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Date

Our Ref : /
Your Ref :

Your Contact :

Alternative ref No :

Final Offer of a Private Rented Sector Offer under the Housing Act 1996, Part VII as amended by the Homelessness Act 2002 and the Localism Act 2011.

Dear

We wrote to you on the *date* to confirm that the Council had accepted the full homeless duty to you under section 193(2). That duty was to secure suitable accommodation.

We informed you that the Council could discharge that duty to you by arranging for a private landlord to make you an offer of an assured short-hold tenancy in the private rented sector for a period of at least 12 months (“a private rented sector offer”).

This decision has been taken after a full consideration of your individual circumstances and the facts that apply to your case. Having undertaken this consideration the council is satisfied that it is appropriate to exercise the power given to it under the Housing Act 1996 (as amended) and to discharge its duty to you by arranging for a private landlord to make you an offer of an assured short-hold tenancy in the private rented sector for a period of at least 12 months (“a private rented sector offer”).

I am pleased to offer you the following accommodation (*insert address*).....

The property is a (*give details ie a flat house, on 1st floor at a rent of £ pw*) for a term of

Please note that this suitable offer of private sector accommodation will discharge our duty to you whether you accept or refuse the property and that you will receive only this one suitable offer of accommodation.

Under section 193(7AA) a local authority shall cease to be subject to the main homelessness duty, if having informed you of the matters mentioned in section 193(7AB), you accept or refuse this private rented sector offer.

I must inform you in writing of the following matters:

(a) That if you accept or reject this suitable PRSO offer of accommodation it will discharge our duty to you whether you accept or refuse the property offered

(b) That you have the right to request a review of the suitability of the accommodation offered, and any such request for a review must be received within 21 days of the date you are notified of our decision to discharge the duty to you. I must also inform you that even if you accept the offer you can continue to request a review of our decision that the accommodation offered to you is suitable under section 202(1)(f). If you do wish to accept the offer and seek a review you must sign for the tenancy and move into the accommodation. The accommodation cannot be left vacant for you pending the outcome of any review.

(c) I must also inform you of what will happen if you were to become homeless within two years of acceptance of this offer and make a further application to this or any other English Local Authority. This is information concerning the reapplication duty. If you become homeless again within 2 years of accepting the PRSO offer and make a re-application for assistance within this 2 year period of accepting a private rented sector offer, and you are at that time eligible for assistance and have become homeless unintentionally a new duty to accommodate you will occur under section 193(2) regardless of whether you still have a priority need.

This is a *private rented sector offer* defined by section 193(7AC) as an offer of an assured shorthold tenancy made by a private landlord to an applicant in relation to any accommodation which:

- (a) Has been made available for the applicant's occupation by a private landlord,
- (b) Is made with the approval of the authority, in pursuance of arrangements made by the authority with the landlord with a view to bringing the section 193(2) duty to an end, and
- (c) Is a fixed term Assured Shorthold Tenancy for a period of at least 12 months.

An agent from _____ will meet you at _____ on _____ at _____. (*Complete or delete*)

The offer of accommodation cannot be held open for you for more than 24 hours and the Council will assume that you have refused the accommodation offered if you fail to attend.

The Council considers this offer of accommodation to be suitable for you and your household. In reaching its decision that this is a suitable offer of accommodation to discharge our duty to you the Council have fully considered

- 1) The Homelessness (Suitability of Accommodation) (England) Order 2012 and specifically all the statutory requirements in part 1 which cover the suitability of the location of accommodation and Part 2 which sets out the circumstances in which accommodation is not to be regarded as suitable for a person.
- 2) That the property is suitable in relation to existing suitability requirements that relate to space and arrangement.

- 3) Any other subjective matters and issues that relate to your circumstances and that of any other household members obtained by the Council from our investigation of your application.
- 4) That the accommodation is affordable having fully considered the cost of the rent and any other expenditure relating to the property compared to the income available to you with or without benefits and specifically the outgoings which are needed for you to feed and clothe yourself and your household; heat the property, plus any other expenditure that we are satisfied is essential to meet the ordinary necessities of life, plus all other reasonable living expenses
- 5) All existing legislation, statutory guidance and caselaw relating to making suitable offers of accommodation and specifically paragraphs 17.40 and 17.41 of the Homelessness Code of Guidance.
- 6) In making this offer I have had regard to the Public Sector Equality Duty.
- 7) I have also had regards to our placement policy.

Please note this is a final offer of suitable accommodation to discharge the Councils' duty to you. The consequences of you accepting or refusing the accommodation is that the Council will no longer be subject to any further duty to you under the homelessness legislation including any duty to provide temporary accommodation.

Any applicant offered a suitable PRSO offer of accommodation has a right to accept the tenancy, move in and still seek a review regarding its suitability. This letter therefore formally advises you that you have the right to request a review if you believe the accommodation to be unsuitable. However, you are strongly advised to protect your position and ensure that you have accommodation to live in by accepting the offer and still exercising your right to review its suitability. If the review finds in your favour the council will still be under a duty to provide you with an offer of suitable accommodation. Any such request for a review must be received within 21 days of the date you are notified of this decision.

Yours sincerely

Private Rented Sector Officer