



Housing Act 1996

1996 CHAPTER 52

PART VII

HOMELESSNESS

Duty where other suitable accommodation available

[^{F1}197 **Duty where other suitable accommodation available.**

- (1) This section applies if the local housing authority would be under a duty under this Part—
 - (a) to secure that accommodation is available for occupation by an applicant, or
 - (b) to secure that accommodation does not cease to be available for his occupation,but are satisfied that other suitable accommodation is available for occupation by him in their district.
- (2) In that case, their duty is to provide the applicant with such advice and assistance as the authority consider is reasonably required to enable him to secure such accommodation.
- (3) The duty ceases if the applicant fails to take reasonable steps to secure such accommodation.
- (4) In deciding what advice and assistance to provide under this section, and whether the applicant has taken reasonable steps, the authority shall have regard to all the circumstances including—
 - (a) the characteristics and personal circumstances of the applicant, and
 - (b) the state of the local housing market and the type of accommodation available.
- (5) For the purposes of this section accommodation shall not be regarded as available for occupation by the applicant if it is available only with assistance beyond what the authority consider is reasonable in the circumstances.
- (6) Subsection (1) does not apply to the duty of a local housing authority under—

Status: Point in time view as at 31/07/2002.

Changes to legislation: *Housing Act 1996, Cross Heading: Duty where other suitable accommodation available is up to date with all changes known to be in force on or before 07 July 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)*

section 188 (interim duty to accommodate in case of apparent priority need), section 190(2)(a) (limited duty to person becoming homeless intentionally), or section 200(1), (3) or (4) (interim duties where case is considered for referral or referred).]

Textual Amendments

F1 S. 197 repealed (31.7.2002 for E. and otherwise *prosp.*) by 2002 c. 7, ss. 9, 18(2), 20(1), **Sch. 2** (with s. 20(4)); S.I. 2002/1799, **art. 2**

Modifications etc. (not altering text)

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

Status:

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