BARNSLEY
Metropolitan Borough Council

Adults & Communities Directorate
Communities
Phil Hollingsworth, Service Director

«CustomerTitle»«CustomerLastName»
«CustomerCurrentAddressMultiLine»

My Ref: «CaseReference»
Your Ref:
Date: «DateToday»
Enquiries to: «CaseOfficerName»
Direct Dial: «CaseOfficerWorkPhoneNumber»
E-Mail: «CaseOfficerEmailAddress»

Dear «CustomerTitle»«CustomerFirstName»«CustomerLastName»

Re: Your application for assistance under Part VII Housing Act 1996, as amended

FINAL ACCOMMODATION OFFER UNDER PART VI

ADDRESS: xxxx,
TYPE AND SIZE: xxxx,
RENT:

This letter is to make you a **final offer** of accommodation of the above address in order to fulfil our main housing duty.

In making this offer, we have taken full account of your housing and support needs, based on the most up to date information available to us. We believe the offer is suitable accommodation and it is reasonable for you to accept it.

This is accommodation managed by Berneslai Homes on behalf of Barnsley Council and is offered to you on an introductory tenancy. I am satisfied that the property is of adequate size for your household, is accessible to you, is in a suitable location, is affordable to you, and is in a reasonable condition. I am satisfied that the security of tenure offered means that you can continue to reside in the property whilst ever you are complying with the terms of your tenancy agreement.

This offer of accommodation is made within the terms of the Housing Act 1996 Part 7 and is a **final offer** for the purposes of Section 193(7).

The consequence of you accepting *OR* refusing this offer of accommodation is that the Council will no longer be subject to any duty to you under the homelessness legislation. If you are occupying temporary accommodation, this means that you will be given notice to leave, and it means we will not make any further offers of accommodation to you at this time.

Right to a Review, S202 Housing Act 1996:

You have a right to a review of this decision. If you are unhappy with this decision you should tell us why within **21 days** of receipt of this decision. We would prefer you to tell us in writing, either in your own words or by completing the form below.

Please give us all your reasons and any information that you think should be taken into account. Any such request must be made within 21 days of receipt of this notice and should be sent to Housing & Welfare, PO BOX 679, Barnsley, South Yorkshire S70 9JE or to adviceservices@barnsley.gov.uk. Full details of the review procedure are below.

If you wish to discuss your case for clarification prior to requesting a review, or if there has been any change in your circumstances that I am not aware of, please contact me on the above telephone number.

You also have the right to seek further advice from the Citizens Advice Bureau on 0344 411 1444, from Shelter, South Yorkshire on 0844 515 1690 or from a local solicitor.

Yours sincerely

«CaseOfficerName»
Housing Officer

Right to Request a Review

This document provides important information about the review procedure and what you should do.

What can I request a review of?
Under section 202(1) you have the right to request a review the council's decision:

a) of your eligibility for assistance;

b) what duty (if any) is owed to you, in relation to the duties owed to persons found to be homeless or threatened with homelessness;

c) of the steps you are to take in your personalised housing plan at the prevention duty;

d) to give notice to bring the prevention duty to an end;

e) of the steps you are to take in your personalised housing plan at the relief duty;

f) to give notice to bring the relief duty to an end;

g) to give notice in cases of deliberate and unreasonable refusal to co-operate (section 193B(2));

h) to refer your case to another authority where the council considers that the conditions for referral are met (section 198(1));

i) as to whether the conditions are met for the referral of your case to another housing authority at the relief duty or main housing duty (under section 198(5)). This includes a decision reached either by agreement between the notifying and notified authority, or taken by a person appointed under the *Homelessness (Decisions on Referrals) Order 1998* where agreement cannot be reached;

j) where a decision is made that the conditions for referral are not met (section 200(3)) or a decision that the conditions for referral to a notified authority in Wales are met (section 200(4));

k) The suitability of accommodation offered under any of the provisions in paragraph (b) or (j) above or the suitability of accommodation offered under Part 6 (section 193(7)). <u>You can request a review of the suitability of accommodation whether or not you have accepted the offer</u> (section 202(1B));

l) The suitability of accommodation offered by way of a private rented sector offer (section 193), or

m) The suitability of accommodation offered by way of a final accommodation offer or a final Part 6 offer (under section 193A or 193C). <u>You can request a review of the suitability of accommodation whether or not you have accepted the offer</u>.

How long do I have to submit a review request?

You must request a review before the end of the period of **21 days** beginning with the day on which you were notified of the decision.

How should I submit my request?
You can contact the service (as detailed below) to inform us of your request for review. Although you are not required to do so, in order for us to fully consider your reasons for requesting a review, we would prefer the request is made in writing, clearly setting out the grounds or reasons for requesting a review.

What if I am not able to make a written request?
If you are unable to submit a written request you may ask a friend, relative or other person to submit this on your behalf. Alternatively assistance with requesting a review can be provided by Shelter, CAB or a solicitor. If you have no one to request the review on your behalf, you can do so verbally by calling the team on 01226 773870 and request to speak to a Senior Housing Advisor or Team Leader.

Can I provide documents or more information?
You, or someone acting on your behalf, may make written representations in connection with the request for a review and we would encourage you to provide any relevant information in support of your review. You must ensure you inform the council that you give consent to communicate with a chosen representative.

Who will make a decision on my request for a review?
The review will be carried out by an officer of the council, the officer will not have been involved in the original decision, and they will be senior to the officer who took that decision.

What information will you take into account?
In reviewing a decision, the council will need to have regard to any information relevant to the period before the decision was made (even if only obtained afterwards) as well as any new relevant information obtained since the decision.

How long will it take for a decision to be made?
The period within which you, or a person acting on your behalf, must be notified of the decision on review is:

- 8 weeks from the day of the request for a review, where the original decision falls within section 202(1)(a), (b), (c) , (e) or (f);
- 10 weeks, where the decision was made jointly by two housing authorities under section 198(5) (a decision on whether the conditions for referral are met);
- 12 weeks, where the decision under section 198(5) is taken by a person appointed pursuant to the Schedule to the Homelessness (Decisions on Referrals) Order (SI 1998 No.1578).

How will I be informed of the outcome?
Section 203 requires the council to notify you in writing of the decision on the review and include the reasons for the decision where it:

a) confirms the original decision on any issue against the interests of the applicant;
b) confirms a previous decision to notify another housing authority under section 198(1) (referral of case under the main housing duty); or,
c) confirms a previous decision that the conditions for referral of a case under the relief duty or main housing duty are met in the applicant's case.

The notification will advise you of your right to appeal to the County Court under section 204 against a review decision on a point of law, and of the period within which to appeal.

Contacting Housing & Welfare

If you have any questions or queries, or would like to request a review you can contact us by:

Telephone	01226 773870
Email	adviceservices@barnsley.gov.uk or;
In writing	Housing & Welfare, PO Box 679, Barnsley, South Yorkshire S70 9JE

Request for a Review - Under section 202(1)

Full Name	
Current Address	
Date of Birth	
Telephone Number	
Email address	

Decision Letter reference No.	*This is in the top right of the letter*
Date of Decision	

Please state the reason(s) why you disagree with the decision made. If you need more space please continue on a separate sheet of paper and number the pages in order.

Continued

Signature:

Date:

Please return your review request:

Email	adviceservices@barnsley.gov.uk or;
Post / By Hand	Housing & Welfare, PO Box 679, Barnsley, South Yorkshire, S70 9JE