

## Key issues from Housing Campaign Workshop, Jan '24.

In January 2024, over two mornings, Birmingham Citizens leaders gathered for training and learning to unpack basic housing rights. In summary, what should happen as per the local council's website versus what actually happens when our families seek help from it.

Using exact webpage links covering current information and advice from Birmingham City Council, the team of faith, education, voluntary org and social enterprise leaders evaluated each category based on stories from the lived experiences of families they support through advice and casework over the past 4 years.

In the next 7 pages, we summarise what we unpacked in a handout from the workshop and invite those in decision making positions to respond.

**Information, advice, and guidance booklet (general housing concerns) - December 2023:** [Information, advice, and guidance booklet \(general housing concerns\) - December 2023 | Birmingham City Council](#)

**Where to seek general advice & help from the Council in person and on the phone:** [Customer Service Centres | Birmingham City Council](#)

### **If you live in a private rented home:**

1. If you can't afford your rent or landlord asks you to leave, apply for a housing needs assessment (this is NOT a housing register or a homelessness application): [Request a housing needs assessment - Page 1 - Status - Birmingham City Council](#)
2. What a Housing Needs Assessment is? [What a housing needs assessment is | About your housing needs assessment | Birmingham City Council](#)  
**It seems many of our families do not have this process properly explained to them, as they are not clearly told this is not an application to the council's housing register nor a homeless application.**
3. The council has a legal duty to help prevent you from being homeless (this doesn't mean give you a council tenancy): [Prevention duty | About your housing needs assessment | Birmingham City Council](#)
4. After applying for a Housing Needs Assessment, the council should make a Personal Housing Plan – what is it and what should be in it? [Personal housing plans - Shelter England](#) and see [Personalised housing plan | About your housing needs assessment | Birmingham City Council](#)
5. Council help on finding private rented accommodation: [Finding private rented accommodation in Birmingham | Private renting | Birmingham City Council](#). Details of the Accommodation Finding Team at the council: [Accommodation Finding Team \(AFT\) | Birmingham City Council](#)  
**We welcome the setting up of this team. Not clear who they pick to help as we don't know any family from across our membership who have been helped to secure private rented accommodation by them.**

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6. Council help to pay rent deposit and other costs (includes applying for [Discretionary Housing Payment](#) (DHP) to also top up Housing Benefit to cover rent): [Costs and charges | Private renting | Birmingham City Council](#) . On page 13 of this [pdf booklet](#) the council mention the **Homeless Prevention Fund (HPF)** – it *'can assist with preventing your homelessness by helping you remain in your current accommodation, or with securing new accommodation for example by contributing towards a deposit. For further information about the Homeless Prevention Fund please speak to your Housing Needs Officer.'* DHP has been the go-to application for low income families to fill the difference in their private rent after Housing Benefit. The payment is discretionary and is normally given for 6 months without any guarantee of being repeated. HPF seems to be a big secret as there is no mention of it on the council's webpages directly. We do not know anyone who has been able to access DHP or HPF to pay a deposit/advance rent to secure a private rented tenancy. We tried with 'Stephen' and his family in 2021, the council said they will take up to 2 weeks to consider an application which needed to include the tenancy agreement itself, and then if successful they will only make the payment to the landlord/letting agent. We were able to find a private landlord who would rent to Stephen, but was not going to wait two weeks for a deposit/advance rent. And the council would not agree to refund 'Stephen' it.
7. What's the local housing allowance (maximum Housing Benefit you'll get) figures for rent in Birmingham?: [Paying for housing with benefits | Private renting | Birmingham City Council](#).
8. Help finding furniture for your home (Local Welfare Provision Scheme): [Finding furniture for your home | Private renting | Birmingham City Council](#)
9. Your rights as a private tenant and seeking help from the Private Rented Team in the Council if you have problems with your landlord: [Request private tenant advice | Private tenant advice | Birmingham City Council](#) There is no clear information on the council's website on the remit of this team, what action they can/will take against rogue landlords. After almost a year of reporting their bad landlord who refused to carry out any repairs including fix a gas boiler leaving 'Shahida's' family with no hot water & central heating for months into the winter, it took escalating a complaint in writing for an officer to carry out a property visit. This eventually led to the council threatening court action against the landlord before he duly fixed the boiler.
10. NEW: If you live in any of these 25 wards, your landlord should have a license to rent their property out to you: [Selective licensing | Selective licensing | Birmingham City Council](#). It is unclear how the council intends to you use this new scheme (creates an income for the council of £700 per property from the fee) to improve private rented housing sector, as there is a risk landlords may switch to giving their property to an exempt accommodation provider to avoid having to register for a licence, pay fee, comply with regulations and make more profits instead.
11. NEW: The Housing Ombudsman might get powers to investigate complaints against private landlords too: <https://www.insidehousing.co.uk/home/housing-ombudsman-in-line-for-extra-role-to-help-prs-tenants-84108>

