

Dear

**S199A(3) DECISION RESULT
(Housing Act 1996 as amended)**

I write regarding your homeless application made on the [give date].

I previously wrote to you on [date of S184(4) decision] advising you that this Authority had decided that:

- You are homeless
- You are eligible for assistance
- You have no local connection with [your council] and that
- You have a local connection with the district of [notified authority]

Conditions for Referral

Sections 198(2), (2ZA) and (4) describe the conditions which must be satisfied before a referral may be made. Section 198(2) states that the conditions for referral of a case to another authority are met if:

a. neither the applicant nor any person who might reasonably be expected to live with them has a local connection with its district; and,

b. the applicant or a person who might reasonably be expected to live with them has a local connection with the district of the authority to be notified; and,

c. none of them will be at risk of domestic abuse or other violence, or threat of domestic abuse or other violence which is likely to be carried out, in the district of the authority to be notified.

I am satisfied that S198(2) applies to you. In these circumstances, Section 198(A1) and Section 199A of the Housing Act 1996 allowed us to refer your application to [notified authority] and on the [give date] this Authority decided to exercise its discretion to make such a referral.

I can now confirm that [notified authority] has agreed that the conditions are met and have accepted our referral.

In reaching this decision I have taken into account all the information held on your housing file and in particular the following:

- The Homeless Code of Guidance 2018 as amended and in particular Chapter 10
- The Local Government Agreement 2018

Local Connection with [Your Council]

Prove no local connection with your council (please delete this)

Residency

Looking at your address history over the last five years it is evident that you have not been resident in our district for six out of the last twelve months or three out of the last five years.

[give details]

Given the above, I am not satisfied that you have a local connection due to residency.

Employment

It is evident that you are not employed in this district.

[give details e.g. they are claiming benefits and not working or working in another district]

Given the above, I am not satisfied that you have a local connection due to employment.

Family Associations

I am also satisfied that you do not have a local connection with this Authority due to family associations. I have taken account of the fact that you do not have a parent, adult son or daughter, or brother or sister who has lived in [your council] for the last five years or other family associations, which gives you such a connection.

- Be mindful of paragraph 10.10 of the Homelessness Code of Guidance 2018. (please delete this)

Special Circumstances

I am not satisfied that you have a local connection with this district due to special circumstances. For example, you do not have a need to be near to special medical or support services which are only available in our district.

Sections 22A & 23C Children's Act 1989

You are not a person owed a duty under Section 23C, Children Act 1989, *i.e.* is a "former relevant child" by the council's Social Services, or a person aged under 21 which has been provided with accommodation under Section 22A, Children Act 1989 (accommodation for children in care) and been living in our district for at least two years.

Given the above, I am not satisfied that you have a local connection due to Section 23C or Section 22A.

Accommodation under Section 95 of the Immigration and Asylum Act 1999

You are also not a person who was accommodated in our district under Section 95 of the Immigration and Asylum Act 1999 and which was the last such accommodation provided.

Given the above, I am not satisfied that you have a local connection due to being provided with Section 95 accommodation.

S198(2ZA)

As your address history for the last five years shows, you are not a person who accepted a private rented sector property from us in discharge of our main duty and whereby your acceptance of this offer was within the last two years.

Given the above, I am not satisfied that you have a local connection due to S198(2ZA).

S198(4)

As your address history for the last five years shows, you were not on a previous application to this Authority and whereby we are seeking to refer you to a district in which you were placed there by us within the last five years.

Given the above, I am not satisfied that you have a local connection due to S198(4).

Given the above, I am satisfied that you do not have a local connection with this Authority.

Local Connection with [notified authority]

I am satisfied that you have a local connection with [notified authority].

[Give detailed reasons – specify under what criteria they have a local connection with that Authority and provide proof in the decision letter]

Threat of Violence in the district of [notified authority]

In seeking to refer you to [notified authority], I am satisfied that you will not run the risk of violence if you were to return to that district.

[Prove that they will not run the risk of violence if they were to return to that district]

Given the above, I am satisfied that the conditions for your referral to [notified authority] are met.

This means that you are considered to have made a homeless to that [notified authority] and that our Authority will not be subject to the Relief duty. This duty will rest with [notified authority].

This also means that your interim accommodation at [address] will be terminated on the [give date]. (please delete if not relevant.)

If you disagree with this decision

You can request a review of this decision under Section 202 of the Housing Act 1996 as amended within 21 days of being notified of the authority's decision. Please note that review requests made outside of the time limited may not be considered.

Yours sincerely,