



*Assessment of the Effectiveness of the
Housing Act 1988 and Integrated Strategy 2000 in
meeting the Housing Needs of People who are Homeless*

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Issue Date: July 2005

*Published by:
The Simon Communities of Ireland
28-30 Exchequer St, Dublin 2, Ireland.*

ISBN 0-9550963-0-8

Graphic Design by True-Focus. Printed by Snap Printing, Dame Street

Acknowledgements



The researchers would like to thank all of those who contributed to this research:

Members of the Advisory Committee, individually and as a group, who added considerably to the value of the research with their highly relevant and at times acute analysis and comments. The members of the advisory committee were Claire Hickey, Research Manager, Focus Ireland; Lillian Buchanan, Researcher Officer, Threshold; Patrick Sheils, Researcher, The Housing Unit; Joseph Finnerty, Department of Applied Social Studies, UCC and Cork Simon Community board member; Jim Byrne, Housing Officer, Dundalk Town Council; Dr Jonathon Healy, Policy and Research Analyst, Combat Poverty Agency; Mary Higgins, Director, The Homeless Agency and Eoin O'Sullivan, Board Member of the Simon Communities of Ireland and lecturer in the Social Science department in Trinity College (to whom we are especially grateful for his support);

Professor P.J. Drudy, Dept of Economics Trinity College Dublin whose input and comments on the document are very much appreciated;

All of those people working in homeless services, both statutory and voluntary organisations, and those from central and local Government, who gave their time to be interviewed, to participate in our survey or attend focus groups and who were so frank and constructive in their comments;

The homeless service users in Dublin, Cork, Galway and Dundalk who were interviewed and who generously shared their stories and their views with us.

The researchers would like to acknowledge the proofing and copy-editing skills of Sue Hassett.

Finally, the research team would like to thank Noeleen Hartigan, Simon Communities of Ireland, Social Policy and Research Co-ordinator for her outstanding support, commitment and excellent direction. Noeleen kept a clear focus on the outcome of the research at all times and we are indebted to her for the way she managed the whole process.

Any omissions or errors are the researchers' own.



The views expressed by author/s are not necessarily the view of Combat Poverty Agency

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For over twenty years the Simon Communities of Ireland has been committed to ensuring a strong legislative base to achieve equity in access to quality housing for people who are homeless. In the early 1980's Simon began a campaign for legislative reform, which resulted in the passing of the Housing Act 1988. This Act is central to housing and homelessness policy in Ireland: it provides a legislative definition of homelessness; requires local authorities to assess the numbers of people homeless and their housing need; enables local authorities to meet people's housing needs through their own housing stock or through funding other housing agents and empowers local authorities to develop a scheme of letting priorities. Despite the lobbying of Simon the Act did not put a statutory duty on local authorities to meet the housing needs of people who were homeless. However, during the Dáil debate on the Bill, the then Minister for the Environment argued that while a statutory duty would place an unfair legal burden on local authorities he, as Minister would not approve a scheme of lettings from any local authority which did not prioritise homeless people and further, that if the Act were proved to be ineffective it would be revised.

Measuring the effectiveness of legislation in achieving its set objectives is particularly difficult. For example, an over simplified analysis of the relative effectiveness of the Act might point to the substantial increases (274%) in the numbers of people officially assessed as homeless in the period since the Act came into force. However, the quality and accuracy of the official data renders such an exercise particularly problematic. Thus, while this research set out to assess the numbers of people housed, it also sought to understand how the legislation is interpreted in practice, and how the relevant actors - statutory and voluntary agencies - understand homelessness and housing exclusion and their responses to it. In addition, the research sought the views of those seeking housing. Furthermore, it sought to understand the influence of the introduction of 'Homelessness - An Integrated Strategy' on access to housing in the period since its introduction in May 2000.

If the introduction of the 1988 Act marked a fundamental shift in policy on homelessness, and the Integrated Strategy a further movement forward, it is likely that we are on the verge of a third, equally important shift in national policy. Born out of increased partnership working and a shift in priorities from meeting emergency needs towards permanent housing we hope this research will prove a useful resource in our new shared vision of how to end homelessness in Ireland.

One clear indication of this shift in emphasis can be found in the revised National Anti Poverty Strategy (NAPS), Building an Inclusive Society 2002 where Government highlighted that "rights encompass not only the core civil and political rights and obligations but also social, economic and cultural rights and obligations that underpin equality of opportunity and policies on access to education, employment, health, housing and social services." The Strategy commits Government to increase access to quality services as a mechanism for making these rights real; it also commits that 'detailed standards in relation to access to services will be set out', including indicators and transparent mechanisms for ensuring the implementation of and adherence to these standards.

We very much hope that the findings from this research will highlight both the gaps and the potential opportunities for Government in fulfilling the NAPS commitments. This new vision for increasing access to housing could be realized through the new Social and Affordable Housing Action plans under which Local Authorities are to plan on a five year basis the specific housing and settlement provision for people who are homeless.

This research was funded by the Combat Poverty Agency under the aegis of the Working Against Poverty research grants scheme. We are very grateful to the Agency to their support. The Simon Communities of Ireland Federation Board matched the funding awarded by the Agency and after a process of public tender the project was awarded to TSA consultancy who we believe have undertaken an extremely important piece of work producing both a professional and highly accessible report. As such, the report does not necessarily reflect the views of the Simon Communities of Ireland; rather it reflects the considered professional views of the consultants that we have engaged. The Simon Communities of Ireland are committed to generating a productive debate on the nature, extent and solutions to homelessness and housing exclusion in Ireland and we see this research as an important contribution to that debate.

*Dr Eoin O Sullivan, Federation Board, Simon Communities of Ireland
Noeleen Hartigan, Social Policy and Research Coordinator, Simon Communities of Ireland
July 2005*

The Simon Communities of Ireland is the federation of seven Simon Communities in the Republic of Ireland: Cork, Dublin, Dundalk, Galway, Midlands, North West and South East. Simon provides a range of services to people who are homeless including street outreach, emergency services, settlement support and long-term housing. We are committed to the elimination of homelessness in Ireland and to using our expertise as a service provider to progress solutions with our statutory and non-statutory partners.

The terms of reference set by the Simon Communities of Ireland for this research report were:

1. To provide an analysis of housing allocations to people who were assessed as homeless in the period 1988 -2000 and 2000-2004.
2. To document and analyse the housing needs assessment system and priority housing allocation system operated by local authorities in relation to people who are homeless.
3. To assess the methodology employed in gathering the data for the 2002 needs assessment.
4. To document a cross section of individual experiences of people who are homeless in accessing the housing needs assessment system.
5. To document the interaction between voluntary homeless service providers and local authorities in the implementation of the housing needs assessment system.
6. To assess the impact of the introduction of the Integrated Strategy on housing allocations to people who are homeless.

This research was commissioned by The Simon Communities of Ireland, with the objective to assess the impact of the Housing Act 1988, and Homelessness: An Integrated Strategy (2000) on people who are homeless in accessing long-term, stable accommodation.

Among other things, the Housing Act, 1988 sets out a definition of homelessness; requires local authorities to assess the numbers of homeless in their area; empowers local authorities to provide accommodation to homeless persons and to set up a Scheme of Letting Priorities, and allows local authorities to set aside a particular number or proportion of dwellings for homeless people.

Homelessness: An Integrated Strategy (2000) is the key Government policy statement on homelessness. The Strategy's key proposals include the drawing up of action plans and the setting up of Homeless Forums on a county basis, clarifications on the responsibility for funding homeless services and undertakings for "additional accommodation.... made available to enable persons residing in hostels to move on to sheltered or independent housing" (Department of the Environment, 2000).

We used detailed questionnaires returned from eight local authorities (including nearly all major urban areas), interviews with service providers and homeless people and a number of focus groups to reach our findings.

In **Chapter 1** of the report we outline the background, purpose and methodology of the research.

In **Chapter 2** we review three of the fundamental elements of the Housing Act 1988: the definition of homelessness; the Homeless Count undertaken by each local authority in their functional area; and the assessment of housing need, conducted by each local authority (for all groups in need of housing, including those homeless).

We found that there is no commonly agreed definition of what constitutes homelessness in local authorities or in Homeless Persons Units and voluntary organisations. The way the Act defines homelessness leaves considerable ambiguity, allowing agencies to widen or narrow the definition of homelessness dependent on their perspective and/or the individual that presents.

The majority of local authorities surveyed said that

the Homeless Counts did not provide an accurate reflection of the numbers of people homeless in their areas. In the main local authorities said that there was an under-reporting of the extent of homelessness. From interviews, local authorities identified the following problems in the counting of homelessness: an over-dependence in some local authorities on their housing list (administrative) records as the basis for the Homeless Count; no agreement as to who is considered as homeless and to be included in the Homeless Count; and a lack of detail in the Count to use as a basis on which to plan long-term housing and other services.

The research also found that there was little crossover between the homeless counts and the assessment of housing need undertaken by the local authority. People who are counted as homeless, unless they are already on the local authority's housing waiting list, must make a separate application for local authority housing.

The other important finding from this chapter was that, even though the Housing Act 1988, never specified that a local connection is required for a person to be accepted by the local authority as in need of housing and eligible for housing from them, in practice a local connection is required in some of the local authorities we studied. We also found that, again although the Act does not specify it, some local authorities consider those people evicted from local authority or private rented accommodation as *"intentionally homeless"* and consequently as ineligible for housing from them. The analysis of the scheme of letting priorities, undertaken as part of this research, identified three local authorities, which included in their list of overall priorities, 'families or persons rendered homeless through no fault of their own'.

In **Chapter 3** of the report, we sought to evaluate the extent to which the Housing Act has improved or otherwise altered access for homeless people to local authority housing.

Eight local authorities responded to a survey conducted as part of this research (Dublin City Council; South Dublin County Council; Dun Laoghaire Rathdown County Council; Galway City Council; Cork City Council; Dundalk Town Council; Wicklow County Council and Longford County Council). Where data was useable, it showed that 313 units of housing were allocated to homeless people in 2002, and 326 units, in 2003. These figures represent 8% and 16% of total allocations in these areas for these years, respectively.

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We compared the 2002 figure (313) to the data arising from the Homeless Count in 2002 for the relevant areas – it showed that allocations to homeless people in 2002 represented 10% of the total number of homeless people in these areas. Overall the greatest proportions of local authority housing allocations to homeless people have been by the Dublin local authorities and by Dundalk Town Council with very low but increasing proportions of homeless people housed by other local authorities outside Dublin.

However, given the paucity of data recorded by local authorities, a comprehensive analysis of numbers of local authority houses allocated to homeless people was impossible. This is an important finding in itself, and suggests a need for a mechanism to monitor the progress or effectiveness of the legislation.

Further, data from the questionnaire shows that there is a discrepancy between the type of homeless households that are housed by the local authorities and the type of homeless households that apply for housing. Single persons account for 68% of those on the current homeless list in local authorities, and yet only 43% of allocations to homeless households (collectively between 1998-2003) was to single homeless persons. In all local authorities, the proportion of allocations to single homeless persons is lower than their actual percentage on the homeless housing list.

The length of wait for homeless households is a concern, with those local authorities who answered stating that the length of wait varies from a "minimum of two to three years" to "up to six years to be housed". Six of the eight local authorities did not respond to this question or did not record the average length of wait to be housed. Through interviews we found that in most of the local authority areas, homeless people follow the same procedures as any other applicant for local authority housing and as such that they can expect to wait at least as long as non-homeless applicants of the same household type. However because the majority of homeless applicants are single persons and because single persons wait longer than other household types to be housed in all local authorities, in practice the average wait for a homeless applicant is longer than a non-homeless applicant.

In *Chapter 4* we reviewed the experience of homeless people in the private rented sector. We found that single people also find it more difficult to access housing in the private rented sector, even

though this sector has become, by default, the most commonly used form of mainstream long-term housing for homeless people. Issues that arise for homeless people include:

- low maximum rent levels under the rent allowance scheme for single persons leading to fewer landlords accepting rent allowance
- a general lack of supply for single person units, leading to higher rates of rent
- poor quality of some accommodation, which is often of much lesser quality than "transitional" and some "emergency" accommodation
- lack of ongoing support for people placed in private rented accommodation

While the private rented sector is a commonly used and useful step for resettlement we found that the willingness of some local authorities to embrace private rented accommodation as the move-on option for people who are homeless is an abnegation of responsibility, because of the problems cited above and because it was never intended in the Housing Act 1988, nor in Homelessness: An Integrated Strategy (2000), to be one of a range of long-term housing options employed.

In *Chapter 5* we reviewed housing services provided by voluntary organisations. We found that while much voluntary housing is designated specifically for homeless people, it is typically designed for short periods for people in emergency housing need. In some services, some homeless people occupy this emergency accommodation for very long periods. For these individuals, emergency accommodation is effectively their long-term settlement option.

The research found that housing intended as transitional accommodation, provided by voluntary organisations and designed to facilitate homeless people to live independently, also has people staying for very long periods. After the transitional programme is complete, long-term housing placement is rarely immediately available. Further difficulties in placing homeless people after entering transitional housing include: the relatively high quality of transitional housing, which means that some people on some programmes are reluctant to accept lesser quality step down accommodation; and the fact that there is more intensive enforcement of rules and regulations in transitional housing compared to long-term housing, leading to more people caught infringing the rules of the service and being returned to emergency homeless

hostels.

There are some examples of long-term housing provision provided by voluntary organisations, which has resulted in a widening of the housing options and increased supply of long-term accommodation for homeless people, as well as the ability for the voluntary organisation to manage the allocation process more closely. In spite of these successes, the voluntary organisation's overall contribution of long-term housing units to homeless people remains small. Five out of the 417 units built in the period March – Sept 2004 under the Capital Assistance Scheme were built by voluntary organisations working with homeless people.

However, the research found that parts of the present funding system mitigates against voluntary organisations becoming more active in developing long-term housing. Government funding for social housing is weighted towards capital and construction costs, with limited funding for management or for support for vulnerable people in their homes. Most available funding for supporting vulnerable homeless people, for example 'Section 10' and Health Service Executive funding, are principally available only for emergency and transition accommodation.

In **Chapter 6** we set out the findings from interviews with homeless people. While many representatives of voluntary organisations interviewed believed that local authority accommodation is the optimum outcome for homeless people, many homeless people did not agree. Only one-third of interviewees who had applied to the local authority for housing expressed a preference for local authority housing above the private rented sector or voluntary housing provision. A third of interviewees had actually rejected offers of local authority accommodation.

Some of the stated reasons why local authority accommodation is not preferred, were:

- Local authority estates are viewed in some cases as experiencing endemic anti-social behaviour problems and offering limited support to residents
- Older Person Dwellings (OPDs) were often offered as the only available option for single people but typically these were not viewed as suitable by active single men
- Local authorities tend not to offer larger housing units to single people with occasional access to

children (for example parents of children who are separated or divorced), which the person seeks

- The move to independence is worrisome for some people and some people wish to stay with the present agency that they know and trust
- Some local authority housing is located in out-lying areas, where public transport is often limited, leading to intensified isolation.

It would be wrong to infer from this that homeless people are not interested in moving on from emergency accommodation. While some voluntary and statutory homeless service providers interviewed stated that many homeless people were not ready or capable of living independently, 22 of the 25 homeless people whom we interviewed for this research expressed a preference to move on to more long-term stable accommodation and an ability to manage their tenancy.

Chapter 7 of the research considered the role for settlement support services for homeless people, despite the fact that this is neither considered nor legislated for, in the 1988 Act. Settlement support services are still in their infancy in Ireland. Before expanding these services further, issues which may need to be addressed include: a lack of definition of the settlement officer role; a lack of interagency work between settlement teams and the local authorities' allocations sections; and a lack of an evaluation mechanism to assess and guide the existing settlement services.

When effectively organised, settlement services pay for themselves by freeing up expensive emergency hostel beds and supporting people in less expensive long-term accommodation. Most homeless people in long-term housing, while requiring initial assistance, did not need significant help after about three months, but some of those settled did need continual occasional intervention.

In **Chapter 8**, the research concludes that without long-term stable housing, virtually no supportive intervention for homeless people works. Housing often needs to be accompanied by supportive services, at least in the short-term, but such support services without long-term stable housing cannot end a person's homelessness. With the right support, even people with extensive histories of substance abuse have left emergency accommodation and obtained stable long-term housing. Furthermore, the evidence cited in this study not only shows that making more long-term housing available works to end homelessness, but also that, for homeless people with substance abuse

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and mental health histories, these service provisions are virtually cost-neutral.

Despite this, it would be unfair to say that local authorities have completely failed in their role to implement the Housing Act 1988. While the Act gave form to an official identification of the issue of homelessness, it was never intended to explicitly direct the manner by which homelessness should be solved. Rather it allows the local authorities considerable flexibility in meeting the housing needs of homeless people.

"Homelessness: An Integrated Strategy" went much further than the Act but it too failed to articulate and formulate one best practice approach to meeting the housing and support needs of homeless people.

This articulation of one best practice approach is now being sought by the multiple agencies involved in addressing the apparently growing phenomenon of homelessness in Ireland today. Any new clear direction and strategy – we recommend one based on a *"settlement first"* approach - will need to be reflected by Government financing that make long-term stable housing and settlement support the main methods for addressing homelessness, thereby widening voluntary effort away from its predominant emergency provision.

The report concludes with 19 recommendations which correspond to the research findings.

1.1 Background

Seventeen years ago, legislation for the housing of people who are homeless was enacted in Ireland. The Housing Act, 1988, set out for the first time in an Irish legislative context:

- A definition of homelessness (Section 2);
- A requirement that local authorities¹ make assessments of the number of people homeless in their functional area and assess their need for housing at least every three years (Sections 8 and 9);
- A number of means by which local authorities are empowered to provide accommodation to homeless persons (Section 10);
- A requirement that local authorities make an estimate of housing requirements for persons who are homeless (Section 8);
- Measures empowering local authorities to set a Scheme of Letting Priorities (Section 11);
- The Act allows local authorities to set aside a particular number or proportion of dwellings becoming available to the housing authority for persons of such category or categories as the authority may decide (Section 11);
- Promises funding for NGOs (Sections 5 and 10), and gives a commitment that NGOs be consulted about the number of homeless people when Homeless Counts are undertaken.

The Act *"was the result of several years' campaigning by non-governmental organisations"* (Harvey, 1995). However, while the Act identifies and defines homeless people and specifies the local authority as the appropriate body empowered to address some of their housing needs, it does not place any legal requirement on local authorities to house homeless people. A further criticism of the Act is that, in practice, the experience of the legislation *"reveals a lack of government preparedness to check what targets were met... to train personnel or to plan the allocation of appropriate and carefully measured resources"* (Harvey, 1995).

In 2000, Government Departments with a direct or indirect remit in respect of homelessness provision, came together and issued an Interdepartmental Review, *Homelessness: An Integrated Strategy*. *"The terms of reference for the Team were: To develop an integrated response to the many issues which affect*

homeless people including emergency, transitional and long-term responses as well as issues relating to health, education, employment and home-making" (Department of the Environment, 2000).

