

Appendix 1 – Case Studies

Rough Sleeper Case Study

Mr C is a 71 year old gentleman who lived in a private rented property in Peterborough for ten years. Unfortunately his landlord wanted the property back and he was served with a notice to quit. Whilst investigating the duty the local authority had under the relevant homeless legislation, Mr C was evicted from the temporary accommodation that we had provided him with and was rough sleeping. We were in a position where we could offer him a social housing tenancy in Bretton which was immediately available. Mr C did not want to be in Bretton as he enjoyed coming in to the city centre to drink with his friends however he agreed to it as it was a roof over his head.

Unfortunately Mr C was evicted from the property in Bretton within a year and resorted to rough sleeping again. As he has limited mobility after suffering a stroke he slept in the city centre resulting in a plethora of complaints, especially due to his poor hygiene. It took me a little while to re-build a relationship with Mr C as he was quite hesitant to engage as he assumed I wouldn't support him as he had been evicted. I gained his trust slowly, getting him new clothes and asking him to come in daily to see me. Every day we did something positive, whether it was getting a coffee or organising a replacement bus pass, after a few weeks of intensive support Mr C was in a position where he would accept housing assistance.

Mr C was adamant he wanted to reside in the city centre, even with his bus pass. We spoke at length and agreed the New Haven would be a good temporary option. Mr C agreed he would need to engage with services and also would need to abide by the rules. I contacted New Haven who agreed to let me have the next available room. Whilst waiting I met with Mr C every day, I encouraged him to shower and spend money on food instead of just drinking. When a room became available I took Mr C to the New Haven and he accepted it. I have arranged for Emma Foley who works on the excluded adult programme to support him to ensure he pays his service charge and address any issues which arise. It has also been agreed that John Hawkins at Drinksense will go to the New Haven to meet Mr C and assess what help and support he needs.

A Fairview Court application has been submitted and I will now be working to get him a room there, Mr C is in agreement with this, he likes the location and can understand the help it would provide him with having some clear boundaries he must meet in terms of his drinking.

Mr C is now off the streets with a clear action plan in place in terms of housing. Mr C is also now in a place where he is accepting support to minimise the chances of him returning to the streets and to manage his alcohol consumption and resulting behaviour.

Tenancy Relations Case Study

Peterborough City Council –v- Mr I P

The defendant, Mr I P stands reported for one offence of unlawful eviction of a residential occupier contrary to Section 1(2) Protection from Eviction Act 1977 & one offence of harassment of a residential occupier contrary to Section 1(3)(a) Protection from Eviction Act 1977

The circumstances are as follows; - Mr I P is the owner of the property known as **redacted**. The premises at this address was let to tenants Mr C W and Mr M H. Mr I P instructed a company called W H to manage the property as a letting agent by way of collecting rent and addressing any tenancy issues. Mr I P was however listed as the “landlord” on the tenancy agreement W H listed as “landlord’s agent”.

It is alleged that on 28 March 2012, Mr I P forced entry into the while the resident occupier, Mr C W was in residence and proceeded to assault him and demand he vacate the property immediately – the locks were then changed. This resulted in the Assured Shorthold Tenant, Mr C W being excluded from his home.

It is also alleged that Mr C W has been unable to recover some of his possessions from the property, most notably his motor vehicle, a red Toyota Celica, which it is alleged Mr I P disposed of.

30 March 2012 – Complaint made to the Housing Needs Service from Mr C W, he alleges that the landlord of the property he rents at **redacted** has forced entry to the property while he was in residence, assaulted him and demanded he vacate the property immediately and he is now homeless. After a brief telephone conversation with Mr C W I was able to establish that he was the sole tenant of the property since August 2011 and the property was let via an agent, W H. I was unable to discuss the allegations with Mr C W any further as he was evidently very traumatised by the events of the 28 March 2012 and was unable to fully articulate his account. I therefore requested he write a brief email outlining his version of events. Council Tax/Housing Benefit record search undertaken.

