

*These notes refer to the Housing (Wales) Act 2014 (c.7)
which received Royal Assent on 17 September 2014*

HOUSING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 Homelessness

Section 82 - Duties to applicant whose case is considered for referral or referred

163. Subsection (1) explains when a local authority, seeking to refer an applicant's case to another local housing authority, ceases to owe a duty under section 68 and section 73 to that applicant. Where the duties do not apply, the authority seeking to make the referral must secure suitable accommodation for occupation by the applicant until he or she is notified of the actual decision on whether conditions for referral are met.
164. When the decision has been made about referral, the applicant must be notified in accordance with section 84. If the decision is that the conditions for referral are not met, the authority continues to owe the applicant a duty under section 73 (the duty to help secure accommodation for homeless applicants). Where conditions for a referral are met and the authority to which the case is to be referred (the "notified authority") is in Wales, the notified authority then becomes subject to the duty under section 73 in respect of the applicant. In cases where the notified authority is in England, the case should be dealt with in accordance with section 201A of the Housing Act 1996.
165. Subsections (5) and (6) set out the position if the applicant seeks a review of the notifying authority's decision. Subsection (7) makes provision for notices which are not received to be treated as given if they are made available for collection.