Homelessness: An Integrated Strategy stated that there *"must be a move away from the limited ways in which services for the homeless have been traditionally planned, funded and provided. Central to this is an understanding that the dynamics of homelessness involve a complex interrelationship of social and economic factors"* (Department of the Environment, 2000).

The Strategy's key proposals include:

- *"Local authorities and health boards, in full partnership with the voluntary bodies, will draw up action plans for the delivery of services to homeless persons on a county basis to provide a more coherent and integrated delivery of services to homeless persons by all agencies dealing with homelessness.*
- *Homeless Forums, with representatives of the local authority, health board and the voluntary sector, will be established in every county.*
- *Local authorities will be responsible for ensuring the provision of accommodation including emergency hostel accommodation for homeless persons and health boards will be responsible for the provision of in-house care and health needs of homeless persons.*
- *Additional accommodation will be made available to enable persons residing in hostels to move on to sheltered or independent housing as appropriate, thereby freeing up spaces in emergency hostel accommodation"* (Department of the Environment, 2000).

The Strategy further stated that, *"the key difficulty in tackling homelessness is the scarcity of more appropriate housing. Local authorities, where there are homeless people residing in hostel accommodation for long periods, should both provide a certain proportion of their lettings of existing or new suitable housing units to allow hostel residents to move on into either a sheltered or independent housing environment and support specific schemes for this purpose."* (Department of the Environment, 2000)

The Government decision to implement a system of homeless action plans, covering every local authority area, has been welcomed by many

¹ The term used in the legislation is "housing authority" but in the context of the legislation and to avoid confusion, the term "local authority" is used in this report, except when direct quotes are made from the legislation.

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statutory and voluntary organisations (see for example Hickey et al, 2002). Strategies and public statements by both statutory and voluntary agencies would suggest that all are agreed that the key to addressing homelessness is settlement of people who are homeless.²

1.2 Purpose of the Research

The purpose of the research is to assess, five years on from Homelessness: An Integrated Strategy and seventeen years since the Housing Act, 1988, the extent to which this Government strategy and legislation has assisted people who are homeless to access long-term stable accommodation, the extent to which the numbers of homeless people who are accessing long-term stable housing has changed, and why.

To better understand how this Government strategy and legislation have been applied in practice we look at:

a. How the housing assessment and allocation system, developed through the passing of the Housing Act, 1988 and influenced by the Integrated Strategy, is working for people who are homeless.

This includes an examination of:

- Numbers and types of allocations of housing accessed by homeless people from local authorities, voluntary housing bodies and in the private rented sector³
- The extent to which local authorities' Schemes of Lettings prioritise homelessness
- The process undertaken by a local authority in assessing an individuals' housing need, including the methods used and actions taken
- Referral and support for homeless people from voluntary organisations

b. Through the partnership in the research of local authorities, central government, voluntary housing providers, people who are homeless, Health Service Executive staff and other members of Homeless Forums, to identify ways in which the housing assessment and allocation system can operate more efficiently, transparently and equitably so that those homeless, achieve better outcomes.

1.3 Methodology

We approached this research process through two methods:

1.3.1 Area based study⁴

This has consisted of three main elements:

a. Questionnaire

The first stage of the research was the survey of a selection of local authorities, including those in all major urban areas, as well as a number of smaller local authorities. A questionnaire was designed and tested with one local authority in Dublin, the research advisory group and the Department of Environment, Heritage and Local Government (DEHLG). The questionnaire was modified following initial testing and feedback and copies were then distributed to 12 local authorities in the following areas⁵:

- Four in Dublin (Dublin City, Dun Laoghaire Rathdown, Fingal and South Dublin County Council),
- Two in Cork (County and City Councils),
- City councils in Galway, Limerick and Waterford⁶
- In addition some sampling was undertaken of three local authority areas: Dundalk because of the Simon Community operation there⁷ and random examples of a rural and a semi-rural county, Longford and Wicklow.

By focusing our efforts on these 12 local authorities it was hoped to cover the areas where the overwhelming majority of people who are homeless are located, while also giving a truly national picture by sampling a number of smaller local authorities.

Copies of the questionnaire were posted to local authorities in October 2004, with a requested response by end November 2004. Local authorities were also sent details of the research project, the purpose of the questionnaire and were individually followed up by telephone to answer any queries with regard to completing the questionnaire and participating in the research. Our rationale in doing this was to enable the second stage of the research, the interviews, to be informed and directed by the initial findings from the survey, and to allow greater analysis of some of the responses to the questionnaire during subsequent local authority

² Settlement can be defined as "the movement by a homeless person (or family) from temporary into long-term sustainable accommodation, with services and support as appropriate" (Homeless Agency, 2000, Harvey, 1998)

³ The original terms of reference was to "provide an analysis of housing allocations to people who were assessed as homeless in the period 1988 -2000 and 2000-2004" but this proved impossible because of the lack of local authority records for this period and the only recent introduction of computerisation of the administration of housing allocation in local authorities. Instead in the report, housing allocations by local authorities are examined dating from 1998.

interviews. However, most of the questionnaires were not returned prior to the interviews and qualitative consultation process, which took place between December 2004 and February 2005. Two focus groups were held at the end of the research process, in Dublin and Limerick. At these focus groups a summary of interim findings was presented and homeless service representatives were allowed to consider the main issues raised and help formulate final research recommendations.

Of the original 12 local authorities asked to participate in the survey, only one refused to participate, citing a lack of resources as the reason for their inability to participate. Of the remaining 11 local authorities, eight questionnaires were returned.

Many local authorities cited a lack of resources as the reason for the delay in responding to the questionnaire, as well as changes in personnel. To facilitate maximum participation, the deadline for returning the questionnaires was extended (from the end November), and the overall research timescale was extended. The final deadline for completion of the questionnaire was Wednesday 6 April. By this date, responses were generated from the following local authorities: *(see list below)*

Overall, a 67% response rate was generated, covering the areas where the majority of the homeless population are located, as well as generating data on the smaller local authorities.

The questionnaire sought information on the

following items:

- The local authority's definition of homelessness
- Details of housing allocations (1998-2003), including profile of homeless households allocated housing in this period
- Profile and number of households on the local authority's current homeless list (2004)
- Review of the process of completing housing needs assessment (2002)
- Review of the allocation system and lettings priorities
- Priority of housing by local authorities
- Review of length of time on the housing waiting list and review of support services to persons allocated housing

The findings of the survey are presented throughout this report within the relevant chapters and in the format of tables, graphs and more qualitative presentation of data appropriate to the range of responses generated.

b. Interviews

The second stage in the research was one-to-one interviews in the areas surveyed. Consultation was undertaken with representatives of the local authorities, voluntary housing providers, Community Welfare Offices, voluntary homeless service providers and with homeless people in Dublin, Cork, Galway, Limerick, Waterford, Longford and Dundalk. A total of 42 service providers involved in delivering services to people who are homeless were personally met and interviewed,

List of participating local authorities.

Local authorities that were sent questionnaires	Local authorities that completed questionnaires
Dublin City Council	Dublin City Council
South Dublin County Council	South Dublin County Council
Dun Laoghaire Rathdown County Council	Dun Laoghaire Rathdown County Council
Fingal County Council	
Galway City Council	Galway City Council
Cork City Council	Cork City Council
Cork County Council	
Dundalk Town Council	Dundalk Town Council
Longford County Council	Longford County Council
Wicklow County Council	Wicklow County Council
Waterford City Council	
Limerick City Council	
12 local authorities	8 local authorities

⁴ To further simplify the research process the area-based study was divided up under "5 modules". The modules were: local authority housing provision; voluntary housing provision; private rented sector accommodation; service user perspective; and role of the support organisations. Each module is an area of investigation. The research actions undertaken under each module are set out in greater detail later in the report under the corresponding chapter.

⁵ The Appendices include a copy of the questionnaire

⁶ These urban areas were chosen because, according to the last national tri-annual assessment of homelessness in 2002, 87% of homeless people are found in the five major urban areas.

⁷ The Simon Community also operates in Cork, Dublin, Galway and new communities in the Midlands and South East.

Chapter 1. Introduction

with at least four representatives met in each area. 25 people who are homeless were also interviewed, consisting of people from four of the areas studied, the majority of whom had applied for local authority housing but had not yet been housed but including also a number of people who were housed in long-term accommodation and a further group who are homeless and had not applied to the local authority for housing. Table 1.1 (page 9) sets out the cross section of people met.

c. Focus Groups

Finally two focus groups were held on the 3rd March in Dublin and the 4th of March in Limerick, to achieve a maximum exchange of views, confirm findings and to test conclusions and recommendations. Those represented at the two group meetings included a sample of local authority representatives, Community Welfare Officers, settlement managers, Department of the Environment, Heritage and Local Government representative and other voluntary organisation managers from the eight local authority areas we studied.

A list of participating organisations is included in the Appendices.

1.3.2 Literature review

Actions included:

Examination of the eight local authorities' "Scheme of Lettings Priorities".

Review of data collated by Department of the Environment, Heritage and Local Government (DoEHLG) from local authorities.

Review of Local Authorities "Social and Affordable Housing Strategies" in each of the areas studied, where available.

Review of existing Irish research in this area.

Review of international research, including comparison of the situation in Ireland with some examples of services in Europe and the United States of America.

1.4 Structure of the Report

There are eight chapters to this report.

Chapter 1 outlines the background, purpose, methodology and structure of the report.

In *Chapter 2*, we discuss key elements of the 1988 Housing Act. We analyse how the definition of

homelessness, specified in the Act, has been interpreted in practice; how homelessness is measured in each of the areas studied; and once a person is defined and counted as homelessness, whether they will be assessed for housing by the local authority.

Chapters 3, 4 and 5 examine to what extent, in practice, people who are homeless can access long-term, stable, affordable accommodation. Long-term, stable, affordable accommodation in this report is understood to mean either local authority housing, private rented accommodation or voluntary housing provision.

Chapter 3 examines the extent to which homeless people access housing provided by local authorities. In this section we set out much of the data compiled from the returned questionnaires, including, where that information was made available to us, the numbers and types of units of local authority housing allocated to homeless people since 1998. *Chapter three* also refers to interviews and focus groups undertaken with local authority officials and other service providers, identifying successes/ problems in the existing housing allocation system.

Chapter 4 reviews homeless people's access to the subsidised private rented sector. Difficulties in the operation of the existing rent allowance scheme and challenges for homeless people accessing the private rented sector are identified.

Chapter 5 sets out the extent to which homeless people are accommodated long-term in emergency, transitional and long-term housing provided by voluntary organisations. Under each of these voluntary housing types, a brief overview is made of the experience of homeless people.

Chapter 6 sets out the housing aspirations of people who are homeless in Ireland. For this section we interviewed a cross section of homeless people in Cork, Dublin, Dundalk and Galway, to, among other things, better understand their preferred housing outcome and the types of supports they require to live independently.

Chapter 7 discusses the settlement process in Ireland, what supports are available in Ireland to settle people formerly homeless in long-term stable accommodation. This section also briefly discusses the different settlement interventions for people leaving domestic violence situations, prisons and hospitals.

⁸ Every effort was made to interview and engage with the widest number of representatives from agencies involved in the delivery of services to homeless people and with homeless people themselves in each area. However in some areas, equivalent roles did not exist as those for other areas and in some cases people were not available to meet up on the selection of dates proposed.

Chapter 8 closes the report with a general conclusion and a set of practical recommendations that flow from the research.

most data and uses the simplest concepts" (Beck, 1956)). We hope and expect that the report will be accessible and easily understandable to all of those who read it.

1.5 Summary

In this report we attempt to quantify and analyse homeless people's access to long-term stable accommodation in Ireland. We believe this is the first time such a study has been undertaken. We try to present our findings clearly. The research methods we employ: questionnaires, interviews, focus groups and literature review have amassed considerable detail and data. We have sought to apply Beck's law, that *"the best theory accounts for the*

Table 1.1 – Service providers and service users interviewed.

Interviewees ⁸	Cork	Dublin	Dundalk	Galway	Limerick	Longford	Waterford
Superintendent Community Welfare Officer (CWO)	Y	Y	N	Y	N	Y	Y
CWO with special responsibility for homelessness	Y	Y	Y	N/A	Y	N/A	N
Most Senior Health Service Executive Manager with Responsibility for Homeless	Y	N	Y	Y	Y	Y	Y
Senior Local Authority Official with Responsibility for Homeless	Y	Y	Y	Y	Y	Y	Y
Settlement Officers ⁹	Y	Y	Y	Y	Y	Y	N
Local Simon Community Manager	Y	Y	Y	Y	N/A	Y	Y
Other Voluntary Homeless Service Providers	Y	Y	N/A	Y	Y	N	Y
People who are homeless ¹⁰	Y	Y	Y	Y	N	N	Y

Y - Yes, N - No, N/A - Not Applicable

⁹ Except for Limerick, where the service is operated by the City Council and in Dublin, where the local authority service is one of three settlement services, all settlement services are provided by voluntary organisations.

¹⁰ The Simon Communities facilitated interviews in each of the areas where homeless people were met. The homeless people met were drawn from different services and some were settled in long term stable accommodation.

Chapter 2. Implementation of elements of the 1988 Housing Act: Definition, Measurement and Assessment of Homelessness

2.1 Introduction

In this chapter we explore some of the organisational elements related to the key provisions in the Housing Act 1988.

Firstly we examine how the definition of homelessness, specified in the Act, is interpreted by voluntary and statutory organisations, in the different areas studied.

Secondly we examine how homelessness is measured and counted in different local authority areas. While the ways in which homelessness is defined is an important element in determining whether a person will be counted as homeless, a number of other additional factors also affect the local authorities' homeless counts. These are discussed in this section.

Once someone is accepted as homeless under the definition of the Housing Act 1988 and counted by the local authority, what happens then? This is the question we pursue and attempt to answer in the final part of this chapter. We examine the housing assessment and allocation process, once someone is counted as homeless, and the steps taken by the local authority or another relevant agency to assess and address their housing needs.

2.2 Methodology

We utilised both questionnaires and one-to-one interviews with statutory and voluntary service providers and focus groups to complete this chapter. The bulk of the analysis and findings in this chapter are from one-to-one interviews with representatives from both statutory and voluntary agencies and from a literature review of recent Irish research and official and unofficial homeless counts.

2.3 Defining homelessness

The definition of homelessness is set out in Section 2 of the Housing Act 1988, which states that a "person is regarded as homeless by the relevant local authority if:

(a) *there is no accommodation available which, in the opinion of the authority he, together with any other person who normally resides with him or who might reasonably be expected to reside with him, can reasonably occupy or remain in occupation of, or*

(b) *he is living in a hospital; county home, night shelter or other such institution and is so living because he has no accommodation of the kind referred to in paragraph (a) and he is, in the opinion of the authority, unable to provide accommodation from his own resources."*

According to *Homelessness: An Integrated Strategy*, the definition "includes:

- *People living in temporary unsecure accommodation*
- *People living in emergency bed and breakfast accommodation and hostels/ health board accommodation because they have nowhere else available to them*
- *Rough sleepers*
- *Victims of family violence"*

2.3.1 Findings from questionnaire

The survey to local authorities asked them to identify the categories of individuals they regard as homeless, from the following ten scenarios:

- People sleeping rough
- Victims of fire/ flood
- Evicted private sector tenants
- Evicted local authority tenants
- People discharged from hospital
- People discharged from prison
- People in a temporary hostel/ emergency accommodation
- Young people leaving care at age 18
- People in transitional accommodation
- Victims of domestic violence

The findings suggest variation between local authorities, with one identifying all ten scenarios as homeless, while another local authority identified three out of the ten scenarios as being homeless. Six of the eight local authorities that responded (75% of respondents) stated that "individual circumstances" are the main criteria in deciding whether at least one of the scenarios presented are considered as homeless or not.

To account for this variation, and to present the categories that were identified as homeless, the data is presented in Table 2.1 (*on page twelve*) in terms of three possible responses for the ten scenarios:

- Those regarded as homeless
- Those not regarded as homeless, and
- Those categories whose individual circumstances will determine whether they are regarded as homeless

Chapter 2. Implementation of elements of the 1988 Housing Act: Definition, Measurement and Assessment of Homelessness

The only category which all local authorities uniformly accepted as homeless is *'people in a temporary hostel/ in emergency accommodation'*.

One local authority qualified the category *'people in transitional accommodation'* as being considered homeless depending on circumstances, on the basis that it had a number of move-on projects, which would include participants in transitional accommodation, but who would not necessarily be considered homeless.

Table 2.1 (*See across*) - Categories of individuals and the number and percentage of local authorities identifying them as homeless: 1) in all cases, 2) depending on circumstances and 3) in no cases

Figure 2.1 (*See across below*) - Categories of individuals and the number of local authorities identifying them as homeless in all cases, depending on circumstances and in no cases

2.3.2 Findings from interviews

As can be seen from the analysis of the questionnaires from local authorities across, the interpretation of the definition of homelessness by local authorities is far from uniform. From our interviews we found that much of the differences in interpretation of the definition by homeless service providers are due to different interpretations of the key phrase in the Housing Act, 1988, as to whether the person is homeless or not, is whether is in accommodation that they *"can reasonably occupy or remain in occupation of"*.

(a) Local Authorities

From the perspective of the local authorities interviewed, there is some difference of opinion as to whether people evicted from local authority and private rented sector housing are defined as homeless.

With reference to evicted local authority tenants, Cork City Council understands that evicted local authority tenants are considered homeless and eligible for being in receipt of services. In another example, in Longford, evicted local authority tenants are not considered homeless. Because they benefited from a rent set as a proportion of their income level and should have had no affordability problems, in the opinion of Longford County Council, they therefore should not have had any difficulties in reasonably occupying or remaining in occupation of their housing. Accordingly, they have *"created this situation themselves."*

Undoubtedly the phrase from the Housing Act, 1988 *"can reasonably occupy or remain in occupation of"* gives great flexibility to the local authority to decide whether the person is homeless or not. In Dundalk Town Council, in their returned questionnaire, they accepted all scenarios proposed to them as *"homeless"*. However they said that they decide what to do *"on a case by case basis"*.

(b) Health Service Executive

The Health Service Executive and local authorities have a different understanding of what constitutes homelessness. This is particularly significant in Dublin and Cork, because Homeless Person Units, operated by Health Service Executive staff, are most often the *"gatekeepers"* that first decide whether the person or family is *"homeless"* and what kind of service, if any, they receive.

A number of Health Service Executive managers interviewed noted that despite *"Homelessness: An integrated strategy"* proposing greater clarity in funding¹¹, the Department of Environment, Heritage and Local Government and the Department of Health and Children have never formally agreed a joint definition of homelessness.

In Cork the Homeless Persons Unit accepts all scenarios proposed in section 2.3.1 as homeless, but reserves the right to make decisions as to the person's homeless status on a case-by-case basis. In Dublin the Homeless Person Unit (HPU) criteria for deciding whether to accept someone as homeless is somewhat more complex.

