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Housing Act 1996

1996 CHAPTER 52

PART VII

HOMELESSNESS^[F1]: ENGLAND]

General functions in relation to homelessness or threatened homelessness

[F1]179 Duty of local housing authority in England to provide advisory services

- (1) Each local housing authority in England must provide or secure the provision of a service, available free of charge to any person in the authority's district, providing information and advice on—
 - (a) preventing homelessness,
 - (b) securing accommodation when homeless,
 - (c) the rights of persons who are homeless or threatened with homelessness, and the duties of the authority, under this Part,
 - (d) any help that is available from the authority or anyone else, whether under this Part or otherwise, for persons in the authority's district who are homeless or may become homeless (whether or not they are threatened with homelessness), and
 - (e) how to access that help.
- (2) The service must be designed to meet the needs of persons in the authority's district including, in particular, the needs of—
 - (a) persons released from prison or youth detention accommodation,
 - (b) care leavers,
 - (c) former members of the regular armed forces,
 - (d) victims of domestic abuse,
 - (e) persons leaving hospital,
 - (f) persons suffering from a mental illness or impairment, and
 - (g) any other group that the authority identify as being at particular risk of homelessness in the authority's district.

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- (3) The authority may give to any person by whom the service is provided on behalf of the authority assistance by way of grant or loan.
- (4) The authority may also assist any such person—
- (a) by permitting the person to use premises belonging to the authority,
 - (b) by making available furniture or other goods, whether by way of gift, loan or otherwise, and
 - (c) by making available the services of staff employed by the authority.
- (5) In this section—
- “care leavers” means persons who are former relevant children (within the meaning given by section 23C(1) of the Children Act 1989);
- “domestic abuse” means—
- (a) physical violence,
 - (b) threatening, intimidating, coercive or controlling behaviour, or
 - (c) emotional, financial, sexual or any other form of abuse,
- where the victim is associated with the abuser;
- “financial abuse” includes—
- (a) having money or other property stolen,
 - (b) being defrauded,
 - (c) being put under pressure in relation to money or other property, and
 - (d) having money or other property misused;
- “hospital” has the same meaning as in the National Health Service Act 2006 (see section 275(1) of that Act);
- “regular armed forces” means the regular forces as defined by section 374 of the Armed Forces Act 2006;
- “youth detention accommodation” means—
- (a) a secure children's home,
 - (b) a secure training centre,
 - (c) a secure college,
 - (d) a young offender institution,
 - (e) accommodation provided by or on behalf of a local authority for the purpose of restricting the liberty of children;
 - (f) accommodation provided for that purpose under section 82(5) of the Children Act 1989, or
 - (g) accommodation, or accommodation of a description, for the time being specified by order under section 107(1)(e) of the Powers of Criminal Courts (Sentencing) Act 2000 (youth detention accommodation for the purposes of detention and training orders).]

Textual Amendments

F1 S. 179 substituted (3.4.2018) by [Homelessness Reduction Act 2017 \(c. 13\)](#), **ss. 2**, 13(3); [S.I. 2018/167](#), reg. 3(b)

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180 Assistance for voluntary organisations.

- (1) The Secretary of State or a local housing authority [^{F2}in England] may give assistance by way of grant or loan to voluntary organisations concerned with homelessness or matters relating to homelessness.
- (2) A local housing authority may also assist any such organisation—
 - (a) by permitting them to use premises belonging to the authority,
 - (b) by making available furniture or other goods, whether by way of gift, loan or otherwise, and
 - (c) by making available the services of staff employed by the authority.
- (3) A “voluntary organisation” means a body (other than a public or local authority) whose activities are not carried on for profit.

Textual Amendments

F2 Words in s. 180(1) inserted (27.4.2015) by [Housing \(Wales\) Act 2014 \(anaw 7\)](#), s. 145(3), [Sch. 3 para. 6](#); [S.I. 2015/1272](#), art. 2, [Sch. para. 53](#) (with art. 7)

181 Terms and conditions of assistance.

- (1) This section has effect as to the terms and conditions on which assistance is given under section 179 or 180.
- (2) Assistance shall be on such terms, and subject to such conditions, as the person giving the assistance may determine.
- (3) No assistance shall be given unless the person to whom it is given undertakes—
 - (a) to use the money, furniture or other goods or premises for a specified purpose, and
 - (b) to provide such information as may reasonably be required as to the manner in which the assistance is being used.

The person giving the assistance may require such information by notice in writing, which shall be complied with within 21 days beginning with the date on which the notice is served.

- (4) The conditions subject to which assistance is given shall in all cases include conditions requiring the person to whom the assistance is given—
 - (a) to keep proper books of account and have them audited in such manner as may be specified,
 - (b) to keep records indicating how he has used the money, furniture or other goods or premises, and
 - (c) to submit the books of account and records for inspection by the person giving the assistance.
- (5) If it appears to the person giving the assistance that the person to whom it was given has failed to carry out his undertaking as to the purpose for which the assistance was to be used, he shall take all reasonable steps to recover from that person an amount equal to the amount of the assistance.

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- (6) He must first serve on the person to whom the assistance was given a notice specifying the amount which in his opinion is recoverable and the basis on which that amount has been calculated.

182 Guidance by the Secretary of State.

- (1) In the exercise of their functions relating to homelessness and the prevention of homelessness, a local housing authority or social services authority [^{F3}in England] shall have regard to such guidance as may from time to time be given by the Secretary of State.
- (2) The Secretary of State may give guidance either generally or to specified descriptions of authorities.

Textual Amendments

- F3** Words in s. 182(1) inserted (27.4.2015) by [Housing \(Wales\) Act 2014 \(anaw 7\)](#), s. 145(3), [Sch. 3 para. 7](#); [S.I. 2015/1272](#), art. 2, [Sch. para. 53](#) (with art. 7)

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