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### If you have nowhere to stay now:

1. I need accommodation now – includes key telephone numbers for emergencies: [I need accommodation now | I need accommodation now | Birmingham City Council](#)
2. Where to go if you cannot get through on the telephone: [Newtown Housing Options Centre | Homelessness services | Birmingham City Council](#)
3. The council will do a Housing Needs Assessment to determine if you might be homeless or at risk of homelessness: [What a housing needs assessment is | About your housing needs assessment | Birmingham City Council](#)
4. The council will only help you directly, if you have a [priority need](#) and have a [local connection](#).
5. The council has a legal duty to relieve your homelessness - this doesn't mean give you a council tenancy, it will most likely be to put you in a B&B or temporary accommodation first with no law saying it has to be in Birmingham: [Relief duty | About your housing needs assessment | Birmingham City Council](#)
6. However, they say on their website they'll try to find you emergency/temporary accommodation within Birmingham: [Advice | Housing Advice | Birmingham City Council \(adviceaid.uk\)](#) **We have had many families staying in B&Bs in Walsall, Coventry, Stoke and Manchester.**
7. It has to suitable accommodation – they describe what that should be here: [Advice | Housing Advice | Birmingham City Council \(adviceaid.uk\)](#) **We cannot recall an occasion when the suitability of a B&B/emergency/temporary accommodation was assessed with regard to the circumstances of a family. Our families do not report being such an assessment exists. We think the council only pays regard to whether the accommodation meets its basic legal standards. Even then we are not sure how they assess this, as usually the officer who attends a property (if not a B&B) with the family to hand over the keys has never seen it before or knows much about its condition.**
8. On B&Bs, the council website says: "If you are pregnant, live with someone pregnant or have dependent children who live with you (or might reasonably be expected to live with you), we will only use it as a last resort and any stay should be a maximum of 6 weeks. After 6 weeks, we will seek to move you to alternative, suitable accommodation. Bed and breakfast accommodation is not suitable if you are 16 or 17, even on an emergency basis" - [Advice | Housing Advice | Birmingham City Council \(adviceaid.uk\)](#) **We cannot recall an occasion when one of our families, put in a B&B, stayed there less than 6 weeks. Many have spent months in these places – a few have been moved between different B&Bs/emergency accommodation. The main hardships include: distant & cost of travel to children's school, lack of kitchen facilities to cook own meals, cost of wi-fi and personal safety in relation to living in same building with other occupants.**
9. The Council must take reasonable steps to prevent loss of or damage to your personal property if you are unable to protect it – see what they will/will not do here: [Advice | Housing Advice | Birmingham City Council \(adviceaid.uk\)](#) **It is unclear, who from the council will do this/get in touch about it. The family will have to pay the cost of their belongings put in storage, which can be for months (in rare occasion: years). Can**

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DHP or HPF help pay the costs of this? One of our families had their belongings destroyed when a council staff member did not check they had been moved from that temporary accommodation flat to a B&B because of a personal safety emergency. 😞