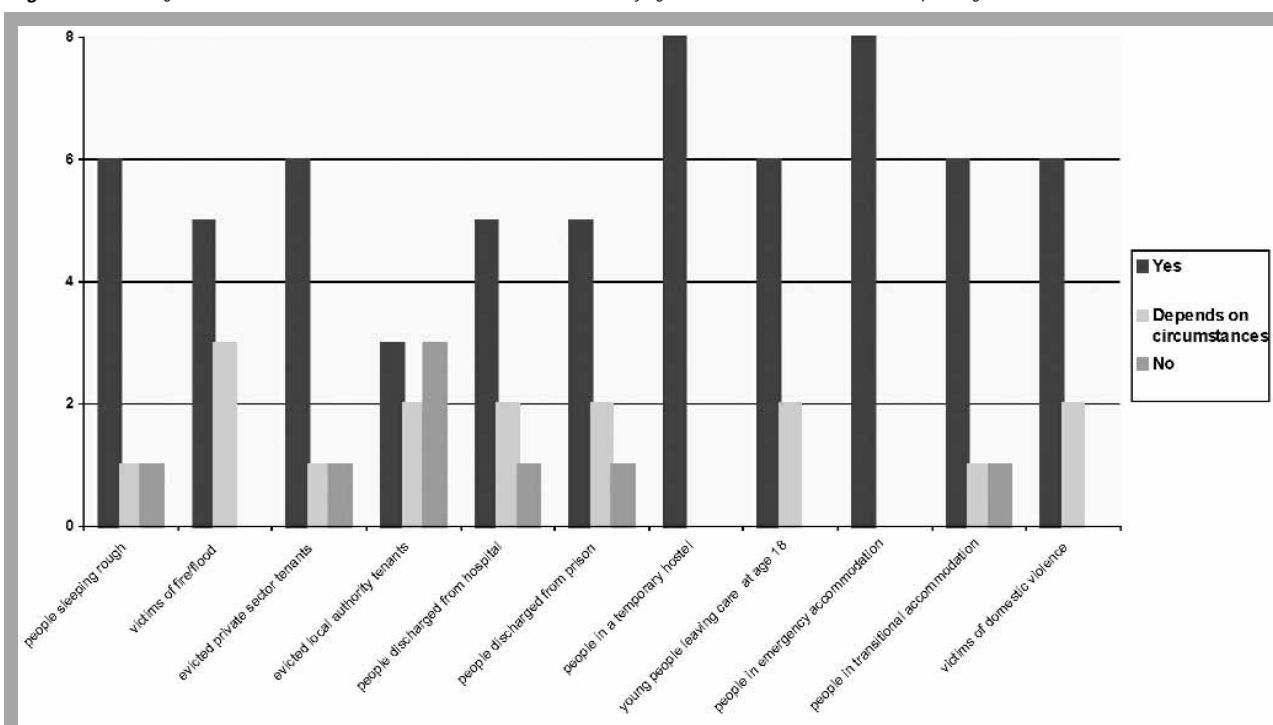
Their understanding is set out in the case study (page 13).

¹¹. Homelessness: An integrated strategy states that, "Local authorities will have responsibility for the provision of accommodation for homeless persons including hostel accommodation as part of their overall housing responsibility. Health Boards will be responsible for the health and in-house care needs of homeless persons".

Table 2.1 - Categories of individuals and the number and percentage of local authorities identifying them as homeless: 1) in all cases, 2) depending on circumstances and 3) in no cases

CATEGORY OF INDIVIDUAL	No and % of local authorities consulted which identify categories as homeless	No and % of local authorities consulted which identify categories as homeless, depending on individual circumstances	No and % of local authorities consulted which do not identify categories as homeless
People sleeping rough	6 (75%)	1 (12.5%)	1 (12.5%)
Victims of fire/ flood	5 (62.5%)	3 (37.5%)	0 (0%)
Evicted private sector tenants	6 (75%)	1 (12.5%)	1 (12.5%)
Evicted local authority tenants	3 (37.5%)	2 (25.0%)	3 (37.5%)
People discharged from hospital	5 (62.5%)	2 (25.0%)	1 (12.5%)
People discharged from prison	5 (62.5%)	2 (25.0%)	1 (12.5%)
People in a temporary hostel/ emergency acc.	8 (100%)	0 (0%)	0 (0%)
Young people leaving care at age 18	6 (75%)	2 (25.0%)	0 (0%)
People in emergency accommodation	8 (100%)	0 (0%)	0 (0%)
People in transitional accommodation	6 (75%)	1 (12.5%) ¹²	1 (12.5%)
Victims of domestic violence	6 (75%)	2 (25%)	0 (0%)

Figure 2.1 - Categories of individuals and the number of local authorities identifying them as homeless in all cases, depending on circumstances and in no cases



¹² This response was made with the qualification that the local authority has a number of moving on projects (i.e., people in transitional accommodation), where some participants may not be regarded as homeless.

Chapter 2. Implementation of elements of the 1988 Housing Act: Definition, Measurement and Assessment of Homelessness

Case Study: Homeless Person Unit (HPU), Dublin Deciding whether someone is homeless

The HPU is the main referral agency to accommodation services in Dublin, including referring people into voluntary organisation and privately owned emergency accommodation¹³ and the issuing of deposits for homeless people into private rented accommodation.

We asked their manager, are the following groups “homeless”?

People sleeping rough

Yes. However the HPU need to establish if the person is actually sleeping rough. They do this by working with other agencies that link in with the HPU. The HPU estimate that there are about 80 chronic rough sleepers in Dublin. Many of these are currently barred or have a history of being barred from emergency services. Thus even when the person's homelessness is proved it can be difficult to place them in any type of accommodation.

Victims of fire/ flood

Yes, they are considered as homeless, but in practice they rarely present. A response to their housing need is devised by local Community Welfare Officers. The exceptions are cases where large families present and where appropriate accommodation may not be available locally.

Evicted private sector tenants

Yes, however the HPU will want to know whether the person has lost their deposit and what the circumstances of the eviction were. So while there is no standard practice, they are inclined to help the person get a new deposit to access another private rented flat/ apartment and help avoid placing the person in emergency accommodation. However this “depends on the circumstances of the eviction”.

Evicted local authority tenants

If the person is evicted for anti-social reasons, according to the Housing (Miscellaneous Provisions) Act, 1997, rent allowance “may be restricted”. In practice the HPU says that people are excluded from rent allowance and are placed into emergency accommodation instead. The overwhelming number of people who leave local authority accommodation for anti-social behaviour reasons do so before the final eviction, when a notice to quit has been issued. Those who have left before an order has been given will experience “fewer restrictions”, although the HPU representative states that, “they will probably be excluded from private rented accommodation if

they have lost their tenancy through behaviour and unless another reason can be proved”.

The HPU states that no matter how chaotic/ problematic the person is, if they are with children and the social worker supports the family unit, they will be housed in some form of accommodation, more than likely emergency accommodation.

Victims of domestic violence

Yes. In the opinion of the HPU, the most appropriate place for a person who is a victim of domestic violence is a refuge in the short term. There, a clearer assessment can be made and the person can be supported to examine all options, including whether it will be possible to return to the family home.

People discharged from hospital

Yes. The HPU note that generally, people discharged from hospital who become homeless are being discharged from psychiatric hospitals. The HPU examine whether the person will be able for independent living. If they conclude that the person is unable to live independently (without support) then accommodation in the private emergency accommodation sector is judged to be inappropriate. Instead, voluntary organisation run accommodation is sought.

People discharged from prison

Yes, if they have nowhere else to stay. Prison discharges are rarely planned, except for long-term inmates, whose discharges have a lead-in time. (This point is expanded on in Chapter 7.) For those long-term inmates without a home to go to after discharge, there is some consultation with the prison. The HPU works with the Probation and Welfare Service, if for example, the person cannot return to an area where a crime was committed.

People in a temporary hostel, transitional or supported housing project

Yes. However if the person already has a place in this type of accommodation, the person has already been accepted as homeless, and thus would not be presenting to the HPU unless he/she has changed status.

Young people leaving care at age 18

Yes. However the HPU would want to know why the person is presenting as homeless. According to them, the previous institution has a duty of care. This group is considered difficult to work with and the HPU would be reluctant to make a placement into emergency accommodation for them.

The HPU in Dublin views its criteria for deciding whether someone is homeless as “very subjective”. Deciding whether the person presenting as homeless could have “reasonably occup(ied) or remain(ed) in occupation of” the property they previously occupied is a **“judgement call....The person presenting must provide some evidence or argument to justify why the property was vacated to be regarded as ‘de facto homeless’”**.

The stated reason why the HPU are so careful in granting someone “homeless” status is that once accepted as “genuinely homeless” the HPU cannot change the household's status. Because of this “homeless status”, the homeless household then has what the HPU views as continual access to emergency accommodation and in their opinion they have no sanction of eviction if anything goes wrong.

¹³. Formerly known as Bed and Breakfast accommodation.

Case Study from Galway

The following is a particularly tragic example of what can happen when there are disputes over whether a person is accepted as "homeless" and when housing provision and support is withdrawn. We felt that this case, which occurred during the period of the research, could not be ignored in the context of this report. These events are currently under investigation and have greatly shocked and saddened family, friends and service providers we spoke to in the course of our research.

In November 2004, a woman, served an eviction notice from local authority accommodation by Galway City Council, was found dead in her house on the day of eviction. She had committed suicide the previous night. The woman had a long-standing diagnosed mental health problem.

The exact events leading to the woman's suicide are under investigation by the local authority. The information known at present is that, in addition to being evicted from Council property, the Council advised COPE, the voluntary organisation emergency hostel provider for women and men in Galway, not to house the woman once she was evicted. The Council rationale for this was that since the Council funds COPE to provide services and since the woman was no longer entitled to occupy Council property, she should not be allowed occupy Council funded emergency accommodation.

Some interviewees in Galway stated that while the woman's behaviour was undoubtedly difficult, over a long period, for both her neighbours and the Council, the woman did not receive sufficient support to help her address her mental health needs. A representative from COPE stated that although they were informed that they should not house her, if she had presented to their emergency housing unit or outreach service, they would have treated her like any other person presenting, and if she had sought accommodation, they would have housed her.

(c) Voluntary organisations

Voluntary organisations and local authorities have a different understanding of what constitutes homelessness in some areas.

All representatives of voluntary organisations interviewed accept and define all the scenarios listed in our questionnaire submitted to local authorities (above) as constituting homelessness. However for voluntary organisations that provide accommodation/ support and especially for those that operate a landlord function, in practice they limit the types of groups they will work with.

Some voluntary organisations design their service and their referrals so that they work with the most difficult to house, those that have spent periods

sleeping rough and may have ongoing alcohol or drug addictions and possibly are also diagnosed with a mental illness. These services have become more common since 2000, with the introduction of formalised tendering processes and new service providers to Ireland providing examples of new ways of working with these groups.

Other types of services, for example transitional housing service providers in Dublin, require first that the person is registered with the Homeless Person Unit and second, will interview a large number of people referred to them before deciding which persons are most appropriate for the service. Criteria such as ability to set goals and the person's motivation to join the programme are all considerations in deciding whether the person should be accommodated.

For domestic violence services, a different set of criteria applies as to whether the person will be accommodated in their service, i.e. whether the person presenting is homeless because of domestic violence or for another reason. A number of managers of refuges interviewed identified that, in practice, women who are sleeping rough are very rarely if ever accommodated in their refuges and that it is uncommon to work with people evicted from other accommodation. According to one interviewee, even when the referral to the domestic violence refuge is made by an emergency hostel – with the hostel having undertaken an accurate assessment of the individual's needs - the service will still reserve the right to accommodate the person "based on the ability of the person to enter into a tenancy".

Domestic violence second stage services in the form of transitional housing, work almost exclusively with people referred from domestic violence refuges. Again they rarely work with rough sleepers and do not work with those directly discharged from hospitals/ prisons. One transitional service in Limerick does not accept "certain names", that is women from known families with a history of anti-social behaviour, and staff make independent investigations on the person's family background before offering a placement.

Finally there is the perspective of the voluntary housing providers (also known as housing associations). While voluntary housing providers do have some discretion about which applicants to house, the larger of these organisations generally house those applicants nominated by the local authorities on the basis of the local authority

Chapter 2. Implementation of elements of the 1988 Housing Act: Definition, Measurement and Assessment of Homelessness

definition of housing need. This point is expanded upon in Section 2.5.

In summary, voluntary organisations tend to follow the broadest definition of homeless. In practice, however, many tailor their services to concentrate on some homeless groups to the exclusion of others. While their policy is that all scenarios constitute homelessness, often their practice as a landlord is that they will work with only a set group of people, who suit the profile of the service offered.

2.4 Measuring homelessness

The counting of homelessness has direct relevance to the wider elements of this research study. As Price Waterhouse Cooper in their "Evaluation of the Homeless Agency" (Homeless Agency, 2004) state:

Different views exist in respect of the manner in which the issue of long-term housing should be addressed and the development of a needs-based approach to the issue of housing is likely to be a key objective of the Homeless Agency in the future. Whatever the nature of the solution, it will be difficult to get agreement on the level of progress being made in the absence of a commonly understood and agreed data set for homelessness in Dublin.

Sections 8 and 9 of the Housing Act 1988 place a responsibility on local authorities to conduct counts of homelessness for their areas at least every three years. Section 9¹⁴ states that,

"(1) A housing authority shall ...not less frequently than every three years and as the Minister may, from time to time, direct, make, in accordance with this section, an assessment of the need for the provision by the authority of adequate and suitable housing accommodation for persons—

(a) whom the authority have reason to believe require, or are likely to require, accommodation from the authority, and

(b) who, in the opinion of the authority, are in need of such accommodation and are unable to provide it from their own resources.

(2) Without prejudice to the generality of subsection (1), a housing authority in making an assessment under this section shall have regard to the need for housing of persons who—

(a) are homeless

(b) are persons to whom section 13 applies,

(c) are living in accommodation that is unfit for human habitation or is materially unsuitable for their adequate housing,

(d) are living in overcrowded accommodation,

(e) are sharing accommodation with another person or persons and who, in the opinion of the housing authority, have a reasonable requirement for separate accommodation,

(f) are young persons leaving institutional care or without family accommodation,

(g) are in need of accommodation for medical or compassionate reasons,

(h) are elderly,

(i) are disabled or handicapped, or

(j) are, in the opinion of the housing authority, not reasonably able to meet the cost of the accommodation which they are occupying or to obtain suitable alternative accommodation."

(5) Subject to this section, a housing authority may, to such extent (if any) as the authority considers appropriate, include in an assessment under this section need arising from the requirements of persons who are residing outside the functional area of the authority."

Since the Housing Act came into operation in 1989, local authorities have carried out seven Counts¹⁵ of the numbers of homeless persons: in 1989, 1991, 1993, 1996 and 1999, 2002, with the newest count conducted in March 2005 and expected for publication within twelve months.¹⁶

Table 2.2 *across*, of local authority Homeless Counts for five of these counts, shows that in some areas there are wide variations from homeless count to homeless count, and in other areas the numbers of people homeless is relatively stable and shows much less variation.

According to the Integrated Strategy, "the 1996 assessment, which was based on a traditional format, with the count taking place on one single night, indicated that there were 2,501 homeless persons. The 1999 assessment, which was much broader, indicated that there were 5,234 homeless persons." (DoE, 2000). It is undoubtedly true that changes in methodology, in particular the introduction of the ESRI Count for Dublin in 1999, impacted on the substantial increase in number of people counted as homeless in 1999.

The 2002 assessment counted 5,581 persons (4,176 adults and 1,405 children). The great majority of persons counted in the 2002 count, 73% of the total number, were found in the Dublin area. A further 14% were found in the remaining City Councils of Cork, Galway, Limerick and Waterford, confirming

¹⁴ Full text in Appendix 2.

¹⁵ Homeless Counts are officially called "Assessments" in the Housing Act 1988 and in Government reports.

¹⁶ The last Homeless Count in 2002, conducted in March 2002 was published in the December 2002 Housing Bulletin, which was released in May 2003.

the commonly held contention that homelessness is predominantly an urban phenomenon (DoE, 2002). However because of the different methodology employed in Dublin compared to the rest of the country, conclusions about the proportion of people homeless in Ireland who are living in Dublin, cannot really be made with any certainty.

2.4.1 Findings from Questionnaire

(a) Consultation with agencies and organisations

Section 9 (4) of the Housing Act 1988 states that:

“(4) Before making an assessment under this section, a housing authority shall give one month’s notice of their intention to do so to—

(a) any housing authority whose functional area adjoins the functional area of the authority giving the notice,

(b) any health boardwhose functional area includes or adjoins the functional area of the authority giving the notice, and

(c) such bodies as the authority see fit including voluntary or non-profit making organisations engaged in the provision of housing accommodation in the functional area of the authority or other organisations whose purposes include the provision of accommodation, shelter or welfare.”

The following summarises the responses by local authorities to our questionnaire regarding the stages in the process of refining data for the 2002 Housing Needs Assessment:

- All local authorities said that they consulted with agencies (statutory and non-statutory agencies).

- six of the eight local authorities¹⁷ (75% of all respondents) made contact with voluntary organisations working with or advocating on behalf of people who are homeless. The homeless organisations consulted ranged from “all known homeless bodies”, to “those organisations funded by the local authority”, to “all organisation participating in the Homeless Forum”.

- seven of the eight local authorities (88%), say they have involved the (former) health boards in the process. The most frequent contact was with Community Welfare Officers, who were requested in most cases to provide details of individuals with a housing need.

- Only one of the eight local authorities (12.5%) established contact with their neighbouring county council.

- six of the eight local authorities (75%) established contact with applicants for housing, to confirm they were still in need of housing.

- Five local authorities (63%) reporting taking out advertisements in local newspapers, radio, etc.

(b)Accuracy of the Assessments of Homelessness and suggestions for changes to the process

Five of the eight local authorities consulted (63%) believed that the assessment of homelessness was not a wholly accurate reflection of the number of people homeless in their area. The primary reason for this was the fact that people who are homeless may not be in contact with local authorities.

Table 2.2 - Numbers of Homeless Persons – Local Authority Assessments 1991, 1993, 1996, 1999 and 2002 for the major urban areas in Ireland and Dundalk Town and Longford County

County	Cork City	Dublin City and County	Galway City	Limerick City	Waterford City	Dundalk UDC	Longford County	National Total	% of Homeless in 5 Major Urban Areas
March 1991	303	1,536	97	80	75	47	7	2,751	76%
March 1993	257	1,648	126	78	11	52	27	2,667	79%
March 1996	308	1,533	54	37	62	50	68	2,501	80%
March 1999	335	3,792	144	123	69	20	103	5,234	87%
March 2002	439	4,060	181	96	84	19	0	5,581	87%

¹⁷ One of the two other local authorities had contact with “housing bodies and housing associations”, rather than specifically homeless organisations.

