



# Housing Act 1996

## 1996 CHAPTER 52

### PART VII

#### HOMELESSNESS<sup>[F1]</sup>: ENGLAND]

##### *Duties to persons found to be homeless or threatened with homelessness*

#### **[F1]193B Notices in cases of an applicant's deliberate and unreasonable refusal to cooperate**

- (1) Section 193C applies where—
  - (a) a local housing authority owe a duty to an applicant under section 189B(2) or 195(2), and
  - (b) the authority give notice to the applicant under subsection (2).
- (2) A local housing authority may give a notice to an applicant under this subsection if the authority consider that the applicant has deliberately and unreasonably refused to take any step—
  - (a) that the applicant agreed to take under subsection (4) of section 189A, or
  - (b) that was recorded by the authority under subsection (6)(b) of that section.
- (3) A notice under subsection (2) must—
  - (a) explain why the authority are giving the notice and its effect, and
  - (b) inform the applicant that the applicant has a right to request a review of the authority's decision to give the notice and of the time within which such a request must be made.
- (4) The authority may not give notice to the applicant under subsection (2) unless—
  - (a) the authority have given a relevant warning to the applicant, and
  - (b) a reasonable period has elapsed since the warning was given.
- (5) A “relevant warning” means a notice—

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*Changes to legislation: Housing Act 1996, Section 193B is up to date with all changes known to be in force on or before 13 June 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) View outstanding changes*

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- (a) given by the authority to the applicant after the applicant has deliberately and unreasonably refused to take any step—
    - (i) that the applicant agreed to take under subsection (4) of section 189A, or
    - (ii) that was recorded by the authority under subsection (6)(b) of that section,
  - (b) that warns the applicant that, if the applicant should deliberately and unreasonably refuse to take any such step after receiving the notice, the authority intend to give notice to the applicant under subsection (2), and
  - (c) that explains the consequences of such a notice being given to the applicant.
- (6) For the purposes of subsections (2) and (5), in deciding whether a refusal by the applicant is unreasonable, the authority must have regard to the particular circumstances and needs of the applicant (whether identified in the authority's assessment of the applicant's case under section 189A or not).
- (7) The Secretary of State may make provision by regulations as to the procedure to be followed by a local housing authority in connection with notices under this section.
- (8) A notice under this section must be given in writing and, if not received by the applicant, is to be treated as having been given to the applicant if it is made available at the authority's office for a reasonable period for collection by or on behalf of the applicant.]

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**Textual Amendments**

- F1** Ss. 193A-193C inserted (12.2.2018 for specified purposes, 3.4.2018 in so far as not already in force) by [Homelessness Reduction Act 2017 \(c. 13\)](#), ss. [7\(1\)](#), [13\(3\)](#); S.I. 2018/167, regs. [2\(a\)](#), [3\(g\)](#)

**Changes to legislation:**

Housing Act 1996, Section 193B is up to date with all changes known to be in force on or before 13 June 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.

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**Changes and effects yet to be applied to :**

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124(1A) inserted by [2016 c. 22 Sch. 7 para. 20\(2\)](#)
- s. 124(6) inserted by [2016 c. 22 Sch. 7 para. 20\(6\)](#)
- s. 124A124B inserted by [2016 c. 22 Sch. 7 para. 21](#)
- s. 125A(3A)(3B) inserted by [2016 c. 22 Sch. 7 para. 22\(3\)](#)
- s. 130A inserted by [2016 c. 22 Sch. 8 para. 7](#)
- s. 133(1A) inserted by [2016 c. 22 Sch. 8 para. 9\(2\)](#)
- s. 143J(3A) inserted by [2016 c. 22 Sch. 8 para. 13\(2\)](#)
- s. 143J(7)(a) words omitted by [S.I. 2022/1166 reg. 25\(11\)\(b\)](#) (This amendment comes into force immediately after 2016 c. 22, s. 120 and Sch. 8 para. 13(3) come into force)
- s. 143GA143GB inserted by [2016 c. 22 Sch. 8 para. 10](#)
- s. 143MA(3A)-(3D) inserted by [2016 c. 22 Sch. 7 para. 27\(3\)](#)
- s. 143MB inserted by [2016 c. 22 Sch. 7 para. 28](#)