Contacted the letting agent, W H via the telephone and was able to speak to the Property Manager who informed me the owner of the property had advised W H that their services in respect of managing the property were no longer required as the property was to be sold. The owner stated he and the tenant had “come to an arrangement”.

03 April 2012 – Email received from C W briefly detailing the events of and leading up to his eviction. In his email, Mr C W mentioned that he had contacted his next door neighbour after

the eviction and that she had witnessed some of the events.

Visit made to **redacted**. From the road I could clearly see Mr C W's vehicle (red Toyota Celica, registration **redacted**) parked on the driveway of the property. On the front lawn there were items of furniture, namely a table and three chests of drawers that had been left in the rain and were damaged. Photographs of these items taken.

Visit made to the owner of the property next door to **redacted** (Mrs B T). She advised she witnessed some of the events of 28 March 2012 and had allowed Mr C W to remain with her after his eviction until his friend arrived to take him to Rugby. Mrs B T allowed me access to her rear garden. Looking over the fence at **redacted** I could see a refrigerator had been left in the rear garden. It appeared to have been left to the elements for a short time as it showed evidence of weathering at the base. Photograph taken.

Arranged with Mrs B T to return on 11 April 2012 to take a statement from her with regards to the events she witnessed on 28 March 2012.

11 April 2012 – Witness statement taken from Mrs B T where she detailed her account of the events of 28 March 2012.

16 April 2012 - Witness statement taken from Mr C W where he detailed his account of the events of 28 March 2012.

Mr C W signed and submitted the relevant paperwork enabling Peterborough City Council to issue an interest free loan of £395.00 to Mr C W in respect of a deposit for an alternative private tenancy he had secured with my assistance.

I receive a telephone call from Mr C W informing me that his motor vehicle which was left on the driveway at XXXXXX has been removed to an unknown location. The reason why Mr C W had not collected the vehicle was because the road tax and MOT had expired. Mr C W contacted the Police and they advised him that this was civil matter.

25 April 2012 - I receive an email from Property Manager of W H. Attached was a copy of Mr C W's tenancy agreement dated 27 May 2009, a copy of the Housing Act 1988, Section 21(4) (a) Notice Requiring Possession that had been served on Mr C W on 19 March 2012 and a copy of Mr C W's rent account from W H. Land Registry record search for **redacted** undertaken. This search shows Mr I P as being the proprietor of 42 Fairfield Road from 10 August 2005.

15 May 2012 - I send a letter to the Commanding Officer of 19 Regiment **redacted** (the regiment of which Mr I P is a serving officer) to inform him of my involvement in a criminal

investigation regarding one of his officers.

24 May 2012 - I receive an email from Commanding Officer of 19 Regiment, **redacted** in response to my letter dated 15 May. In his letter, Commanding Officer requests that I contact him via the telephone to discuss matter with him further.

25 May 2012 - I telephone Commanding Officer and discussed the allegations against MR I P with him. Commanding Officer advised me that due to the fact Mr I P was currently serving with the British Armed Forces in Afghanistan he would not be returning to the UK until the second week of November 2012.

12 November 2012 - I send a letter addressed Mr I P inviting him to attend a formal interview in connection with the allegations made against him on Wednesday 21 November 2012 at 14:30.

21 November 2012 – Mr I P fails to attend a formal interview in connection with the allegations made against him at 14:30.

23 November - I send a letter addressed Mr I P inviting him to attend a formal interview in connection with the allegations made against him on Wednesday 05 December 2012 at 14:30.

05 December 2012 – Mr I P fails to attend a formal interview in connection with the allegations made against him at 14:30.

Not only does the displacement of a private sector tenant cause unnecessary distress and discomfort, in most cases it places a financial burden on his/her finances and disruption to their everyday lives. If a private sector tenant is excluded from their home due to the landlord having changed the locks, the local authority is also presented with additional financial pressure and in some cases is duty bound to provide emergency accommodation to the individuals and families concerned.