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The following comments outline the views of local authorities in relation to this response:

“with the benefit of hindsight, the 2002 Assessment did not provide an accurate reflection of the number of persons homeless in the [local authority] area. The method used reflected the number of persons who presented to the council rather than the number who were actually residing in emergency accommodation”

“assessments are only accurate insofar as homeless persons have identified themselves to the local authority as being homeless or are accessing homeless services”

“probably fails to reflect the true picture of homelessness...as it is a snapshot at a particular time”

“the figure recorded is an underestimate of the number of homeless persons due to the transient nature and the fact that not all homeless persons traditionally contacted their local authority”

“more defined definition of homeless needed – different people, in talking about homeless could be referring to different categories, e.g., sleeping rough, those in private rented, all those on housing list”

In relation to our question as to suggestions by which more accurate information could be collected, the following comments were made:

“The forthcoming 2005 assessment will be carried out in closer consultation with all voluntary and statutory accommodation providers to ensure that all persons availing of those accommodation services are included in the process. Unlike previous assessments, the results will be analysed centrally by the Dept of Environment, Heritage and Local Government and duplication will be eliminated by close reference to PPS numbers”

“a social worker [is] to carry out a project on homeless[ness] to establish numbers and categories”

“the appointment of a settlement/ outreach worker with [local authority] has created a contact point for homeless persons who may otherwise not contact their local authority and this has resulted in the collection of more accurate statistics”

“what strictly constitutes a person being homeless. I believe that people in emergency accommodation or sleeping rough should be counted as homeless and not people in move-on accommodation provided under CAS [Capital Assistance Scheme]”

2.4.2 Findings from Interviews

Further to our questionnaire, which identified that in the majority of local authorities surveyed, the homeless counts are not wholly accurate reflections of the number of people homeless in their area, we conducted interviews with service providers, including local authority officials, to test the accuracy of the count further.

Of course, the fact that there is no clear agreement as to what constitutes homelessness (see section 2.3 of the report) means that it has proved very difficult to agree an accurate count of the extent of homelessness in different areas. Despite this fundamental methodological difficulty, a number of interviewees expressed the view that the Count remains an important measure, albeit one that requires better resourcing and methodological improvement and standardisation across local authorities.

Homeless Forums and the resulting better cross-working between statutory and voluntary groups has helped facilitate the 2002 Homeless Count and will likely help facilitate the 2005 homeless count. In the last Homeless Count, voluntary organisations acknowledged that they were consulted by local authorities in all local authority areas investigated and the names of people using homeless services when presented to the local authority were generally accepted by them for inclusion in the homeless count.

However, statutory and voluntary agency interviewees identified a number of methodological difficulties with the Count. Suggestions for improvement were also made and these are referred to in Chapter 8, General Conclusions and Recommendations.

(a) Over- dependence on local authority administrative records

Local authority administrative records on homelessness lack detail and precision. As has been shown in exercises in measuring homelessness in Ireland, both locally (Bergin 2003), and nationally (Williams 1999, 2002), many people who are homeless and using homeless services are not on local authorities' homeless/ housing waiting lists. Conversely many people registered on local authority homeless waiting lists are not using homeless services and have not had their homelessness verified at the time of the Homeless Count.

Because it was accepted in Dublin (across the four local authorities) that the local authority homeless list could not be relied on to give an accurate picture of the number of homeless people in the area, a separate ESRI/ Homeless Agency Count was conducted in 1999 and 2002. As was stated in the ESRI/ Homeless Agency Count:

"Generally, official assessments of homelessness in Ireland have relied on administrative records held by local authorities. Such assessments generated debate based on concern at their potential to underestimate the extent of homelessness." (Williams and Gorby, 2002)

Yet in many local authorities in Ireland the local authorities housing waiting list is the main or only tool for assessing the extent of homelessness in the area.

Another consideration in assessing the accuracy of the local authority housing waiting list as a measure of homelessness is that interviewees identified the issue that many homeless people are simply not in contact with their local authority. While we found only isolated evidence of local authority "gate keeping" i.e. discouraging some groups from applying for housing, interviewees suggest that the length of the wait to be allocated housing, especially for single people and others with issues such as drug or alcohol dependence or mental illness, appears to discourage or makes it less likely that some homeless people will apply for local authority housing. Local authorities do not seek out homeless people, so someone staying in a hostel, who has not made contact with a local authority, is unlikely to be included on the local authority waiting list unless the voluntary organisations working with homeless people are consulted (see section 4.5).

(b) Different methodologies used in different local authorities

A related but somewhat different point to the above is the difference in methodology employed between local authorities more generally. There is no uniformity as to how the Department of the Environment, Heritage and Local Government's guidelines are interpreted by local authorities.

For example, the ESRI/ Homeless Agency Counts in Dublin in 1999 and 2002 employ a much more thorough and comprehensive methodology compared to any local authority area in Ireland. Yet, in the ESRI/ Homeless Agency Counts, people in hospitals, county homes and prisons, there because they can't find accommodation, are not included in

the definition of homelessness (even though these are specifically prescribed in the Act), since although they may be homeless on discharge, "they are not actually homeless at the time of the assessment" (Williams and Gorby, 2002). However, in Dundalk and Galway, people in hospitals, county homes and prisons staying there because they can't find accommodation, are included in their Homeless Counts.

Also, people staying in transitional accommodation in Dublin were enumerated for the 2002 ESRI Homeless Count but were excluded from the final total number of people homeless, a practice which we believe to be unique and different to the approach taken in other local authority areas.

(c) The Homeless Counts offer insufficient detail on which to plan services

Except for the ESRI/Homeless Agency Count, Homeless Counts offer very little detail on the profile and needs of individuals counted. For example they do not note if the person is a Traveller or other ethnic identity, the type of accommodation if any they presently occupy, their support needs, whether they have any disabilities, are elderly etc. Because the count frequency is once every three years and the publication of the information can be slow, the data gathered is often out-dated even when just published. Some statutory and voluntary agencies suggest that there are no practical reasons why the recording of numbers homeless should not be ongoing or at least conducted annually.

This lack of detail and frequency means that the counts cannot be used as a tool for housing associations and other service providers to plan new services. Voluntary housing providers interviewed expressed concern that housing needs identified in the Housing Needs Assessment/ Homeless Count are perhaps not real, and as a result, if they rely on these official numbers, they may be developing types of housing not actually in demand. Voluntary housing providers interviewed also expressed concern that they may be failing to meet the housing needs of a group that requires special provision, for example those with disabilities, if they rely solely on the Housing Needs Assessment.

(d) Including the "hidden homeless"

There is no evidence that the "hidden homeless", described as "those families or individuals involuntarily sharing with family and friends, those in

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insecure accommodation or those living in housing that is woefully inadequate or sub-standard" (O'Sullivan, 1996) have been included in the Homeless Counts in any area. One interpretation of the legislative definition of homelessness contained in the Housing Act 1988 would include the "hidden homeless" in any Homeless Count. Uniformly however, unless they are registered with the local authority, or connected in with a homeless service provider, local authorities have not counted in the "hidden homeless", although they may be recorded as in housing need by the local authority.

In Dublin, for example, the ESRI Counts included a substantially smaller number of people staying with friends/ relatives as homeless in 2002 compared to 1999 (Williams and Gorby, 2002). In 1999, 430 single people (21% of all single people) counted as homeless were staying with friends/ relatives but in 2002 this was down to 124 single people (or 7% of the total). In 1999 162 homeless households with children (30% of the total) were counted as homeless, while in 2002, this was down to 25 households with children (4% of the total). While there may have been a decrease in the incidence of homeless people staying with friends/ relatives, it is at least as likely that changes in the way homelessness was defined by the Dublin local authorities have led to the exclusion of these "hidden homeless" from the 2002 Homeless Count.

(e) Differing estimates of Homelessness by Homeless Forums, the Health Service Executive and Local Authorities for the same areas

Because of the different definitions of homelessness followed by the Homeless Forums, the Health Service Executive and local authorities for the same areas, as well as the different measurement tools (flow counts, point in time counts) there are different estimates of homelessness by these agencies. For example in the South East Region¹⁸ there are differing estimates of Homelessness by Local Authorities, (former) Health Boards and in Homeless Action Plans for the same region in the same year (Bergin, 2003).¹⁹

The South Eastern Health Board in its Strategic Plan for 2002 estimated that, following the Housing Act, 1988 definition, there were 420 homeless people based in the South East region.²⁰ Local authorities estimated 200 people homeless in the South East region (DoE, 2002). The Homeless Action Plans also made estimates and totalling these gives an estimate in the region of 350 people homeless.

In another example, Limerick City and County has seen a considerable decrease in officially recorded homelessness over three years, from 162 people homeless in 1999 to 110 people homeless in 2002, a reduction of 32%. However according to a needs analysis conducted in 2003, where service providers and health board officials were contacted, "the reality – in terms of demands made on hostels - was an obvious contradiction to official figures, all of those questioned stated that demand was high and occasionally reached the point where there was insufficient accommodation available. There was a lot of evidence to suggest that the scale of homelessness was much greater than official assessments suggested". (Irwin 2003) In the same Mid Wed region, in Clare, the 2002 Homeless Assessment of two homeless people was questioned by some of the service providers in this region, considering that, after the introduction of a Health Board recording database, it was found that for year 2003, 160 homeless people used services during the year.

Case Study: Longford

Longford is an example where the local authority and service provider estimates as to the number of people homeless vary. Longford County currently has the only hostel accommodation in the Midlands Region, covering counties Laois, Offaly, Longford, Westmeath. This consists of an 11 bed male hostel and a 19 unit female hostel. Both of these facilities are run by St Vincent De Paul with joint funding from the Health Services Executive and Longford Town Council. The services operated at full capacity on a number of occasions during the year.

The Health Service Executive nurse, working half time in the county, identified 160 new cases in Longford in 2004. The local authority proposes that the tri-annual assessment of five homeless people for the Town and County is more accurate (the 1999 Assessment figure was 108 homeless persons.)

Some of the reason for these different estimates may be that while the voluntary organisations in Longford operate the widest definition of homelessness (which includes the "hidden homeless"), the local authority does not accept that the people staying in the hostels and those identified by the "Homeless Nurse" are "real and credible housing applicants". For this reason they are not included on the housing list and in the homelessness assessment. The local authority also differentiates between indigenous homeless and those homeless "knights of the road" (who the local authority defines as people who stay for short periods in the homeless hostel in the town but who have their roots outside the county). In addition the local authority reports that single people under the age of 50 are generally not considered for housing by the local authority and are instead directed into private rented accommodation. Single people under the age of 50 make up the majority profile of homeless people in Ireland.

¹⁸ Counties Carlow, Kilkenny, South Tipperary, Waterford and Wexford.

¹⁹ Estimates of homelessness identified from a desk review of Local Authority Action Plans, Housing Bulletin Stats and the South Eastern Health Board Strategic Plan 2003, as well as corroborating estimates from service providers on the extent of homelessness in each of the county areas.

(f) People no longer homeless may be included in the Count and thereby increase the number artificially

In most of the areas studied, people staying in "supported housing" - a type of long term housing with support generally provided by voluntary organisations - are counted as homeless in the Homeless Count even though their housing situation is stable. In other words, even though people are provided with a home of reasonable quality and with the support necessary to sustain the tenancy, they are still included in the homeless number (with the exception of Limerick and Dublin, where they are not included in the Homeless Count).

The DEHLG circular N2/02 "Assessment of Need for Housing and other Accommodation and of the Number of Homeless Persons" of February 2002, required local authorities to ensure that, "All residents of accommodation funded by the authority under Section 10 of the 1988 Act should be included in the assessment on the basis that they are accepted by the authority as being homeless for the purposes of Section 10 funding". Because of this and because of the absence of other funding mechanisms to cover management expenses, voluntary organisation looking for funding to support the formerly homeless person in maintaining their tenancy may need to label the person as homeless to get this funding and consequently must count them as homeless in the local authority's Homeless Count.

2.5 Assessing the housing needs of someone who is homeless

The Housing Act, 1988 requires local authorities to assess the need for local authority housing in their area at least every three years. To be included in the assessment, households "must require or be likely to require social rented housing from the authority, and be in need of housing and unable to provide it from their own resources" (DEHLG, 2002). Section 8 of the Housing Act 1988, together with section 9 of the Act (cited in 2.4 above), are the relevant sections of the Act. One of the groups of persons that the Act specifies, to which a housing response is due, is those persons who are "homeless or living in temporary or movable accommodation".

Section 8 states that,

"(1) A housing authority shall, within one year of the commencement of this section and thereafter at any

time that appears to them expedient, and shall, as may, from time to time, be directed by the Minister, make as respects their functional area an estimate of—

- (a) the existing housing requirements, and
- (b) the prospective housing requirements over such period as the Minister may direct or, in the absence of such direction, as the authority see fit, and shall cause a report thereon to be prepared and adopted by the authority.

(2) In making an estimate of housing requirements in accordance with *subsection (1)*, a housing authority shall have regard to.....

- (b) the extent to which there are persons who are homeless or living in temporary or movable accommodation."

In this section we examine in practice how these provisions of the Act have been implemented. We view the question from the perspective of the homeless person and examine the response they receive from the local authorities and voluntary organisations to their housing need.

We examine first the process of registering with the local authority, and why those homeless people not registered with the local authority have not done so.

Secondly we review the Scheme of Lettings of each of the local authorities studied, examining to what extent homelessness is prioritised on the Schemes.

Thirdly we return again to the definition of homelessness and discuss how differing definitions in different local authorities affect the outcomes, in terms of numbers of units of accommodation allocated to people who are homeless.

Finally we examine what a customer focus in the local authorities might mean for the person who is homeless seeking to be accommodated by them.

2.5.1 System of registering with the local authority for Housing

The first step in a person being assessed for housing by the local authority is to register with them for housing. If a person is counted as homeless by the local authority (under the relevant sections of the Housing Act 1988), there is no legislative or other requirement for the local authority to include that person on the housing waiting list or to plan to meet that person's housing need.

²⁰ They made this estimate through contact with voluntary organisations, other accommodation providers, Gardai, Superintendent Community Welfare Officers, Senior Social Workers, A+ E Hospitals and the Probation and Welfare Service. Different to the local authorities, they included those people staying with friends and those in hospitals because they have no other accommodation available to them.

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In other words when local authorities record people as homeless, they are either basing their Homeless Count on those who identified themselves as homeless when applying for housing in the three years up to the date of the count and whose application is still "live" and/ or those who are in contact with homeless service providers located in the local authority's functional area. For those who are included in the Homeless Count because they are using homeless services, but are not already on the housing waiting list, our research has found that there are no direct implications for the person to either be included in a housing needs assessment in the future or for the local authority to plan to meet their housing needs. The responsibility lies with the homeless person to register for housing and then the normal procedures apply.

According to the 2002 Local Authority Homeless Counts there were 1,100 people in Dublin who were counted but who were not registered with the local authority for housing and thus not on a housing waiting list. There were a further 205 people in the rest of Ireland who were counted as homeless but were not registered with a local authority and thus not on a housing waiting list (Department of the Environment, Heritage and Local Government, 2002).

Why is there this group of people who are homeless but are not registered with the local authority for housing?

The following reasons were suggested by those interviewed in this research:

- (a) Our research found that the majority of organisations working with homeless people advise them to register with the local authority. That is nearly all, but not all, voluntary organisations, who link in with people who are homeless, refer them on to the housing waiting list. Some voluntary organisations even advise rough sleepers to register. However, the majority of voluntary organisations see it as the responsibility of the homeless person to register for housing and are of the view that while they can support and advise, to go any further would disempower the homeless person.
- (b) A proportion of homeless persons and voluntary organisations interviewed said that they see registering for housing with the local authority as a "pointless" exercise, because of what they view as the lack of probability of a timely and

successful outcome. However those seeking to access the private rented sector will register with the local authority so that they can access Supplementary Welfare Allowance (SWA) rent allowance. As one interviewee remarked, ***"many people with unmet housing needs will only seek local authority help if they believe the services they need are available. Many single people do not expect to be allocated housing from the local authority so do not apply. A broad range of good quality services which are easy to access would, I think, show that housing needs are more widespread than current official assessments demonstrate."***

- (c) While this point is to be explored in greater detail in Chapter 6 of this report, it is of note that some people staying in voluntary organisations are not inclined to move into local authority accommodation and a proportion of people who are counted as homeless are seeking sheltered types of accommodation or have not yet considered their move-on options, so are less likely to apply for local authority housing.
- (d) There are difficulties of cross working between local authorities and Community Welfare Offices in some areas, in registering people staying long-term in SWA private rented accommodation onto local authority housing lists. Community Welfare Officers have mentioned that consultation by the local authority with them would facilitate the process, which at present misses out on a large proportion of people in private rented accommodation. The operational requirements of the Rental Assistance Scheme may resolve this current difficulty, although it must be added that few actions have yet been undertaken in the roll-out of the Scheme.
- (e) Finally, there were some suggestions from interviewees that some case files are lost in local authorities. In other words people who think they were registered for housing in the local authority are not actually on the housing waiting list. Settlement officers in some locations ask people, if it is their intention to move into local authority accommodation, to check with the local authority to make sure they are registered for housing. Research in a small study in Bray, County Wicklow (Bergin, 2003) found that 23% of the total number of people counted as homeless in the area thought that they were registered with the local authority as homeless, but that there was no record of their housing application on the local authority's homeless list (although they could have been on the local

authorities' general housing waiting list).

2.5.2 Scheme of Letting Priorities

The local authorities' Schemes of Letting Priorities are, in effect, local authorities' statements setting out the order of priority in which households eligible for housing from the local authority will be offered this housing. Section 9 of the Housing Act 1988 lists "persons who are homeless" as the first named group among groups to whom, when the local authority makes allocations, priority should be shown.

O'Sullivan (2004) notes that housing authorities have considerable discretion to determine eligibility for 'social housing' and in turn to determine the priorities for housing those deemed eligible. Consequently, the Assessments of Housing Need and the Schemes of Letting Priorities by housing authorities are, in effect, two different exercises. More Schemes of Letting Priorities do not appear to adopt the categorizations of need outlined in the Housing Act as the basis for determining allocations.

An analysis of the Scheme of Letting Priorities was undertaken as part of this research, to establish the extent to which persons homeless are prioritised. The key areas for examination included the following:

- The categories of eligibility for housing across local authorities
- The priority categories for housing
- The basis for calculating priority, and for allocating housing
- Special provisions in the scheme of letting priorities

This information is calculated from the Scheme of Letting Priorities received from the following local authorities:

- Dublin City Council
- South Dublin County Council
- Dun Laoghaire Rathdown County Council
- Galway City Council
- Cork City Council
- Dundalk Town Council
- Longford County Council
- Wicklow County Council

In overall terms, local authorities' Schemes of Letting Priorities vary in terms of the detail and procedures used for making allocations to housing applicants. They also vary in terms of the

identification of priority categories for housing allocations.

In terms of eligibility for an offer of accommodation, an applicant must demonstrate a housing need. In determining need, three local authorities (Dublin City Council, Cork City Council and Galway City Council) specify in their Scheme of Letting Priorities that they will have particular regard to a number of categories of housing need (corresponding to the categories listed in Section 9 (2) of the Housing Act 1988).

