase, as the case may be.

(4) The Minister may make regulations providing for the matters to be included in an allocation scheme, including the following:

(a) the manner in which dwellings, or different categories of dwellings, are allocated to households;

(b) the order or priority in accordance with which dwellings are allocated under the allocation scheme;

(c) the conditions relating to refusals by a household of reasonable offers of social housing support offered in accordance with an allocation scheme by reference to the availability of social housing support in the administrative area concerned, the number of offers made to, and refusals made by, a household and the period during which those offers and refusals are made.

(5) Having regard to section 19 (4), a housing authority shall make provision in its allocation scheme for the proportion of dwellings in any part or parts of its administrative area which may be reserved for all or any of the following purposes:

(a) allocation to particular classes of household;

(b) particular forms of tenure;

(c) allocation to households transferring from other forms of social housing support.

(6) An allocation scheme may include conditions subject to which the preference of a household to reside in a particular area or areas may be taken into account in allocating a dwelling to such a household, including, but not necessarily limited to, conditions relating to—

(a) whether the household or any member of it currently resides, or at any time has resided, and for what period, in the area or areas concerned,

(b) the distance of the area or areas from the place of employment of any member of the household,



(c) whether any members of the household are attending any university, college, school or other educational establishment in the area or areas concerned, and

(d) whether any relatives of any member of the household reside in the area or areas concerned.

(7) Notwithstanding the generality of *subsection (2)*, a housing authority may disregard the order of priority given to a household under an allocation scheme where the household is being provided with social housing support—

(a) in a dwelling let to the household under a *Chapter 4* tenancy agreement having been assessed under *section 20 (3)*, or

(b) arising from specified exceptional circumstances, including displacement by fire, flood or any other emergency, development, redevelopment or regeneration of an area by the housing authority, or exceptional medical or compassionate grounds.