



Localism Act 2011

2011 CHAPTER 20

PART 7

HOUSING

CHAPTER 1

ALLOCATION AND HOMELESSNESS

Homelessness

148 Duties to homeless persons

(1) Section 193 of the Housing Act 1996 (duty to persons with priority need who are not homeless intentionally) is amended as follows.

(2) Omit subsection (3A).

(3) For subsection (5) substitute—

“(5) The local housing authority shall cease to be subject to the duty under this section if—

- (a) the applicant, having been informed by the authority of the possible consequence of refusal or acceptance and of the right to request a review of the suitability of the accommodation, refuses an offer of accommodation which the authority are satisfied is suitable for the applicant,
- (b) that offer of accommodation is not an offer of accommodation under Part 6 or a private rented sector offer, and
- (c) the authority notify the applicant that they regard themselves as ceasing to be subject to the duty under this section.”

(4) In subsection (7) after “refusal” insert “ or acceptance ”.

Status: Point in time view as at 22/11/2012.

Changes to legislation: Localism Act 2011, Section 148 is up to date with all changes known to be in force on or before 15 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)

- (5) In subsection (7AA)—
- (a) omit “In a restricted case”,
 - (b) after “informed” insert “ in writing ”, and
 - (c) in paragraph (a) for “private accommodation offer” substitute “ private rented sector offer ”.
- (6) In subsection (7AB)—
- (a) in paragraph (a) after “refusal” insert “ or acceptance ”, and
 - (b) at the end of paragraph (b) insert “, and
 - (c) in a case which is not a restricted case, the effect under section 195A of a further application to a local housing authority within two years of acceptance of the offer.”
- (7) In subsection (7AC) for “private accommodation offer” substitute “ private rented sector offer ”.
- (8) Omit subsections (7B) to (7E).
- (9) In subsection (7F)—
- (a) at the end of paragraph (a) insert “ or ”,
 - (b) in paragraph (ab) for “private accommodation offer” substitute “ private rented sector offer ”,
 - (c) omit paragraph (b), and
 - (d) in the words following that paragraph for “it is reasonable for him to accept the offer” substitute “ subsection (8) does not apply to the applicant. ”
- (10) For subsection (8) substitute—
- “(8) This subsection applies to an applicant if—
- (a) the applicant is under contractual or other obligations in respect of the applicant's existing accommodation, and
 - (b) the applicant is not able to bring those obligations to an end before being required to take up the offer.”
- (11) After subsection (9) insert—
- “(10) The appropriate authority may provide by regulations that subsection (7AC) (c) is to have effect as if it referred to a period of the length specified in the regulations.
- (11) Regulations under subsection (10)—
- (a) may not specify a period of less than 12 months, and
 - (b) may not apply to restricted cases.
- (12) In subsection (10) “the appropriate authority”—
- (a) in relation to local housing authorities in England, means the Secretary of State;
 - (b) in relation to local housing authorities in Wales, means the Welsh Ministers.”

Status: Point in time view as at 22/11/2012.

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Commencement Information

II S. 148 in force at 9.11.2012 for E. by S.I. 2012/2599, **arts. 1(2), 2** (with **art. 3**)

Status:

Point in time view as at 22/11/2012.

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