

Suitability

This factsheet explains what is meant by suitable accommodation and what you can do if you are offered a property which you think is not suitable.

If you are owed the full housing duty because you have made a successful homeless application, the council must offer you suitable accommodation - which might be temporary - until its duty ends.

Suitable accommodation does not mean that it must meet all your wishes. It means that the council must comply with minimum legal requirements regarding the condition of the property and must consider your and your family's circumstances, both when it makes the offer and afterwards if your circumstances change.

Location

As far as possible, the council should offer you accommodation within its area. When this is not possible, the council might offer you accommodation anywhere in England. However, it must take into account whether its location disrupts your and your family's employment, caring responsibilities, education, if it is too far away from local facilities (eg shops, GP surgeries, hospitals etc.) and your support network, or if there is a particular risk of violence, harassment, or any type of discrimination that may affect you or your family.

Affordability

The council must take into account what you can afford to pay. If you have to go without essentials like food or heating in order to pay the rent, the accommodation will be unsuitable. The council must consider how much it will cost you in rent, service charges, council tax, deposit, letting agency fees, etc. It should also look at your other essentials such as child support payments and unavoidable travel costs.

Your needs

The council must take into consideration all of your needs, including medical and social needs, especially if you or a member of your family are disabled. If you have pets, the council should consider offering you a place where you are allowed to keep them.

Housing conditions

The accommodation you are offered should be in reasonable condition and, when it is a final offer of long-term accommodation, it

must meet specific additional standards: any electrical equipment provided must be safe, reasonable precautions to ensure fire safety and avoid carbon monoxide poisoning must have been taken, there is a current gas safety record and a valid energy performance certificate.

The accommodation should be large enough so that you and your family are not overcrowded. If the accommodation is a HMO (ie a house in multiple occupation in which more than one household shares a basic amenity, such as bathroom, toilet or cooking facilities) which is subject to mandatory or additional licensing, the council must ensure that it is licensed. There are also rules about when the council can offer bed and breakfast accommodation, so you may want to get advice if you are expected to live in bed and breakfast for more than a very short time.

Private landlord

In many cases, neither the council nor a housing association will be your landlord. Instead, the council may arrange a tenancy with a private landlord. If so, you may want to find out if the landlord has signed up to a 'tenant's charter' which explains the minimum standards of your tenancy.

Request a review

You should get advice straight away if the council makes you an offer that you feel is not suitable. If you turn down the offer, it might mean that the council's duty to you ends. It is usually best to accept the offer and ask for a review at the same time. Otherwise you must request a review within 21 days of the offer. It is best to do this in writing, giving reasons why you don't think the accommodation is suitable.

Further advice

You can get further advice from Shelter's free* housing advice helpline (0808 800 4444), a local Shelter advice service or citizens advice bureau, or by visiting shelter.org.uk/advice or adviceguide.org.uk

*Calls are free from UK landlines and main mobile networks.

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Shelter

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Note for advisers

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