

Status: Point in time view as at 01/10/1996. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Housing Act 1996, Cross Heading: Interim duty to accommodate is up to date with all changes known to be in force on or before 26 May 2024. 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)



Housing Act 1996

1996 CHAPTER 52

PART VII

HOMELESSNESS

Interim duty to accommodate

VALID FROM 20/01/1997

188 Interim duty to accommodate in case of apparent priority need.

- (1) If the local housing authority have reason to believe that an applicant may be homeless, eligible for assistance and have a priority need, they shall secure that accommodation is available for his occupation pending a decision as to the duty (if any) owed to him under the following provisions of this Part.
- (2) The duty under this section arises irrespective of any possibility of the referral of the applicant's case to another local housing authority (see sections 198 to 200).
- (3) The duty ceases when the authority's decision is notified to the applicant, even if the applicant requests a review of the decision (see section 202).

The authority may continue to secure that accommodation is available for the applicant's occupation pending a decision on a review.

Modifications etc. (not altering text)

C1 Ss. 183-218 modified (3.4.1997) by S.I. 1997/797, art. 2(1)

189 Priority need for accommodation.

- (1) The following have a priority need for accommodation—

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- (a) a pregnant woman or a person with whom she resides or might reasonably be expected to reside;
 - (b) a person with whom dependent children reside or might reasonably be expected to reside;
 - (c) a person who is vulnerable as a result of old age, mental illness or handicap or physical disability or other special reason, or with whom such a person resides or might reasonably be expected to reside;
 - (d) a person who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster.
- (2) The Secretary of State may by order—
- (a) specify further descriptions of persons as having a priority need for accommodation, and
 - (b) amend or repeal any part of subsection (1).
- (3) Before making such an order the Secretary of State shall consult such associations representing relevant authorities, and such other persons, as he considers appropriate.
- (4) No such order shall be made unless a draft of it has been approved by resolution of each House of Parliament.

Modifications etc. (not altering text)

C2 Ss. 183-218 modified (3.4.1997) by [S.I. 1997/797](#), [art.2\(1\)](#)

Commencement Information

II S. 189 wholly in force 20.1.1997: s. 189 not in force at Royal Assent, see s. 232(1)-(3); s. 189(2)-(4) in force at 1.10.1996 by [S.I. 1996/2402](#), [art. 3](#) (with transitional provisions and savings in the [Sch.](#)); s. 189 in force at 20.1.1997 to the extent it is not already in force by [S.I. 1996/2959](#), [art. 2](#)

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