With regard to priority categories for housing, Table 2.3 (see page 24) compares these categories across the eight local authorities, as stated in their Schemes of Letting Priorities. Priority categories are generally seen as exceptional circumstances, which can take precedence over other factors in allocating housing. These other factors typically include the applicant's length of time on the housing waiting list, or the number of points awarded by the local authority, according to their circumstances (see below).

Three of the eight local authorities list priority categories, but do not assign to these categories an order of priority (Dublin City Council, Galway City Council and Wicklow County Council). Table 2.3 makes the distinction by listing the priority categories, and either assigns a figure for each local authority (denoting the first, second etc., order of priority) where applicable, or includes a ✓ to denote that this category is included in the list of priorities (but not assigned a particular order of priority).

Local authorities do not all use the same categories, so the table has merged (denoted by a 'slash') or paraphrased similar categories to allow comparisons to be made. The categories are not listed in a strict order of frequency or priority.

The table demonstrates that six out of eight local authorities (75%) specify Homeless Persons as defined in the Act as a category for priority lettings. However, only two of the eight local authorities (25%) have this category as the first priority for lettings (Cork City Council and Longford County Council)²¹. Dublin City Council and Galway City Council have homeless persons included in their priority categories, but these local authorities do not order their priority categories. South Dublin County Council and Dun Laoghaire Rathdown County Council rank homeless households as 3rd and 4th place in order of priority (respectively). Two local authorities do not include homeless

²¹ Of the local authorities who assign a particular order to priorities (which is 50% of all the Scheme of Letting Priorities analysed), half of these (two local authorities) include persons who are homeless as their first category of priority.

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persons as a priority category (Dundalk Town Council and Wicklow County Council). Dundalk Town Council does have an additional broad priority category 'people otherwise in need of accommodation'.

Three local authorities specified persons homeless 'through no fault of their own' in their lists of categories of overall priority (Dun Laoghaire Rathdown County Council, South Dublin County Council, and Galway City Council). This interpretation of homelessness and its implications is further discussed in section 2.5.3, below.

Dundalk Town Council has assigned key factors to be taken into consideration when allocating housing. These are:

- Financial circumstances of family and dependents
- Standard of existing accommodation
- Length of time on waiting list
- Previous tenancy record including compliance with terms of any tenancy agreement

Of the local authorities consulted, South Dublin County Council, Dun Laoghaire Rathdown County Council, Wicklow County Council and Dublin City Council also operate a points system in determining allocations. The points can be over-ridden by priority categories (Dublin City Council). In other cases, the points system works alongside an order of priority for existing categories (South Dublin County Council and Dun Laoghaire Rathdown). In the case of Wicklow County Council, priority categories outlined in Table 2.3 above, are drawn from their points system, and also from two categories separately identified as those given priority for specific types of housing (i.e., elderly persons and persons with a disability). The points system used is summarised in Appendix 6.

All local authorities, in their Scheme of Letting Priorities, include circumstances and conditions where applicants can be affected or refused. These are outlined in Table 2.4 (see across below).

All local authorities have a provision in their Scheme of Letting Priorities to set aside a particular proportion of their dwellings for categories of persons.

As regards the practice for this, in our questionnaire we asked local authorities whether they set aside a

specific number or proportion of units of local authority housing for any category of persons, including people who are homeless.

Five of the eight local authorities (62.5%) reported that they set aside a specific proportion of housing units for people who are homeless. Of these five, one local authority also reported setting aside a proportion of units of housing for non-nationals who have permission to stay in the state, while another noted that units are set aside also for people with disabilities and elderly people.

The proportion of housing set aside for people who are homeless ranged from 4% in one of the smaller local authorities, to 10%, 20% and 33% in the larger local authorities. One local authority stated that their new Homeless Action Plan will set a target for accommodation for homeless people.

Three local authorities (37.5% of respondents) did not set aside a specific proportion of units to people who are homeless. One of these local authorities qualified this by stating that all those who were housed each year are 'homeless'. Another stated that allocations are made on a need basis, and that part of the reason for not setting aside a specific number was because they may not always have suitable accommodation available.

It is of note that in interviews, some local authorities said that they follow the Scheme of Letting Priorities closely while others said that they apply the scheme flexibly. In Dundalk Town Council for example, the allocation officer has a "lot of discretion" such that "medical problems are always given priority". Dundalk Town Council said that if they were to follow the Scheme of Letting Priorities strictly, homeless people who applied would never receive an allocation. In their opinion, it is because of the flexibility they work under in the allocation process that they can make quicker and more appropriate allocations to homeless people.

2.5.3 Interpretation of the definition of homelessness is a factor in whether the person is assessed for local authority housing

As discussed in section 2.3 of the report, the way in which a statutory or voluntary agency interprets the definition of homelessness impacts on whether the homeless person receives a service.

Interviewees suggested the following ways in which homeless people may be excluded from applying for local authority housing:

²² Dundalk Urban District Council's Scheme of Letting Priorities is currently under review

²³ In its Scheme of Letting Priorities, Wicklow Co. Co. establishes priorities for most categories on the basis of their points system, and this has been used as a basis for calculating the order of priority. In addition to this, particular groups are given priority for some housing types, for example, people who are disabled or elderly people.

²⁴ Three local authorities specified persons homeless 'through no fault of their own' in their lists of categories of overall priority (Dun Laoghaire Rathdown and South Dublin County Council, and Galway City Council).

²⁵ In the case of Dun Laoghaire Rathdown, this category also includes applicants suffering from tuberculosis

(a) Some local authorities restrict entitlement to local authority housing to those who are “indigenous” to their area only (or at least those showing familial links or length of time living in area). For example voluntary sector interviewees suggest that local authorities in Dublin, with the exception of Dublin City Council, do not accept people as local authority housing applicants unless the person originates in the area or can show some local connection. Statutory and voluntary interviewees in the larger urban areas suggest that

in general the smaller, more rural local authorities are the most restrictive in requiring some local connection to prove whether they are ‘real’ candidates for housing. In general, however, it is in urban areas where the largest proportion of ‘non-indigenous’ present. For example in Galway, those indigenous make up only about half of client group. The rest are from Dublin and other urban and rural areas in Ireland and from the UK, returned emigrants included.

Table 2.3 - Priority categories and their order of priority (where relevant) in the local authorities' Scheme of Letting Priorities

PRIORITY CATEGORIES / GROUPS OF CATEGORIES FOR HOUSING	Dublin City	S' Dublin	D'Laoghaire Rathdown	Galway City	Cork City	Dundalk22	Wicklow23	Longford
Medical & social / compassionate grounds	✓	5		✓	4	3	✓	4
Homeless persons as defined by the Act / rendered homeless through no fault of their own24	✓	3	4	✓	1			1
Families or persons living in dangerous premises		1	1			1		
Persons living in unfit or overcrowded accommodation25			2		3	2	✓	3
Persons living in accommodation which as a result of action by the council, is required to be closed/ Displacement	✓	2	3	✓	2			
Families / persons evicted through no fault of their own / due to a court order, & unable to provide their own accommodation		4	5	✓				
Unable to : reasonably meet the costs of current acc / obtain suitable alternative accommodation/ afford acc. being purchased	✓				7		✓	7
Persons sharing with another person who have a reasonable requirement for separate accommodation					5		✓	
Families or persons living in premises unfit for human habitation or materially unsuitable for their accommodation								2
Elderly persons							✓	5
Persons with disabilities							✓	6
Persons displaced by fire, flood, dangerous buildings/ Potentially dangerous buildings				✓26				
Persons required to vacate tied accommodation27	✓							
Older persons surrendering larger (local authority) accommodation	✓							
Tenants surrendering larger accommodation in high demand areas	✓							
Tenants of dwellings to be demolished/ Re-furnished	✓							
People otherwise in need of accommodation						4		
(Young) persons leaving institutional care or without family					6			
People who have applied for re-housing & included in the assessment for an unreasonably long period as determined by L.A.								8

Table 2.4. Special provisions and conditions in the Scheme of Lettings Priorities, in particular cases where a persons application may be affected, deferred or refused:

	Dublin City Council	South Dublin City Council	Dun Laoghaire Rathdown	Galway City Council	Cork City Council	Dundalk28	Wicklow	Longford
Applicant has been evicted from previous local authority accommodation due to anti-social behaviour/ has been engaged in anti-social behaviour	✓	✓		✓				
Applicant has outstanding rent due to the local authority / vacated a previous local authority dwelling owing rent	✓	✓		✓				
Applicant is squatting/ has squatted in a local authority dwelling / Illegal occupation of a local authority dwelling until such time as the illegal occupation ceases (with some penalties in some cases)	✓	✓		✓				✓
Applicant has abandoned a local authority dwelling	✓							
Applicant has made threats / committed violent behaviour against staff member(s) of a local authority engaged in their duties	✓			✓29				
Local authority is satisfied that the applicant has manipulated housing circumstances in order to achieve a priority to which they would otherwise not be entitled	✓	✓	✓	✓	✓	✓	✓	✓
Applicant has refused on more than one occasion, accommodation offered in their area of choice	✓	✓	✓	✓	✓	✓	✓	✓

26 this category comprises two categories in Galway City Council's Scheme of Letting Priorities

27 For example, where city council employees or their families are required to vacate their living accommodation which they occupy for reasons of their employment

28 Dundalk Urban District Council's Scheme of Letting Priorities is currently under review

29 This explanation could conceivably come within the description of anti-social behaviour included in the Galway City's Scheme of Letting Priorities

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(b) Interviewees also suggest that local authorities define homelessness so that they distinguish between the intentional and unintentional homeless. Some local authorities therefore do not consider those evicted from local authority or private rented accommodation as real candidates for housing by them³⁰. In addition to this, the analysis of the Scheme of Letting Priorities undertaken as part of this research identified three local authorities which included in their list of overall priorities, 'families or persons rendered homeless *through no fault of their own*'

(c) Finally, while there is no reference to age in the Housing Act 1988, some interviewees suggest that young people who are single, over the age of 18 but under the age of 30 for example, experience a different response from the local authority compared to older people. One interviewee said that when advocating on a young person's behalf he was told that while the local authority in question did not have "a policy on allocating houses to young people" allocations were very infrequent.

2.5.4 Persons in emergency accommodation can refuse as many offers of local authority accommodation as they wish and still be accommodated, while persons in receipt of rent allowance can have their eligibility to rent subsidy restricted

The Homeless Persons Unit in Dublin identifies an anomaly whereby persons in privately run emergency accommodation may make as many refusals of local authority accommodation as they like and will still have access to emergency accommodation but when persons staying in private rented accommodation refuse local authority accommodation, they can have their eligibility for rent allowance withdrawn. This has the effect of people in private emergency accommodation (subsidised by the state at great expense) having no incentive to move on to local authority accommodation or less expensive private rented accommodation while putting undue pressure on people in (much less expensive) private rented accommodation who may not wish to avail of local authority housing.

2.5.5 Finally we discussed with interviewees what other ways the assessment system might be cumbersome or less fair to homeless people.

The following comments were made repeatedly:

(a) Interviewees recommended the introduction of an appeal mechanism to oversee the housing application and allocation process. Its role would be limited to situations where the household applying for housing thinks that they have been unfairly treated by the local authority in the housing application and allocation process.

(b) The need for accommodation developed and allocated by the local authority to match more closely the needs of the individual. One interviewee commented that some people with mental health problems will need and seek shared/sheltered accommodation and that this preference should be identified and followed through at the initial assessment stage. Some HSE region executives are undertaking housing needs analyses of the homeless in their areas. In the Mid West Region, for example, the Health Service is completing an accommodation and support needs assessment of the homeless client group, with the expectation of influencing the local authority on the type of housing provision that the local authority will plan to develop in the future.

(c) Similar to the point made above, interviewees note that when homeless people are accepted onto the local authority housing lists they are not assessed in any detail for their suitability to be housed or their additional support needs. When detailed assessments are completed, except in exceptional circumstances, they are completed very late, just before the household is to be placed into accommodation. In a number of urban areas we found that the homeless applicant may meet a homeless outreach worker only when their housing allocation is close to occurring. This may be three or four years after first applying for housing, and only then is the applicant told that they are suitable/ not suitable for local authority housing.

(d) Voluntary organisations lament the lack of lead-in time for allocations. They suggest that if the local authority that is intending to allocate housing to homeless people were to contact them at the planning stage of new developments, all design issues could be resolved cheaply and effectively and would result in much better allocations.

³⁰ It may be of note here, that recent legislation in the UK (the Homeless Act 2002) has been revised, such that the range of services that people viewed as intentionally homeless can access, has been widened. The UK legislation states that "If the authority (a) are not satisfied that the applicant has a priority need; and, (b) are not satisfied that he became threatened with homelessness intentionally, the authority may take reasonable steps to secure that accommodation does not cease to be available for the applicant's occupation."

2.6 Conclusion

Three key elements in addressing homelessness are contained in sections 2, 8 and 9 of the Housing Act 1988. They refer to a national definition of homeless, a count of homelessness by each local authority, in its functional area, conducted at least every three years and a housing assessment conducted for all groups in need of housing, including those who are homeless. It is clear from the questionnaires, interviews and focus groups undertaken for this chapter, that implementation of these sections of the Housing Act 1988 are deficient in a number of respects.

As the responses to our questionnaire to local authorities illustrates, at the present time there is no common agreed understanding of what constitutes homelessness in local authorities. There are also different understandings in Homeless Person Units and voluntary organisations. The differences centre on the phrase in the Housing Act 1988, as to whether the person “can reasonably occupy or remain in occupation of” their present or previous accommodation. Confusion is also caused by the fact that there is no definitive written statutory interpretation of what the definition in the Housing Act, 1988 constitutes in practice. This allows an agency to either widen or narrow the definition of homelessness dependent on their perspective and/or the individual that presents.

Regarding the conducting of the Homeless Counts, a majority of the local authorities surveyed stated that the counts are not an accurate reflection of the number of people homeless in their areas. There is a noted lack of standardisation in the ways in which the counts have been undertaken. The problems identified were: an over-dependence in some local authorities on their administrative records as the basis for the Homeless Count; no agreement as to who is considered as homeless and to be included in the Homeless Count; and a lack of detail in the Count to use as a basis on which to plan long-term housing and other services.

In the opinion of interviewees, undertaking a separate specialised independent Homeless Count on an annual or on-going basis is justified because measuring the extent of homelessness is not a simple task and the incidence is generally under-reported. By their very nature, people who are homeless are hidden within society. Some have no fixed base, which makes it difficult to access them. However an independent Homeless Count is presently only undertaken in Dublin and even this

count, conducted by the ESRI, follows a minimalist interpretation of the Housing Act 1988.

As part of the Housing Act 1988, local authorities are also required to assess the need for local authority housing in their area. However, we discovered little cross-over between the homeless counts and the assessment of housing need undertaken by the local authority. People, who are counted as homeless, unless they are already on the local authority's housing waiting list, must make a separate application for local authority housing.

We found that, even though the Act never specified that a local connection is required for a person to be accepted by the local authority as in need of housing and eligible for housing from them, in practice a local connection is required in some of the local authorities we studied. We also found that, again even though the Act does not specify it, some local authorities consider those people they view as intentionally homeless as ineligible for housing from them.

Because of the varying local authority interpretations and their differing understandings as to who is eligible for local authority housing, we conclude that greater guidance by the Department of the Environment, Heritage and Local Government to local authorities, perhaps preceded by consultation with voluntary organisations, the Health Service Executive and Homeless Person Units, is required so that a standardised procedure is followed in interpreting each of these three key elements of the Housing Act 1988.

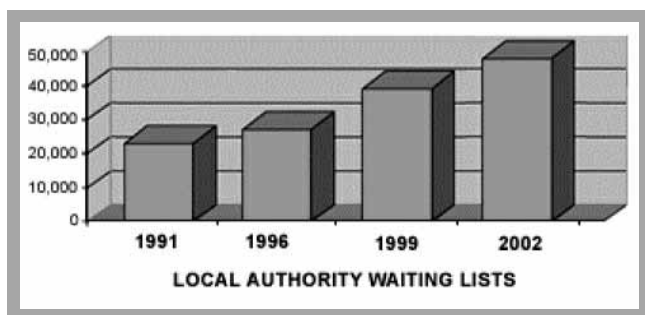
3.1 Introduction

Local authority housing has traditionally been the main option for those who cannot afford suitable accommodation from their own resources. While the voluntary housing sector has grown in recent years, local authorities remain the main providers of social housing in the Republic of Ireland. However the number of local authority rented dwellings has declined at each census since 1961. In 1961 there were over 124,000 local authority rented dwellings, representing 18.4 percent of the housing stock. By 2002 the number of local authority dwellings had fallen to 88,000 or less than 10 percent.

Between 1960 and 1980, nearly half of all new housing units built were social housing. The current proportion of new housing units is approximately five to ten percent of all new build³¹. This, coupled with an extension of the policy of selling local authority houses to tenants in 1988, substantially reduced the stock of local authority housing available. Unsurprisingly, in this context of reduced supply and increased demand (due in part to demographic changes and the high cost of private sector housing), local authority waiting lists have continued to lengthen to almost 50,000 households registered with local authorities in 2002.

Figure 3.1. Local Authority Housing Lists 1991 - 2002

Source: Department of Environment, Heritage and Local Government Publications Annual Housing Statistics



The development, allocation and management of housing are a Local Authority's reserve function. In general, within a local authority's administration, the responsibility for new build housing is with the Planning Section while the Housing Section is responsible for allocation and management of the housing stock.

The main Department of the Environment, Heritage and Local Government's policy documents on local authority housing are: A Plan for Social Housing (1991); Social Housing - The Way Ahead (1995); the Government Programme, An Action Programme for

the Millennium (as revised in November 1999) and the National Development Plan. The general strategy as set out in these reports is that those who can afford to do so should provide housing for themselves with the aid of the fiscal incentives available and that those unable to do so from their own resources should have access to social housing or to income support to secure and to retain private housing.

Local authorities charge rents related to the income of the household. Irish households in general spend a lower share of their income on rent and mortgages than the average for the EU. Social rents are particularly low in Ireland, at less than 8% of household expenditure. Only 1% of local authority renters pay more than a third of household income on rent³² (Fahey, Nolan et al, 2003 CPA and ESRI).

In this Chapter we review the extent to which people who are homeless have managed to access local authority housing.

3.2 Methodology

We have approached the question of the extent to which people who are homeless have been allocated housing by local authorities in Ireland using two methods:

a. Questionnaire to local authorities. The majority of information collated from the returned questionnaires made available to us from the eight local authorities is set out in this section.

b. Interviews and Focus Groups. We interviewed a range of service providers and service users, as detailed in the introduction. These included local authority representatives in the different areas studied, who during the questionnaire expressed support for the research and an interest in completing the questionnaires, and participated in other consultations.

3.3 Findings from questionnaire

From the information returned from the questionnaire, we detail the numbers and types of homeless households allocated local authority housing, the number and types of households on the "current" homeless lists and to what extent the type of local authority housing allocated to homeless people corresponds with the type of households that present as homeless. We also

³¹ In the period between 1970 and 1985 on average 6,000 units of accommodation were constructed by local authorities annually. Ironically this figure dropped to 1,450 in 1988 and to 768 in 1989, just when the Housing Act 1988 was passed.