10. After 56 days of the Council carrying out its relief duty they must make a final homeless decision – this means you could be put in an emergency B&B or temporary accommodation for that long before they fully accept you as homeless: [Homeless decision | About your housing needs assessment | Birmingham City Council](#) It might seem reasonable to wait a period of time during the ‘relief duty’ to see if circumstances change and the family is able to secure their own accommodation and no longer remain homeless. And to use that time to investigate what made them homeless in the first place. It seems to us officers use 53 days as how long they could wait before they have to make the homeless decision, putting vulnerable families in continued hardship when it is clear their need is genuine and severe. This is what happened to ‘Mary’ fleeing domestic violence with her children (two of them who live with special needs) – they were put in a motorway B&B in Stoke for 2 months when it didn’t need that long for the council to wait to confirm her homeless situation given the Police and other safeguarding professionals were involved!
11. If you are currently in temporary housing provided by Birmingham City Council and need a repair: [Repairs | Temporary housing guidance | Birmingham City Council](#) This is a bit of a minefield, as it depends on who owns the accommodation you are staying in. We’ve been able to resolve repairs where property owners were the council itself or a B&B hotel. However, where the accommodation – flat or a house – is owned by a private landlord it seems there is no sense of urgency or very little support from the council to hold that landlord to account for the condition of their property and in getting repairs done timely.
12. Who to contact if you are put in temporary accommodation: [Contact Temporary Accommodation Team - Birmingham City Council](#) – you can directly email them at [TAEnquiries@birmingham.gov.uk](mailto:TAEnquiries@birmingham.gov.uk)
13. If you receive a final homeless decision, the council must take reasonable steps to help you secure suitable accommodation for at least 6 months: [Advice | Housing Advice | Birmingham City Council \(adviceaid.uk\)](#)
14. Your rights if you are not happy with the council’s homeless decision and how to request a review: [If you are not happy with a homeless decision | Birmingham City Council](#) and see more detail on the process here [Advice | Housing Advice | Birmingham City Council \(adviceaid.uk\)](#)  
We can understand there is a lot of pressure on the council to prioritise who is in genuine need and meets their criteria for further help as the numbers of homeless applications have been sky-rocketing. However, it seems to us in some of the cases we’ve seen there is a tendency to deem a family as making themselves intentionally homeless for having rent arrears with a private landlord given the cost of living pressures. In a recent case, we got such a decision reversed on asking the council to re-read the court papers leading to a family’s eviction – it showed they made every opportunity to stick to previous repayment arrangements despite dad losing his job during the pandemic and that their landlord had not sought a money judgement for the debt in the possession order. So, the need for families to access trained housing advice is paramount here in order to challenge officer decision making correctly.

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### Applying for a council home:

1. Only those with an identified need for housing (officially called 'Housing Need') can join the housing register. This means people do not have a default right to join the register and see how they get on. The council will always prioritise those most in need of social housing using its latest 'Housing Allocation Scheme' – read it here: [Housing Allocation Scheme | Birmingham City Council](#)
2. A webpage on the different priority bands: [Housing allocation bands | Apply for social housing | Birmingham City Council](#) but a more useful summary for Advisers is available here: [Birmingham Choice Housing Allocation Scheme Band Summary AF \(1\).pdf](#) We welcome this recently revised Housing Allocation Scheme by the council, as it does recognise families in emergency accommodation: like those in B&Bs, as part of priority Band A and does offer better clarity than before in the difference between the bands. Under 'Insanitary or Unfit conditions', the scheme requires verification from an Environmental Health Officer – no information on the council's website on how to do this.
3. This is the online form to complete to make an application to join the Council's housing register: [Register your household - National insurance number check \(Page 1 of 3\) - Birmingham City Council \(birminghamchoice.co.uk\)](#)
4. What every applicant should know – eg 59k council properties | 49% are flats | 31% 1 bed or smaller | Only 3% have 4 or more bedrooms - before applying to join the Council's housing register: [Microsoft Word - Housing Options in Birmingham December 2023 \(birminghamchoice.co.uk\)](#) (this pdf briefing gets updated monthly and is found here: [Home - Birmingham City Council \(birminghamchoice.co.uk\)](#)) This is a very helpful read published regularly by the council. There is no mention in this document or anywhere else on the Council's website on how it decides an applicant for 'Direct Let'. This causes confusion and conflict within communities when someone shares they were offered their council home directly without bidding for it. Our further concern is there isn't a community engagement plan by council staff and/or councillors to share the key headlines from this to develop better awareness and do myth busting in local communities. We in Birmingham Citizens, have applied community organising to incorporate this through local action – see here: [Birmingham Citizens on X: "\[1 of 6\] A short thread covering 7 days of organising on Housing & Community Advice." / X \(twitter.com\)](#)
5. If you are applying for social housing and you need adaptations made to your home, you may be offered a mobility assessment: [Mobility assessment for housing applications | Birmingham City Council](#) It seems the previous process that required an 'occupational health assessment' to then get awarded 'Medical Priority' has been removed/changed to this. The possibility of now uploading to your housing application evidence of your health & care issues is a good thing as it avoids making a separate application.
6. You can request a review of a housing decision if you are unhappy with how your case was assessed – here's how to: [If you are not happy with the housing decision | Birmingham City Council](#)
7. You can email them directly at [housingoptions@birmingham.gov.uk](mailto:housingoptions@birmingham.gov.uk) – they say they you will receive a response within 10 working days for normal enquiries and 15 days for complaints. This email address is not mentioned in any of the letters sent to applicants by officers and nor is it mentioned on the council's website.

