



MINISTRY OF DEFENCE

## Customer Fact Sheet 5

### Loss of Entitlement to Service Families Accommodation (SFA)

**Q. When am I going to be housed by the council?**

**A.** From 1 August 2002, applications for social housing will be assessed under the Homelessness Act 2002. The Local Authority will accept a Certificate of Impending Homelessness as soon as you know when your entitlement to SFA will cease, though they do not actually regard you as homeless until 28 days before your Notice to Vacate expires. They may house you anytime before or after this date once they have accepted you as meeting the criteria under the Act. In order to allow them enough time to make these arrangements, you are advised to approach DE to issue a Certificate of Impending Homelessness as soon as you are informed of when your entitlement will cease.

**Q. What are Damages for Trespass and when must I pay them?**

**A.** Damages for Trespass (or DFT's) are the revised accommodation charges for occupants whose entitlement has ceased. DFT charges commence on the day after your Notice to vacate expires provided you are still in occupation of the property. 'DFT' is a legal term as you are considered to be 'trespassing' once your Notice has expired.

**Q. How much do I have to pay and how do I pay?**

**A.** We will inform you of the revised charges and send you the information on how to pay. The charges are based on the Local Authority rent for your property and you will be sent a breakdown of charges. If appropriate, we will ensure that a Housing Benefit form is made available for completion in plenty of time.

**Q. What do I need to do when I move out as regards cleaning the SFA and handing it over?**

**A.** The property should be returned to DE in the same condition as when you moved in. Please speak to staff at the local Housing Information Centre or Housing Officer who will advise you on the standard of cleaning expected.

**Q. Can I get any help with removal expenses?**

**A.** The service welfare agencies often have information to assist people in difficult circumstances and your local Housing Information Centre can put you in touch with their local contact.

**Q. Will Court Proceedings have any effect on my future applications for Local Authority housing?**

**A.** Generally repossession is sought due to DE's need to provide SFA to entitled families and in most cases, you will not have made yourself deliberately homeless. If, however, we have to seek eviction for other reasons, such as noise or other nuisance, this could in some cases be construed as intentional and could affect any subsequent applications for housing.

**Q. Can I stay in my SFA and if so, how long?**

**A.** Unfortunately, once your Notice to Vacate expires you have lost your entitlement to live in SFA. Before we commence formal action to recover possession of the property, we will review your position to determine whether there are any personal circumstances that would cause us to defer such action temporarily. In most cases, provided that the Local Authority have accepted your application for housing and you are paying the Damages for Trespass, we will not take any action against you for a further 3 months. During this period we will reassess the situation regularly and monitor any changes in circumstance.

**Q. I like this area, can I stay here, if not, why not?**

**A.** In order for you to be housed by the Local Authority you must meet the criteria laid down in the Homelessness Act 2002. As it currently stands, the Act states that you must have a local connection to the area. This usually comes through relationship to someone who has lived in the area for a length of time or employment in the area. However, there is nothing to stop you applying for local rented accommodation.

**Q. Am I entitled to any benefits and how do I get them?**

**A.** The best people to advise you are the Citizens' Advice Bureau or Department of Work and Pensions. Your local Housing Information Centre will be able to provide their contact details.