³² This compares to 28% of private renters.

review the levels of involvement of local elected representatives in the housing allocation process, the average length of wait for new applicants on the local authority's housing waiting list and, where the information is recorded, the proportion of local authority tenancies allotted to homeless people that have failed.

3.3.1 Review of Local Authority Housing Allocations 1998-2003

Local authorities were asked to provide details on the total number and the profile of households allocated housing for each year between 1998 and 2003. They were also asked to provide details on the number and profile of homeless households for each of these years.

It was anticipated by the research team that data would not be widely available prior to 2000, and the findings of the survey confirm this expectation – there is very limited data available prior to 2000. Only two of eight local authorities who returned the questionnaire completed the section and provided data for all these years – other local authorities provided data on the total number of allocations, but could not provide detailed information on the profile of households (including homeless households) for all the years concerned.

Table 3.1 (*across*), presents the numbers of allocations to homeless households by each of the local authorities for the years 1998-2003, where data is available. The table also presents the allocations of housing to homeless households for these years as a percentage of the total housing allocations made by local authorities for these years (where the data exists³³).

One local authority had such a broad categorisation of those homeless (stating that all housing allocations would be made on the basis that those receiving housing would be considered 'homeless'), that the information was not used in the following tables, as it was felt that it would skew the data and the findings.

Some local authorities provided data on the number of homeless allocations, but did not provide data on the total housing allocations. In these instances, the allocations of housing to homeless households cannot be presented as a percentage of total housing allocations.

Table 3.2 (*across*) compares the number of allocations to homeless households between the

local authorities that participated in the study. The local authority with the highest number of allocations to homeless households for both 2003 and 2004 was Dublin City Council: having made over 64% and 69% of all allocations to homeless households by local authorities that participated in the survey for these years. The lack of data for the years 1998-2001 for Dublin City Council and other local authorities makes comparisons across other years difficult. Even for these two years, however, there is a fairly consistent picture.

It is worthwhile to note that overall population size for the local authority area is not necessarily reflected in the proportion of overall allocations. For example, in 2002, Dundalk town council has a higher number of allocations to homeless households than Cork City – and taken with its population size, has a disproportionately high number of allocations than larger local authorities, such as South Dublin and Dun Laoghaire Rathdown County Councils. This corollary of this point regarding the numbers of households on the homeless list is also made below (Table 3.6 *page 33*). However, criteria for acceptance on the homeless list differ amongst local authorities. Local authorities' views on categories of homelessness are discussed in a section across.

An analysis of the 2002 figures is undertaken to give an indication of the proportion of all homeless households (as reported in the 2002 assessment of homelessness for each local authority) that were provided housing. This is presented in Table 3.3 (*page 31*):

3.3.2 The profile of all households allocated housing and homeless households allocated housing

The purpose of this section is to compare the profile of all housing allocations by local authorities to the profile of housing allocations to homeless households, to establish whether allocations to homeless households differ in profile from all allocations. It could be expected that the profile of homeless households allocated housing would differ from all other allocations, because of the specific profile of homeless households. For example, single persons consistently form the majority of homeless persons applying for housing (DEHLG, 2002). The questionnaire sought to establish the profile of all households allocated housing between the years 1998 and 2003, as well as the profile of all homeless households allocated housing for the same period. As outlined above, there is a paucity of data available

³³ Shaded areas denote lack of data available

³⁴ This figure cannot be presented as a proportion of total housing allocations as the data was not available

³⁵ This figure cannot be presented as a proportion of total housing allocations as the data was not available

Table 3.1. - Allocations of housing to homeless households for each local authority area between 1998-2003 (presented as a proportion of total housing allocations in each local authority area).

Local Authority		Numbers of homeless households allocated housing by local authorities and the percentage of all allocations made to homeless households					
		1998	1999	2000	2001	2002	2003
Dublin City	Total homeless allocations					215 ³⁴	209
	% of all allocations						32%
South Dublin	Total homeless allocations	23	28	18	18	32	34
	% of all allocations	9%	13%	8%	7%	9%	16%
Dun Laoghaire Rathdown	Total homeless allocations			22 ³⁵	31	24	35
	% of all allocations				27%	24%	17%
Galway City	Total homeless allocations				4	6	12
	% of all allocations				3%	4%	3%
Cork City	Total homeless allocations		12	26	29	15	26
	% of all allocations ³⁶		3%	6%	5%	3%	5%
Dundalk	Total homeless allocations	8	6	5	6	18	6
	% of all allocations	9%	10%	12%	6%	19%	6%
Wicklow	Total homeless allocations					3 ³⁷	4 ³⁸
	% of all allocations						
Total of allocations made to homeless households (all local authorities)		31	46	71	88	313	326
Allocations to homeless households as a % of all housing allocations for all local authorities (where data on all allocations is available)		9%	7%	7%	7%	8%	16%

Table 3.2. Number of allocations of housing to homeless households between 2002 and 2003 (this number is expressed as a proportion of all allocations to homeless households for all local authorities participating in the study).

Local Authority		Number of allocations to homeless households by local authorities, and as a % of the total allocations to homeless households by all local authorities participating in the study	
		2002	2003
Dublin City	Total homeless allocations	215	209
	% of all homeless allocations by local authorities	69%	64%
South Dublin	Total homeless allocations	32	34
	% of all homeless allocations by local authorities	10%	10%
Dun Laoghaire/Rathdown	Total homeless allocations	24	35
	% of all homeless allocations by local authorities	8%	11%
Galway City	Total homeless allocations	6	12
	% of all homeless allocations by local authorities	2%	4%
Cork City	Total homeless allocations	15	26
	% of all homeless allocations by local authorities	5%	8%
Dundalk	Total homeless allocations	18	6
	% of all homeless allocations by local authorities	6%	2%
Wicklow	Total homeless allocations	3	4
	% of all homeless allocations by local authorities	1%	1%
Total allocations to homeless households (available data)		313	326

³⁶ The figures for allocations includes housing transfers

³⁷ This figure cannot be presented as a proportion of total housing allocations as the data was not available

³⁸ This figure cannot be presented as a proportion of total housing allocations as the data was not available

Chapter 3. Housing of people who are homeless by Local Authorities

within local authorities, and in many cases, local authorities could not provide profiles of both total allocations and allocations to homeless households. In some other cases, local authorities could provide data on the numbers of allocations, but not a profile of households. Only one local authority could provide data on the number of allocations and a profile of households for all years. Because of incomplete information for all the other local authorities for all the other years, the information presented below provides a profile of households allocated housing for each local authority combined for the years 1998-2003, and is presented in percentages, rather than absolute figures (which may be misleading).

An analysis of individual local authority allocations to homeless households (in terms of the profile of these households) for all years (where data is available) is presented in table 3.5 across.

Commentary:

- The household-type which is allocated most housing (in overall terms) for all local authorities is the one parent family, as shown in Table 3.4. This finding is consistent across all local authorities.
- In terms of the profile of allocations to homeless households, Table 3.5 shows that single people is the category with the highest allocation of housing, amongst homeless households in general, and that four local authorities allocate housing for homeless households to this category more than any other category (Dublin City Council; Galway City Council and Dundalk Town Council). However, there is no consistency amongst local authorities, with two local authorities (South Dublin County Council and Dun Laoghaire Rathdown County Council) providing more housing to one-parent families than single persons.

³⁹ Note: all available Dublin figures are combined, as the 2002 homeless count was carried out across all four local authorities (Fingal Co. Co. did not participate in the research, so data relating to allocations is not available for this local authority)

⁴⁰ Note: The 2002 Count for Dublin undertook an analysis for all local authority areas, with no breakdown of the number of homeless households for each local authority. The data, however, notes that 2% of homeless persons reside in the Fingal Co. Co. area. The number of households for the entire Dublin area has been weighted in the table (to the order of a reduction by 2%), as Fingal Co. Co. did not participate in this research. Therefore the figure is an estimated one for the Dublin area.

Table 3.3. – Comparison between the allocations to homeless households in 2002, and the 2002 assessment of homelessness.

	Dublin City Council	South Dublin County Council	Dun Laoghaire Rathdown Co. Co.	Galway City Council	Cork City Council	Dundalk Town Council	Wicklow County Council	Total
Total allocations of housing to homeless households by local authorities in 2002 ³⁹	215	32	24	6	15	18	3	313
	271							
Total homeless households in each local authority area, included on the Assessment of homelessness 2002 ⁴⁰	2508 (total for all four local authorities 2560)			144	380	19	0	3051
Proportion of homeless households (as per 2002 assessment) allocated housing in 2002	11%			4%	4%	95%	-	10%

Table 3.4. – Profile of all households allocated housing for each local authority⁴¹ combined for the years 1998-2003

Local Authority ⁴²	Profile of all households allocated housing for the years 1998-2003			
	Single Person	Couple	One Parent Family	Two Parent Family
Dublin City Council	29%	7%	49%	16%
South Dublin Co. Co.	13%	3%	58%	26%
Galway City Council	26%	6%	52%	15%
Cork City Council	19%	3%	28%	14%
Dundalk Town Council	27%	2%	48%	25%
Total all local authorities	24%	5%	50%	21%

Table 3.5. - Profile of all homeless households allocated housing delineated for each individual local authority for the years 1998-2003, (where data is available⁴³)

Local Authority ⁴⁴	Profile of all homeless households allocated housing for the years 1998-2003			
	Single Person	Couple	One Parent Family	Two Parent Family
Dublin City Council	45%	2%	39%	14%
South Dublin Co. Co.	20%	4%	50%	26%
Dun Laoghaire Rathdown Co. Co.	38%	5%	48%	10%
Galway City Council	45%	18%	32%	5%
Cork City Council	53%	2%	42%	3%
Dundalk town Council	82%	4%	10%	4%
Total all years	43%	3%	40%	13%

⁴¹ Where the data facilitates a breakdown of household profile

⁴² A breakdown of the profile of homeless households that were allocated housing was not available from Dun Laoghaire Rathdown Co. Co., Wicklow Co. Co. or Longford Co. Co.

⁴³ As mentioned above, only Dundalk Town Council provided data for all years from 1998. Other local authorities provided data for between 1-4 years

⁴⁴ A breakdown of the profile of homeless households that were allocated housing was not available from Wicklow Co. Co. or Longford Co. Co.

3.3.3 The current homeless list for 2004

The questionnaire also asked local authorities to provide data on the profile of their current homeless list (2004). This data is presented in summary form across.

Commentary:

- Table 3.6 demonstrates that the profile of households on the current homeless list of local authorities, where data is available, is dominated in all local authorities by the 'single persons' category. The single persons' category is the largest single category of homeless households for all local authorities: accounting for 68% of all homeless households amongst the local authorities surveyed.
- It also indicates that population size in a local authority area is not necessarily an indication of the number of households on the homeless list, as the figure for South Dublin County Council illustrates, having the smallest share of households on the homeless list, amongst all surveyed local authorities. This corollary of point regarding allocations to homeless households is also made above (Table 3.2). However, criteria for acceptance on the homeless list differ amongst local authorities. Local authorities' views on categories of homelessness are discussed in a section below.
- Dublin City Council has the highest proportion of homeless people in its jurisdiction, and has more homeless households than all other local authorities put together (with 54% of the total homeless households, based on available data).

3.3.4 Profile of the homeless list compared to the allocation of housing to homeless households

A comparison can be made between the profile of allocations to homeless households between 1998-2003, and the profile of 'current' homeless households for each of the local authorities (2004). While we cannot be absolutely conclusive about the comparison, given that the comparison is made between two different periods, we can expect the comparison to provide an indication of whether allocations to homeless households reflect the profile of homeless households.⁴⁵ This comparison is provided in Table 3.7 (*across*).

This table indicates how allocations (for 1998-2003) in broad terms do not closely correspond to the profile of homeless households (2004). This disproportionately impacts on single persons. Even in the local authorities where single persons receive the greatest proportion of local authority allocations of any household type, the proportion of allocations they receive is lower than their actual percentage on the homeless housing waiting list in all cases.

This is presented graphically for all the local authorities (combined) in Figure 3.2.

3.3.5 Levels of involvement of local elected representatives in the housing allocation process

In our questionnaire to local authorities, we asked to what extent local elected representatives are involved in the allocation process for housing. In response three local authorities (37.5%) stated that the elected representatives adopt the Scheme of Letting Priorities only, two local authorities (25%) said that elected representatives make representations as to who has priority on the list, one local authority (12.5%) said that local representatives are notified regarding allocations made and two local authorities (25%) said elected representatives have no involvement in allocations.

3.3.6 Length of Wait on Housing Waiting List

Local authorities were asked whether they recorded the average length of wait for households on their housing list, and also to estimate the average length of wait for new entrants (all households) and for homeless households.

Two local authorities responded that they do record this data (25%); three local authorities reported that they did not (37.5%), while the remaining three chose not to respond (37.5%). This is represented graphically in Figure 3.3 (*page 35*).

⁴⁵ 2002 figures

⁴⁶ Refers to the number of eligible homeless households on the housing list

⁴⁷ Relates to all persons who have presented as homeless, however, according to the local authority

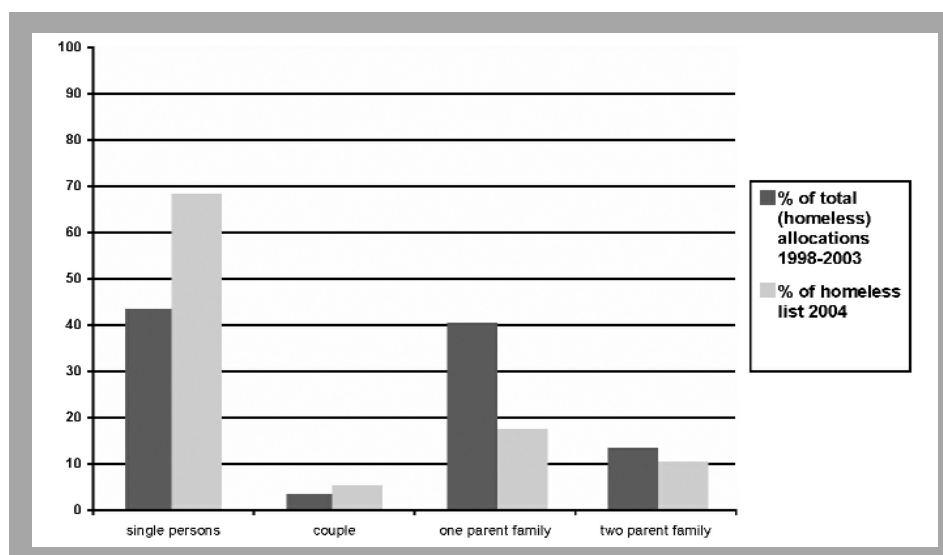
Table 3.6. – Number of households on the homeless list

Local Authority	Number of households on homeless list	% of total	Gender of Head of Household		Household Size			
			Male	Female	Single Person	Couple	One Parent Family	Two Parent Family
Dublin City Co ⁴⁵	1214	54%	-	-	62%	5%	21%	12%
South Dublin Co Co	57	3%	-	-	54%	4%	26%	16%
Dun Laoghaire Rath	137	6%	69%	31%	79%	2%	9%	9%
Galway City Council	424	19%	68%	15%	83%	5%	7%	5%
Cork City Council ⁴⁶	246	11%	-	-	-	-	-	-
Dundalk Town Co.	82	4%	55%	45%	85%	11%	0%	4%
Wicklow Co. Co. ⁴⁷	87	4%	62%	38%	64%	6%	22%	8%
Totals	2247		74%	26%	68%	5%	17%	10%

Table 3.7. – Comparison between allocations to homeless households (1998-2003), and the 'current' profile of homeless households (2004) for each of the participating local authorities

Local Authority	Number of households on homeless list	% of total	Gender of Head of Household		Household Size			
			Male	Female	Single Person	Couple	One Parent Family	Two Parent Family
Dublin City Co ⁴⁵	1214	54%	-	-	62%	5%	21%	12%
South Dublin Co Co	57	3%	-	-	54%	4%	26%	16%
Dun Laoghaire Rath	137	6%	69%	31%	79%	2%	9%	9%
Galway City Council	424	19%	68%	15%	83%	5%	7%	5%
Cork City Council ⁴⁶	246	11%	-	-	-	-	-	-
Dundalk Town Co.	82	4%	55%	45%	85%	11%	0%	4%
Wicklow Co. Co. ⁴⁷	87	4%	62%	38%	64%	6%	22%	8%
Totals	2247		74%	26%	68%	5%	17%	10%

Figure 3.2. – Comparison between allocations by local authorities of housing to homeless households by category (1998-2003) and the profile of the local authorities homeless list by category



⁴⁸ It should also be noted that the profile of homeless households has remained relatively constant in recent years, so the profile of homeless households in 2004 is likely to be consistent with previous years.

⁴⁹ For Dublin City Council, figures relate to 2002 data

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Two local authorities provided an average waiting time for new entrants on the housing list: this was 2-3 years in one local authority and 4-6 years in another. In both cases, there was no distinction between length of wait for single persons, couples, one parent and two parent families.

The majority of local authorities did not provide any figure – three of the remaining six local authorities (37.5% of all respondents) made the point that it is not possible to provide an average waiting time, because the length of time varies widely between cases, according to need; preference for house type, and preference for location. One local authority noted that household type would also effect the duration of wait. An additional three local authorities (37.5%) did not respond to the question.

With regard to a question as to whether the average length of wait had changed in the past four years, half of all local authorities surveyed (four local authorities) did not respond to this question. The remaining four local authorities responded either that the average wait had remained the same in the past four years (two local authorities, 25% of all respondents), or that it had increased (two local authorities, 25% of all respondents). This is represented graphically in Figure 3.4 (*across*).

Local authorities were asked to comment on the average length of wait for an applicant experiencing homelessness for local authority housing. Three local authorities (37.5%) responded to this question, and the estimated lengths of wait for homeless persons ranged from 14 months in one local authority area; to two years in another and 2-3 years in a third local authority area. This last figure (2-3 years) is equal to the average length of wait for all new entrants on the housing list for that local authority area. For the other two figures, it is not possible to comment on whether this estimated length of wait for homeless persons is longer or shorter than the length of wait for all new entrants on the housing list, because this data was provided in the absence of data for new entrants.

Half of all respondents (four local authorities) responded that it was not possible to provide figures, because the duration of wait would be dependent on a range of factors, as with the length of wait for all new entrants. One local authority did not respond to this question.

The lack of data available makes it impossible to establish, from the survey data, the average length of wait for homeless people on the housing list, and

how this compares with the average length of wait for all households. The only data available which allows comparisons to be made (in one local authority) reveals that the average length of wait for homeless households is equal to that of all households on the housing list.

The findings from the interviews indicate that the length of wait for homeless households is no shorter than for all households – the findings of the interviews are outlined in section 3.4 (*across*).

3.3.7 Links between housing construction and the housing allocation sections of the local authority

Section 8 of the 1998 Act specifies that housing authorities make an estimate of housing requirements for persons who are homeless, after the assessment of homelessness has been carried out. Local authorities were asked to report on the link, if any exists, between housing construction or planning sections and the housing allocation sections.