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### If you live in a council home:

1. There are 2 firms who carry out repairs to council homes, to find out which one is responsible for your property enter your postcode here: [Contractor Check \(bccwebprojects.org.uk\)](https://bccwebprojects.org.uk) We congratulate the council for taking action to end ties with previous repairs firm for continuous bad performance: Wates & formerly Morrisons. Our concern was, what do the new firms do differently to ensure improved service when they hire staff from the previous failing firm? We found 'legacy cases' were not prioritised adequately by Equans as in this example here: [https://x.com/Bham\\_Citizens/status/1606292463936684032?t=IS3x63VlhPuiEOF6kzHySg&s=09](https://x.com/Bham_Citizens/status/1606292463936684032?t=IS3x63VlhPuiEOF6kzHySg&s=09). We are also concerned about 'jobs' closed by engineers after a visit when repairs have not been completed, thus requiring tenants to call in again for a new appointment and officially reporting a 'new' job. Call centre staff on their helpline say, their job will be made easier in responding to tenants if engineers frequently read the notes on their system before attending a job – this relates to engineers communicating badly with tenants to keep them informed about appointment time changes and what they are doing to follow up (eg order parts).
2. Call Birmingham Housing Repairs Line for council tenants on 0121 216 3330 9am to 5pm and out of hours (evenings and weekends) [Book a repair | Looking after your home | Birmingham City Council](#) It isn't explained what constitutes an emergency repair requiring an engineer visit the same day? It appears the repairs contractor advise tenants to call back normal hours to re-report a repair if they are calling during the evening/weekend which might not be an emergency repair.
3. For new non-emergency repairs, you should book a repair appointment via your online Brum Account see here: [Book a repair | Repairs to council properties | Birmingham City Council](#)
4. Repairs the council is responsible for: [Repairs the council is responsible for | Repairs to council properties | Birmingham City Council](#)
5. Planned repairs & improvements to your home (capital works): [Maintaining and improving your council home | Birmingham City Council](#)  
One in three of the council's 61,000 homes do not meet the decent homes standard. In May 2023, it received a warning from the regulator for failing to keep thousands of tenants safe – see ['No excuses' - watchdog's message to Birmingham City Council over safety risks in thousands of homes - Birmingham Live \(birminghammail.co.uk\)](#). We are unable to find the Council's action plan for resolving this? In particular what to say to families who are concerned their home is unsafe and are left waiting for planned works for years?
6. Repairs council tenants are responsible for: [Repairs tenants are responsible for | Repairs to council properties | Birmingham City Council](#)
7. NEW You may be able to claim compensation if you have been injured or if your belongings have been damaged, because of a repair that was done or that needs to be done by the council read this: [Property damaged by repair work | Birmingham City Council](#) We should advise families to seek independent legal advice before completing this form, as it may affect any court action for compensation/damages. We understand there are 'No-Win, No-Fee' companies targeting local people to make claims against the council, and on LinkedIn there are conversations by social landlord bosses/colleagues on the need for fixed rate on damages/costs by courts. How much is the council paying out for failing to carry out repairs? Doesn't this incentivise it to do much better on performance?

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8. If you are currently in temporary housing provided by Birmingham City Council (NB you are still not a council tenant) and need a repair: [Repairs | Temporary housing guidance | Birmingham City Council](#)

### **When things go wrong – top tips:**

1. Remind your client to keep a diary and note name, date & time of everybody they speak to as well as what that person said – they could write this in their language. This is a very important habit for them to take charge of their issues themselves and to help you later when things get too complex and messy to unpack.
2. Remind your client to keep all correspondence regarding their housing issues in one folder – not left in envelopes in a carrier bag! Make sure they organise that folder with the latest correspondence on the top of the pile.
3. Remind them to take and keep pictures/video clips of all disrepair issues – including after a contractor has visited to do a job.
4. Print any emails/photo gallery – where possible - they receive/you send for them and tell them to keep it in that folder.
5. Please read this and make yourself familiar with it – it is Birmingham City Council's Customer Services Charter: [Our Customer Charter | Birmingham City Council](#) It was launched on the council's website on 13 January 2023. It is a good response to our ask ([Housing & Advice - Citizens UK Birmingham Citizens Assembly 2022 - YouTube](#)) to the Deputy Leader of the Council at our summer public Assembly of June 2022 for a charter. A year on from publishing this, will the council share how it is doing against this charter – particularly what lessons are being learnt?
6. This is how to make a complaint when things go wrong: [Complaints | Birmingham City Council](#). You can email them directly at [yourviews@birmingham.gov.uk](mailto:yourviews@birmingham.gov.uk) to make a complaint instead of completing the above online form.
7. If you/your client finds they have not responded to resolve the problem, do not hesitate to forward your complaint to either the Local Government Ombudsman [Home - Local Government and Social Care Ombudsman](#) or the Housing Ombudsman: [Home | Housing Ombudsman Service \(housing-ombudsman.org.uk\)](#).