



Housing Act 1996

1996 CHAPTER 52

PART VII

HOMELESSNESS

Application for assistance in case of homelessness or threatened homelessness

184 Inquiry into cases of homelessness or threatened homelessness.

- (1) If the local housing authority have reason to believe that an applicant may be homeless or threatened with homelessness, they shall make such inquiries as are necessary to satisfy themselves—
 - (a) whether he is eligible for assistance, and
 - (b) if so, whether any duty, and if so what duty, is owed to him under the following provisions of this Part.
 - (2) They may also make inquiries whether he has a local connection with the district of another local housing authority in England, Wales or Scotland.
 - (3) On completing their inquiries the authority shall notify the applicant of their decision and, so far as any issue is decided against his interests, inform him of the reasons for their decision.
- [^{F1}(3A) If the authority decide that a duty is owed to the applicant under section 193(2) or 195(2) but would not have done so without having had regard to a restricted person, the notice under subsection (3) must also—
- (a) inform the applicant that their decision was reached on that basis,
 - (b) include the name of the restricted person,
 - (c) explain why the person is a restricted person, and
 - (d) explain the effect of section 193(7AD) or (as the case may be) section 195(4A).]

Status: Point in time view as at 01/06/2009. This version of this provision has been superseded.

Changes to legislation: Housing Act 1996, Section 184 is up to date with all changes known to be in force on or before 02 September 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)

- (4) If the authority have notified or intend to notify another local housing authority under section 198 (referral of cases), they shall at the same time notify the applicant of that decision and inform him of the reasons for it.
- (5) A notice under subsection (3) or (4) shall also inform the applicant of his right to request a review of the decision and of the time within which such a request must be made (see section 202).
- (6) Notice required to be given to a person under this section shall be given in writing and, if not received by him, shall be treated as having been given to him if it is made available at the authority's office for a reasonable period for collection by him or on his behalf.
- [^{F2}(7) In this Part “a restricted person” means a person—
- (a) who is not eligible for assistance under this Part,
 - (b) who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996, and
 - (c) either—
 - (i) who does not have leave to enter or remain in the United Kingdom, or
 - (ii) whose leave to enter or remain in the United Kingdom is subject to a condition to maintain and accommodate himself, and any dependants, without recourse to public funds.]

Textual Amendments

- F1** S. 184(3A) inserted (2.3.2009 for specified purposes) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), [Sch. 15 para. 3\(2\)](#); S.I. 2009/415, art. 2
- F2** S. 184(7) inserted (2.3.2009 for specified purposes) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), [Sch. 15 para. 3\(3\)](#); S.I. 2009/415, art. 2

Modifications etc. (not altering text)

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

Status:

Point in time view as at 01/06/2009. This version of this provision has been superseded.

Changes to legislation:

Housing Act 1996, Section 184 is up to date with all changes known to be in force on or before 02 September 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.