All local authorities reported that there were links between housing construction/planning and allocation sections, and that the local authority seeks to ensure that the housing construction programme reflects the housing need. The extent of engagement reported varied between local authorities – with some reporting that regular contact and liaison takes place throughout the planning stages for each scheme.

One local authority specified that the housing and planning sections come within the direct control of the Housing Officer (thereby facilitating co-ordination), and that technical staff would be met by the housing officer on a number of occasions during the planning process for a new scheme. In other local authorities, the Housing Strategy and construction programme was cited as the arena for collaboration and links.

3.3.8 Number of tenancies allocated to homeless households that have failed

Finally, in this section, we asked the local authority “Do you keep records of the numbers of tenancy agreements with people who are homeless that have failed?”

Only one local authority (12.5%) keeps records on the number of tenancy agreements with people who are homeless that had failed. In the last five

years two such agreements have failed representing 1.29% of the total such allocations. This local authority stated that records of all tenancies remain on a house file number, and as such, are never removed.

3.4 Findings from consultations

We followed up the questionnaire with one-to-one consultation meetings with representatives of a number of local authorities to gather further explanations and details on our findings. Broadly the

four questions we sought to investigate further were:

- What are the processes followed when a local authority makes an allocation to a homeless person?
- What housing options are homeless people offered by the local authority?
- What are the factors that facilitate homeless people's access to local authority housing?
- What are the factors that impede homeless people's access to local authority housing?

Figure 3.3. - Responses from local authorities to the question 'Do you measure the average length of wait for people on the housing list?'

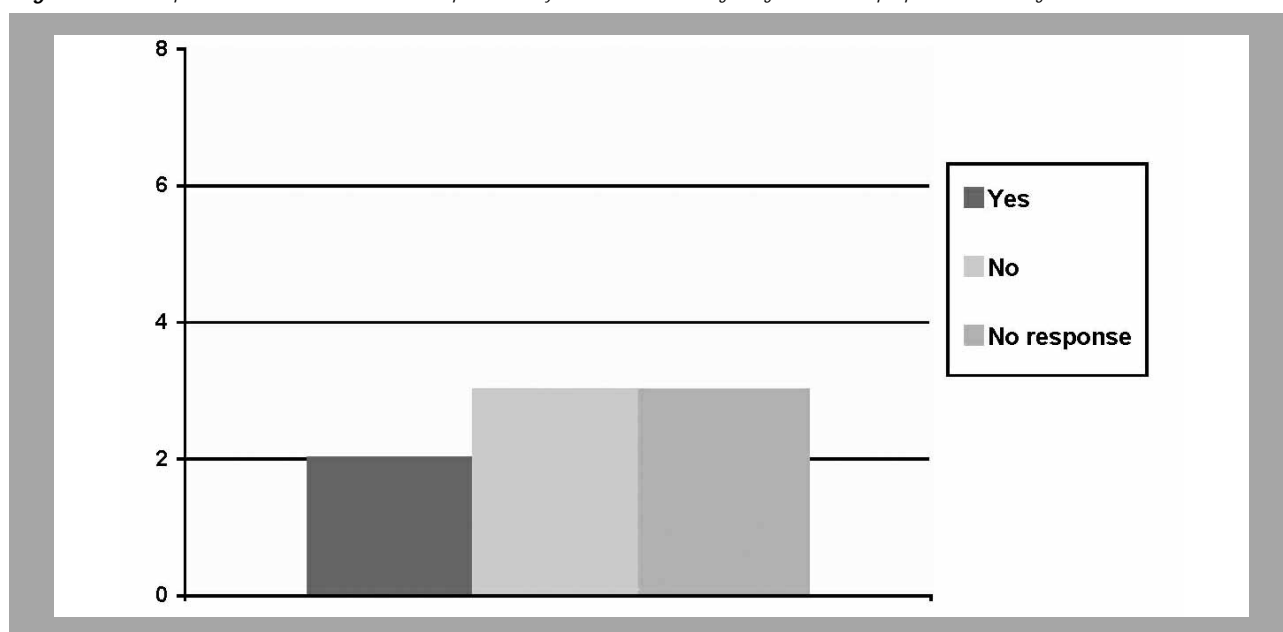
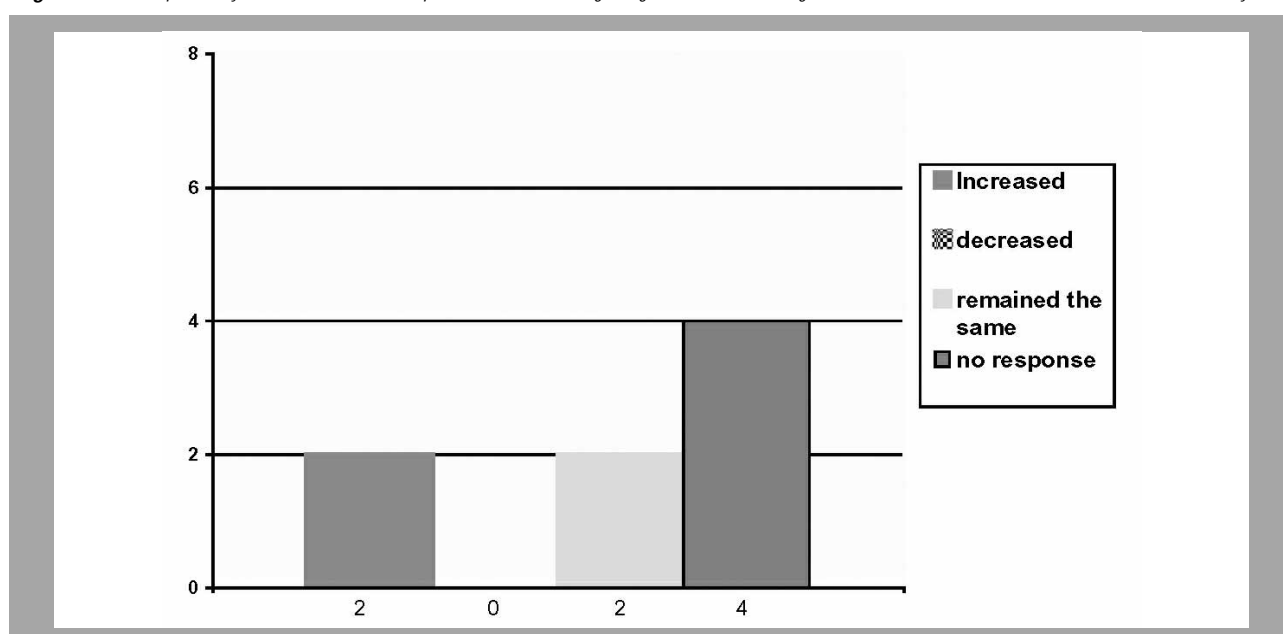


Figure 3.4. - Responses by local authorities to the question 'Has the average length of wait for housing increased/decreased/ remained the same in the last four years?'



Chapter 3. Housing of people who are homeless by Local Authorities

3.4.1 Process local authority follows when making an allocation to a homeless person

In most areas studied there are three ways in which homeless people access and local authorities administer their allocations to homeless people. These are (a) the general housing waiting list following the Scheme of Lettings Priorities (b) special allocations system and (c) a homeless list.

(a) General housing waiting list

For a homeless household on the general housing waiting list, the household must wait a certain length of time before progressing and finally topping the list. The household will have their application prioritised based on a number of factors (for which extra priority is given) such as medical needs, present accommodation situation and whether the area and size of accommodation offered matches their requirements⁵⁰. In the areas we studied, we found that homeless people on the general housing waiting list do no better, in terms of length of wait, compared to any other household applying for housing and that single people who apply must wait markedly longer periods, compared to larger household sizes, before local authority housing allocations are made to them, regardless of their homeless status.

Treating homeless people in the same way as other people on the housing waiting list should, in theory, help to achieve a transparent allocation process. However the system as it presently operates does not facilitate the most at risk of homelessness to move on to local authority housing. Local authority interviewees stated that the homeless households that are allocated housing by local authorities are, relatively speaking, unlikely to be the ones in greatest emergency need and are rarely those linked in with settlement support services provided by voluntary organisations. In Cork for example, the City Council said in interview that 18 homeless households were allocated housing by them in the period January to November 2004. However the three main homeless providers of emergency accommodation in the city, Cork Simon Community, St. Vincent de Paul and the Cork domestic violence refuge, were between them aware of only one person staying in their services who had moved into local authority housing during that period⁵¹.

(b) Special allocations system

A small number of the local authorities studied allocate housing through special allocations, whereby the local authority makes allocations of housing to homeless people known to and nominated by a voluntary organisation; thereby speeding up the allocation process for the homeless person who is adjudged by the voluntary organisation as an appropriate candidate to move on to long-term accommodation. This is permissible under the Housing Act 1998, which states that a Scheme of Lettings Priorities may,

“ (a) Provide that the housing authority may, from time to time, determine, as they see fit, to set aside for persons of such category or categories as the authority may decide, a particular number or proportion of the dwellings becoming available to the authority for letting.” The quota system operates in Dundalk, where approximately 10 % of all local authority lettings are reserved for homeless people and in Galway, where a fixed quota does not apply but where homeless people are more likely to access local authority housing, than through the standard housing waiting list.

(c) Homeless list

Finally, Dublin City Council has their own unique system, whereby they undertake to make approximately one-third⁵² of all allocations to homeless people⁵³.

3.4.2 Choice of local authority housing offered to homeless people

Interviewees, both statutory and voluntary, identify a hierarchy of local authority housing in all the areas studied, whereby some local authority estates are in high demand and others in much lower demand. In each local authority, when a person makes their application for housing, they are asked to nominate their preferred (normally three) estates/ areas. However the offers of housing do not necessarily correspond to the estates/areas nominated.

Interviewees in Waterford suggest that the first area offered to homeless people in this city is likely to be Ballybeg, an area of lower demand, parts of which are experiencing anti-social behaviour problems.

⁵⁰ Fingal County Council also operates a general housing waiting list system for homeless people, except that they make allocations based on length of wait only.

⁵¹ Also refer to section 2.5.2

⁵² See information from questionnaire in section 2.3.

⁵³ However other information made available to us from a voluntary organisation contact but sourced from the local authority, stated that of the total number of housing allocations made by Dublin City Council allocations to single people in 2003, 294 single persons were allocated accommodation through the Council's General Housing Waiting List; 111 single persons were allocated housing from the Council's Homeless List; and 309 single person allocations were made from the Council's Transfer List.

In Limerick voluntary sector interviewees maintain that homeless people are likely to be accommodated through the local authority in either Moyross or South Hill, areas that are experiencing pronounced anti-social problems. Many people refuse and hold out for better options, but according to interviewees they are often the ones who have most family support and are in a position to wait for a better offer.

In Longford, the local authority will tell single people less than 50 years old that the private rented sector is their only real prospect of being housed. A single person in their late 50s has a prospect of being housed in Older Person Dwellings or in single storey two bed units. The local authority states that they do not want to have these houses occupied by younger people and that these are the only options available for single people.

In Dundalk, some local authority areas are not sought after and there are two large local authority estates which have a particularly negative reputation and are avoided by some vulnerable people. In the opinion of voluntary sector interviewees, most offers of accommodation from the local authority are for one of those two estates. However the local authority says that many recent lettings are of newly built property and they maintain that if the houses are in a "bad area" they would not be offered to homeless people, considering the vulnerability of the client group.

In Cork, the supply side of local authority housing is so tight – single people can wait five to six years for local authority housing in some areas - that allocation officers often direct people towards the private rented sector. Voluntary organisations in Cork argue that the areas offered to homeless people are generally low demand houses.

3.4.3 Actions by the local authority that facilitate homeless people's access to local authority housing

The following practices in a number of areas were identified as facilitating homeless people's access to local authority housing:

(a) Negotiated number of allocations every year

This is exemplified by the arrangements that Sonas Housing⁵⁴ have made with some of Dublin City

Council's estate offices. In this arrangement between the two agencies, there are negotiated move-ons every year. Sonas have written agreements with the area office in Kilbarrack/Darndale where Sonas have a housing complex of 15 transitional housing units, for seven move-ons a year into local authority housing⁵⁵. Sonas state that in general the local authority has made "fantastic placements" in houses and in areas of good quality. However in the last year, because of a shortage of supply, offers have been of lesser quality.

(b) Houses "let" to voluntary organisations

The practice in this example is that once a house is allocated to a homeless person referred by a voluntary organisation, the voluntary organisation can continue to nominate homeless people into it, even if the original tenant moves on to other accommodation. This practice occurs in Dundalk and Galway, where if, for example, a house is offered to a voluntary organisation, they can decide who is the most appropriate person to occupy it.

(c) In some areas the local authority will make allocations carefully so that vulnerable people are not allocated into low demand areas

Although difficult to generalise, because of the very different approaches in different local authorities, we found that accommodation supplied by some local authorities operating the quota system to homeless households is of good quality and in most cases, the amount of care when making the allocation is substantially greater compared to allocations made under the other systems of allocation. Voluntary and statutory service providers interviewed suggest that this can help in ensuring that the tenancy is sustained and that the person does not feel stigmatised because of their "homeless past".

3.4.4 Factors that impede homeless people's access to local authority housing

In addition to the points earlier, the following were identified as factors in the local authority that impede homeless people accessing local authority housing.

(a) Intimidation of vulnerable households

Interviewees suggest that intimidation of vulnerable

⁵³(contd.) This would suggest that single homeless people receive less than one-third of all allocations made by Dublin City Council to single person households, (although the housing of greater numbers of homeless families may rebalance allocations such that the "one-third proportion" was achieved).

⁵⁴ A transitional housing provider for women and their children who have experienced domestic violence.

⁵⁵ Considering that the transitional programme offered by Sonas Housing lasts for two years, this is generally sufficient to allow for a through put of people from transitional housing into long term placements.

households, such as some homeless households, is occurring in some more difficult to manage areas. While for example there is accommodation immediately available to some local authority areas⁵⁶ voluntary organisation often advise vulnerable single people/ families who are linked in with them not to take these houses.

(b) Local authorities consider that one bed units are "bad value" for money

Single homeless people are likely to be eligible for either one-bed units, "bedsits/studio" units, or Older Person Dwellings (if they are of sufficient age). Local authorities suggest that one-bed units are costly to develop, relative to two bed units, and that they are best advised to develop larger units to maximise the return on their capital investment and house the largest number of people possible. However, local authorities are less likely to allocate these larger housing units to single persons, including single homeless persons.

(c) Local authorities rarely allocate larger units to single people

Some single homeless households have access to children on a temporary basis and sometimes potentially on a permanent basis, if they can access accommodation of a sufficient size to house their children. However the local authorities in the areas we studied rarely offer larger housing units to these households. According to our homeless interviewees, in this situation, the homeless person will likely refuse the offer of accommodation and instead hold out for a larger housing unit, either through the private rented sector or through another means.

3.5 Conclusion

While local authorities contacted have been very helpful and open to this research process, there is extremely limited data available on the number of local authorities allocations to homeless people since 2002 and the data is almost completely non-existent before that date. For that reason it has proved impossible to evaluate the extent to which the Housing Act 1988 has altered or otherwise improved the access of homeless people into local authority housing. While we had hoped to "provide an analysis of housing allocations to people who were assessed as homeless in the period 1988–2000 and 2000–2004" and "to assess the impact of the introduction of the Integrated Strategy on

housing allocations to people who are homeless" as per the terms of reference, instead we can only conclude that the lack of available data would suggest that there is a lack of a mechanism to evaluate the effectiveness of an important part of the legislation. This is, in and of itself, an important finding.

Our questionnaire has however provided information on a number of other important issues. The questionnaire shows that there is a discrepancy between the type of homeless households that are housed by the local authorities and the type of homeless households that apply for housing. In particular, single persons receive fewer local authority allocations compared to any other household type.

Also of note is the length of wait for homeless households, which varies from a minimum of two to three years in one local authority to a maximum of up to eight years to be housed by another local authority.

We also interviewed in order to gain an understanding of local authority practice in the housing of homeless people. We found that in most of the local authority areas, homeless people follow the same procedures as any other applicant and as such they can expect to wait at least as long as non-homeless applicants of the same household type. However, because the majority of homeless applicants are single persons and because single persons wait longer than other household types to be housed, in practice the average wait for a homeless applicant is longer than a non-homeless applicant.

However in places where special allocations procedures apply and where the support organisation and the local authority work together to facilitate the homeless service user into local authority accommodation, sustainable and good quality long-term placements have been made.

⁵⁶ In Limerick for example keys to some local authority houses located in some areas can be accessed by eligible applicants over the local authority counter.

Chapter 4. Housing of people who are homeless in other forms of long-term accommodation: Private Rented Sector

4.1 Introduction

The use of the private rented sector as a means to house and settle people who are homeless was not specified in the Housing Act, 1988, although the local authority is given flexibility in deciding how best to address housing needs. Section 10 of the Act states that

"A housing authority may, subject to such regulations as may be made by the Minister under this section....

(c) rent accommodation, arrange lodgings or contribute to the cost of such accommodation or lodgings for a homeless person."

The Integrated Strategy (DEHLG, 2000) briefly refers to the private rented sector, stating that, *"the development... of rent supplements ... has resulted in private rented accommodation being available to families on low incomes as an alternative to local authority housing"*. However the Integrated Strategy makes no recommendations to facilitate homeless people's access and support their settlement in private rented accommodation. This may be because, as stated in the Integrated Strategy, *"in the majority of cases where homelessness has arisen the extent and nature of needs and care requirements other than accommodation are such that private rented accommodation would not be an appropriate response."*

Evidence from our research would suggest that contrary to the finding by the Cross-Departmental Team, private rented accommodation has become the predominant form of long-term, mainstream housing for people who are homeless in the Irish housing system. For example the Limerick City Council Settlement Officer estimates, in the last year, that almost 80% of his placements have been into private renting (50 households into private renting in the last year compared to five into local authority housing). In a domestic violence refuge in Cork, over the last three years, 75% of placements of households moving on to new accommodation (not existing family home) were to the private rented sector. The Dublin Simon Community Settlement Team estimate that 70% of their long-term accommodation placements are into the private rented sector. They now advise people entering their transitional housing that they are likely to be offered private rented accommodation at the end of the 18 month transitional programme and that the guarantee of local authority

accommodation no longer applies.

These estimates from different types of services in different locations are likely to be conservative because the vast majority of people who are homeless settle themselves into private rented accommodation without any recourse to settlement services. They are not recorded by any statistics. Some of these tenancies fail for a variety of reasons, but many people permanently exit homelessness and have no need to return to use homeless services again.

The importance of the private rented sector as a housing option is mainly because of its relative ease of access, particularly when compared to the difficulty of accessing the other types of subsidised mainstream housing (local authority and voluntary housing provision). In Longford for example the settlement officer there suggests that access into the private rented sector takes about two to three weeks. Other reasons include:

- For one-person households, who make up the overwhelming majority of homeless people in all of the areas studied, it may be the only mainstream accommodation option open to them in these areas. Interviews suggest that the lack of local authority options for single people is particularly acute in Longford, Cork and Waterford, although it is true for all areas to some extent.
- Our interviews with homeless people suggests that some homeless people do not want to live in local authority housing. Some local authority housing is of poor quality. Some local authority areas have management and anti-social problems. People who have had bad experiences in such areas may wish not to return. This is especially true for reformed drug users offered local authority housing in an area with high numbers of active drug users. Private rented accommodation offers people greater options to live in areas with a greater variety of tenure mix.
- Some households may be barred from local authority housing because of infringements of anti-social behaviour legislation.
- Recent reforms introduced under the Private Residential Tenancies Act 2004, including promised greater security of tenure and rent

Chapter 4. Housing of people who are homeless in other forms of long-term accommodation: Private Rented Sector

certainty may make it the preferred choice for more households. Interviewees indicate that the quality and availability of private rented accommodation in Ireland has recently improved - although they also refer to the low standard of traditional bed sits.

Although never foreseen by those who drafted the Housing Act, 1988, rent allowance accessed under the Supplementary Welfare Allowance payments scheme is now a very significant subsidy for people who are homeless to facilitate them into long-term housing. However its full potential as a housing option for homeless people has yet to be realised. The lack of central Government strategy and direction in facilitating homeless people's access into private rented accommodation is in contrast with the local authorities' views⁵⁷ that private rented sector accommodation has a central role to play in housing homeless people, especially one-person households.

4.2 How the rent allowance system works

Access to private rented accommodation for those who cannot pay the market rent is facilitated by rent allowance, paid by the Health Service Executive on behalf of the Department of Social, Community and Family Affairs. Because of changes to rent regulations introduced in 2003 by the Minister for Social and Family Affairs, people who are homeless, if they have not rented privately for a minimum of six months previous to their application for rent allowance, must be assessed by the local authority to establish their homeless status if they are to receive rent allowance.⁵⁸ If the local authority endorses the person's homeless status and places the person on the local authority housing waiting list, the relevant Community Welfare Officer will then usually issue a rent allowance payment. For people in need of deposits in order to access private rented accommodation, practice varies from place to place, but in general outside of Dublin and Cork we found that local authorities manage the handling of deposits.

Except for the process of registering for housing with the local authority, the operation of the rent allowance scheme bypasses the local authority.

Maximum rent levels for each area are set out in the table (*across*).

4.3 Methodology

The following approach was taken to gathering information for this section:

For our one-to one interviews, we met with Superintendent Community Welfare Officers in most local authority areas under investigation and with Community Welfare Officers (CWOs) with special responsibility for homelessness where this role existed. Meetings were also undertaken with Threshold representatives in Dublin, Galway and Cork and with the operational manager of the "Access Housing Unit", a service designed to facilitate homeless people's access into private rented accommodation. Meetings held with people who are homeless and with other service providers not directly involved in the provision of private rented accommodation, further clarified issues under investigation.

A contemporary literature review of Irish and UK research on the private rented sector was also undertaken.

4.4 Practice

Nearly all interviewees stated that access into the private rented sector has improved for people who are homeless compared to the late 1990s and early 2000s. They say this is because of an increase in supply of housing available to rent in the private sector and because of the introduction of new homeless CWOs (in for example Waterford and Limerick) and other settlement supports. However interviewees identified a number of remaining difficulties that homeless people face in accessing this sector. These are investigated below in the context of their implications for the implementation of the Housing Act 1988 and the placement of people into mainstream accommodation.

4.4.1 Rent levels and rent cap

The first difficulty identified by interviewees is the lack of supply of accommodation available to rent allowance claimants at the "correct" level. Superintendent CWOs, voluntary organisations and local authority officials independently and repeatedly expressed the view that rent levels for single person rent allowance claimants are not sufficient to gain access into the great majority of private rented accommodation. There is broad agreement however that the rent allowance rent levels for one-parent and two-parent families are

⁵⁷ This view was particularly expressed in counties Limerick, Cork, Longford and Waterford.

⁵⁸ Except in Dublin and Cork, where people continue to be assessed for homelessness by the Homeless Person Unit but must notify the local authority of their housing need and be registered for local authority housing.

sufficient to gain access into reasonable quality private rented accommodation and cover the full cost of renting in all areas.

A Superintendent Community Welfare Officer expressed it as follows:

“At the rent cap, single men can’t get good quality accommodation at this level. Sharing is an affordable option but for people with social problems it is difficult for this option to work for them. In my view the system is biased against single people.”

A further issue commented on by a number of Community Welfare Officers is that the rent cap is being exceeded in many cases. Rent regulations state that any property charging above the maximum rent levels must not be used. One Community Welfare Officer stated that,

“Community Welfare Officers know that tenants are colluding with the landlord to pay a top up in addition to the maximum limit to get housed. However because the rent cap limit is put on the form there is no evidence that rents are above the limit. Because of this they can’t make a submission to the Department of Social and Family Affairs that rents in our area are above the limit.”

A representative of the Homeless Persons Unit in Cork was of the view that the ***“limit of 95 euro for a single person is very problematic. Sharing at 70 euro is impossible. Because the real cost is 110 to 120 euro, tenants are finding the extra themselves. The Welfare***

Office is satisfied if 95 euro is on the form.”

An examination of the rental market by Threshold in Galway over a three week period in April 2004 found that just 7% of the advertised one bedroom and studio units in the city were below the rent allowance level allowable for a single person and accepted rent allowance.

A more detailed survey by Threshold in Dublin, using websites to search for rates for accommodation, but focused on “bedsits”, found that the average rent level from September 2003 to September 2004 varied from 121 to 123 euros. The most recent findings for September 2004 found that 40% of “bedsits” were below the rent cap. However, only a quarter of these were self-contained, leaving just 11% below the rent cap and with their own toilet and shower.

Despite the existence of a Circular⁵⁹, allowing for flexibility in the application of the rent level limits, voluntary organisations working with homeless people stated that Community Welfare Officers were not sufficiently following the spirit and letter of the circular and that a further explicit instruction from the Department of Social and Family Affairs is required for Superintendent CWOs to go over the rent cap for homeless people. In their view, this applies especially in cases where voluntary organisations are sourcing the accommodation and supporting the homeless person within the accommodation.

Table 4.1. - Maximum rent levels for each Health Service Executive area

Class of person	Eastern Region	Midland	Mid-Western	North-Eastern	North-Western	South-Eastern	Western	Southern
Single person in shared accommodation	93 euro per week	63 euro per week	60 euro per week	70 euro per week	65 euro per week	80 euro per week	65 euro per week	70 euro per week
Couple in shared accommodation	93 euro per week	63 euro per week	63 euro per week	70 euro per week	65 euro per week	80 euro per week	65 euro per week	70 euro per week
Single person	115 euro per week	85 euro per week (Westmeath and Longford) 95 euro per week (Laois and Offaly)	95 euro per week	85 euro per week (Monaghan and Cavan) 95 euro per week (Louth and Meath)	85 euro per week	115 euro per week	115 euro per week	95 euro per week
Couple with no children	178 euro per week	115 euro per week	130 euro per week	121 euro per week	115 euro per week	130 euro per week	115 euro per week	153 euro per week
Couple with 1 child or One-parent family with 1 child	953 euro per month	140 euro per week	150 euro per week	140 euro per week	140 euro per week	150 euro per week	175 euro per week	153 euro per week
Couple with 2 children or One-parent family with 2 children	1,200 euro per month	160 euro per week	170 euro per week	153 euro per week	153 euro per week	170 euro per week	200 euro per week	190 euro per week
Couple with 3 children or One-parent family with 3 children	1,200 euro per month	160 euro per week	185 euro per week	191 euro per week	170 euro per week	170 euro per week	200 euro per week	203 euro per week

⁵⁹ SWA Circular No. 06/03, 24 December 2003 stated that “rent supplement may be paid in cases where the rent is above the relevant limit... where there are special housing needs related to exceptional circumstances (e.g. homeless persons whose housing needs cannot be met within the standard terms of the Rent Supplement scheme)”

Chapter 4. Housing of people who are homeless in other forms of long-term accommodation: Private Rented Sector

To counter-balance the arguments made in interviews, it might be noted here that evidence from previous attempts in Ireland to increase the supply of private rented accommodation accessible to rent allowance claimants by merely increasing subsidised rent levels, would suggest that:

- SWA rental subsidies are not a particularly efficient means of improving access to housing, as an increase in subsidies actually pushes up the price of rents in the private rental sector. In effect the subsidy is passed on to landlords who then reap the monetary benefits. Because a market does not function effectively in the subsidised rented sector, there is less of a correspondence between cost of renting relative to quality of accommodation than there would be in a efficiently performing market.
- The competition for private rented accommodation between different income groups and household types makes it difficult for rent supplement tenants to find accommodation, irrespective of the rent subsidisation level. There is evidence that some landlords will never rent to people on rent allowance because of the perceived threat that entering into a business relationship with the state will push them into making fuller tax returns (Memery, 2000).

4.4.2 Shortage of supply of single person units of accommodation

An interrelated but somewhat separate issue, identified in Chapters 2 and 3 in relation to local authority accommodation, but presenting again under private rented accommodation, is the shortage of supply of single person units of accommodation corresponding to demand.

Over the year from September 2003 to September 2004, Threshold's Access Housing Unit found that the total supply of bedsits presenting to the market in Dublin has been reduced to about half of the supply found in previous surveys. They suspended their single person referrals in Autumn 2004 until they reduced the backlog of single person cases. The Table 4.2, *across*, shows that for the first two years of the service (Jan 2003 – October 2004) applicants for assistance into private rented accommodation through their service were predominantly single people (65%). However their chances of being housed in private rented accommodation compared to other groups are significantly less. 75% of couples that applied have been successful in creating a tenancy, while only 42% of single men have been

successful.

In contrast to the shortage of affordable one person private rented accommodation to let, a representative of the organisation states that many areas report a "surfeit of three or four bed accommodation" and that there is no problem for families getting accommodated in the private rented sector.

4.4.3 Poor quality of some private rented accommodation

A further challenge for homeless people is the poor quality of much of the private rented accommodation they can access. Again while rent levels for families, couples and single parents generally allow for access into modern purpose built complexes, single people often gain access into less good quality, older houses of multiple occupation. Poor quality housing can impact on the success of the settlement.

According to an interviewee in Cork ***"conditions are shocking"*** in some parts of the private rented sector that homeless people access. One Superintendent Community Welfare Officer identified a small number of problematic landlords who rent out ***"hovels' that are 'known to CWOs but still used'".*** In the opinion of another interviewee in Galway, ***"in the city rent levels often have no correspondence to the quality of accommodation."*** However in Galway, Community Welfare Officers won't let clients move from one private rented sector property to another, to search for better quality of accommodation or preferable location. In other words there is no shopping around. One interviewee asked, ***"If CWOs don't inspect, how do they know if the property is acceptable or not? The most vulnerable, for example the homeless, often take the most basic property that is available at that time, then look around for something better. Only the emotionally very strong are going to enforce their rights and ask the local authority to make an inspection of their property."***

Some voluntary support organisations try and steer the homeless person away from very poor quality accommodation. But in general they do not decide on what is appropriate quality for their clients. The decision is ultimately whether the person accepts the accommodation or not. If it is in the area they seek to live in, then the homeless applicant may compromise on quality and space.

For people moving from transitional accommodation, in most cases the standard of their existing accommodation means that the private

rented sector is not an attractive option for them. In terms of space, comfort and safety, the transitional housing that we viewed is superior in every way. People who are homeless are naturally resistant to leave high quality housing for a lesser quality one, even if it means greater autonomy and independence. This has been acknowledged as a difficulty in for example the Simon Community transitional housing services in Cork and Dublin where moving people into private rented accommodation has proved problematic and in Cork has not been pursued.

Other transitional housing services discourage private rented after finishing the programme because of "the insecurity of tenure, the person is at the mercy of the landlord." However people have chosen it in some cases because of lack of other options.

4.4.4 Lack of support services for people in the private rented sector

Mentioned previously, support services for people who are homeless moving into private rented accommodation has increased and improved noticeably since 2000. However, support is far from being available in all cases and good practice is far from uniform across the country.

Support to help the person in their search for housing - called pre-tenancy support- by for example offering free phone calls to arrange interviews with landlords, accompaniment when viewing property, liasing with the Community Welfare Officers, etc. is the most common support offered in Ireland and is available in all local authority areas from a mix of voluntary and state agencies.

Post-tenancy support, shown in numerous research studies to be very valuable in maintaining people who were homeless in private rented accommodation (for example see Rugg, J. 1996), is much less widely available however. Some post-tenancy-sustainment work in the private rented sector is carried out in Limerick and Cork (in Cork by the Homeless Persons Unit themselves to ensure they get value for the rental deposits they give to landlords) and is developing in Waterford. In Dublin the Access Housing Unit (a Government sponsored service operated by the voluntary organisation, Threshold), only allocates housing when post-tenancy support is present. They note that of the more than 150 tenancies set up with post-tenancy support, since January 2003, only two tenancy failures were due to the tenant.

In areas where tenancy support is not available and the potential tenant has a problematic past, Community Welfare Officers are more dependent on the landlord for allocations and therefore, according to some interviewees, will inform landlords as to the person's housing history if the person has a history of non- payment of rent. As one Superintendent CWO stated, ***"while Community Welfare Officers do not cultivate relationship with landlords, they do make phone calls to inform them about what is going on."***

Table 4.2. Access Housing Unit's figures showing numbers and break-down of applicants for assistance into private rented accommodation Jan 2003 - Oct 2004

Applicant Type	Number of applicants	Number of tenancies created	Percentage of applicants that created tenancies
Couple	16	12	75%
Family	15	10	67%
Lone Parent	77	47	61%
Single Female	37	21	56%
Single Male	160	67	41%

Chapter 4. Housing of people who are homeless in other forms of long-term accommodation: Private Rented Sector

Case Study: The use of the Private Rented Sector as the first stage in the settlement of people who are homeless in Dundalk

Everyone who presents as homeless in Dundalk must first meet with the local authority. The homeless officer (on 24 hour call) will decide whether to offer the person a deposit to access the private rented sector, refer them on to the Simon Community or "as a last resort" offer them B&B accommodation for a maximum of one week (the total spend in Dundalk in 2003 on B&B was 12,500 euro).

If referred onto the Simon Community hostel - once the person has stayed in the hostel a few weeks and when asked, expresses an interest in resettling - then the referral process starts. Because of its easy accessibility, private renting is nearly always the first move on option. Another benefit is that it gives some basis and experience of living alone. The settlement team in Dundalk Simon Community works with the tenant and liaises with the landlord.

There are a small number of landlords known to the team that will house rent allowance claimants coming from the Simon Community. However, recently, private rented sector options have narrowed and because of the lack of choice the accommodation can be of very poor quality. The team does make a case to the Superintendent Community Welfare Officer to make exemptions for properties above the limit, which is granted in exceptional circumstances.

After a period of at least three months, the person placed in private accommodation may be offered a Council property. Nearly everyone who successfully maintains the tenancy moves on to Council or voluntary housing provision after a relatively short period. Even though there are more than 1,200 active applicants on the housing waiting list and Dundalk is considered a high demand area for local authority housing, Dundalk Town Council has managed to exceed its Homeless Action Plan target of nominating 4% of allocations to Simon Community ex-residents. According to the Council the actual proportion is likely to be closer to 10% of total lettings.

From the Dundalk Town Council perspective, the partnership with the settlement team is critical in informing them of the persons background (if for example there are any outstanding criminal charges) and reassuring them that the homeless person will be supported and

problems, for example if the person is not paying rent or is acting anti-socially, will be prevented or solved early. The Council state that they often house people that they would not otherwise consider housing because Dundalk Simon has identified them as suitable, the homeless person has proved themselves in private rented accommodation and Dundalk Simon will support them after the tenancy is established.

In turn the Council try to ensure that when allocating housing to homeless people, "there is no stigma associated with the process and no one in the community knows that they have come from the Simon Hostel." In their opinion, if the person is allocated into "a nice clean house then will tend to respect it". A Council representative states that, "if the Scheme of Lettings Priorities was followed, we would never house one homeless person."

Some who get housed have few skills to live independently. They may have active addictions and mental health problems. However interviewees say that they have proved able to approach their responsibilities when given the opportunity to restart their lives. Responsibilities may be at a very basic level, such as feeding themselves and paying rent. The settlement team have organised it so that for some people, rent and utility payments are taken directly out of their social welfare, so they don't put their tenancy in danger through financial mismanagement.

Single persons who do not become homeless and are without support needs and a support agency find it much more difficult to get housed by Dundalk Town Council. If the steps above are followed, in some cases the Council house homeless single persons within three months. However if the person is homeless and is not linked in to a support organisation, it is, at a very minimum, one year after the application was made before someone will be considered for housing. Unofficially, allocations by the Council are for the over 25-age group. The vast majority of people nominated by Dundalk Simon to be housed by the Council are for single people aged 40-60 years old.

It cost approximately €115,000 in 2004 to fund the settlement team in Dundalk Simon (including costs for administration), working out at approximately €2,000 per year per person supported in a settled environment. Each settlement officer in Dundalk works with approximately 25 clients at any one time.

4.5 Conclusion

Findings from our research shows that despite the fact that the private rented sector is not directly referred to in the Housing Act 1988 and only in a limited way in "Homelessness: An Integrated Strategy", it is by far the most commonly used form of mainstream long-term housing for homeless people. Its popularity is in part due to the lack of other housing alternatives. However it also has some inherent advantages, in particular its relative accessibility.

However we found that access into private renting is more difficult for single people who are homeless, because of the fixed low rent cap levels for single people in each region and the lack of supply of affordable single person units to rent. Both factors work together to narrow access. Low maximum rent levels means fewer landlords accepting rent allowance and there are fewer new entrants willing to increase the supply of single person accommodation. Lack of supply of single person accommodation forces up market rents and makes tenants applying on rent allowance less attractive. Local conditions at different times of the year also impede access.

Two other factors that impact on people in private rented accommodation sustaining their tenancy in the private rented sector are: the poor quality of some accommodation, especially when compared to some transitional housing that is designed to prepare people for their move into mainstream housing (either private rented or local authority), and the lack of ongoing support services in some places for those people placed in private rented accommodation.

However despite these difficulties, which can be overcome by limited policy interventions, the private rented sector is a commonly used and useful step for resettlement. It is relatively low cost, even when post-settlement support services are included (see case study from Dundalk), especially when compared to transitional/ emergency accommodation. Concerns from voluntary organisations about security of tenure are overstated, especially considering the enhanced security of tenure that may flow from the Private Residential Tenancies Act, 2004 and considering that private renting offers far greater security of tenure compared to emergency/ transitional housing. On the other hand, the willingness of some local authorities to embrace private rented

accommodation as the move-on option for people who are homeless is an abnegation of responsibility, because it can only ever be one of a range of long-term housing options employed, particularly considering the other options outlined in the Housing Act, 1988 and the Integrated Strategy.