In this case, the displacement caused significant stress for Mr C W, as not only did he become homeless as a result but in addition he suffered a significant financial burden in respect of living in temporary accommodation with his friend and the cost of securing alternative, long-term accommodation. The fact that he was made homeless in such a violent and intimidating manner contributed further to Mr C W's fragile state of mind at the time and jeopardised his ability to begin to recover from mental health problems effectively.

Mr C W has also suffered the loss of several personal possessions including furniture and

his motor vehicle. Mr C W has had to undergo the process of replacing these items at a considerable financial cost to him.

Mortgage Rescue Case Study

Referral received from the Care & Repair team following a request from the family for help with heating. They had no heating in the property as the boiler had stopped working and was not repairable, and due to their financial position they were unable to pay to repair the heating. They disclosed to the officer in the Care & Repair team about the mortgage difficulties and the referral was passed over to Housing Needs.

Application for full MRS taken, following a full financial assessment to investigate any other options available to assist the family to remain as homeowners.

Mr had been in full time employment his whole adult life managing a large bank for the last 8 years of his career. Following being made redundant the family found themselves in a position of not being able to maintain the mortgage repayments, after the mortgage protection insurance cover ended.

They went on to the forbearance offered by the lender of an interest only mortgage, which the Department of work and pension covered. The lender withdrew the forbearance measure after 12 months as it is only offered as a short term measure. They were no longer able to meet the mortgage payments, due to the DWP only covering the interest part of the repayment and not the capital repayment part of the Mortgage.

Due to them not being able to meet the repayments the lender had started repossession action.

During the same period Mr suffered ill health he had two heart attacks and a stroke, so he was unable to look for employment.

Mrs was only able to work part time due to caring for her husband. Six months prior to them seeking assistance from us Mr's sister sadly died in a car crash, she was a single mother to a 13 year old and they had no other family members so the family took on the child following her death and where not offered any financial support from children social services for his care.

The child had started secondary school in the area they lived, and had received extensive support from the school and services due to his bereavement and had begun to settle and readjust to his new life with in the family home.

The MRS was agreed and following completion repairs were effected at the property.

Care and Repair Case Studies

- 1) A Disabled Facility Grant (DFG) was received by Care & Repair. Dangerous repairs/maintenance issues were identified at survey stage and a benefit shortfall identified at a casework visit. Work included damp and electrics along with also window replacements. Additional benefit was awarded which include higher rate Attendance Allowance £81pw and Pension Credit of £70 weekly. The DFG contributions of over £600 was extinguished when recalculated taking into account the new benefits. The result of the Agency's work has lifted them out of fuel poverty, reduced utility costs, adapted and repaired the property. This enabled two very vulnerable frail elderly people to remain living at home, independently, be in a warm and safe environment and have an increased income of £7.5K p.a.

- 2) A disabled amputee was in danger in his current property. Care & Repair worked closely with Housing Options to find a suitable housing solution. A property which was partially adapted was identified and on the same day the Agency surveyor and an Occupational Therapist (Adult Social Care) visited the property. This was to identify if it was suitable and if not, what adaptations were required/possible. As only small scale work was required, staff liaised with Cross Keys (the property owners) to enable the tenancy to be awarded to the disabled man. The tenancy was signed on 6 May, adaptation work was commenced on 7 May to enabling the tenants to move in with the least possible delay. A safe and warm environment was provided where he could access all the services (washing, toilet, kitchen) without any assistance and could be independent.

- 3) The Agency continues to receive many compliments. A recent compliment was received from a couple who were recipients of a Disabled Facility Grant for home adaptations. We checked their benefit entitlement and assisted them in claims to attendance allowance. The result was a £150 per week additional income.

- 4) Another couple were found to be entitled to higher rates for Disabled Living Allowance & Attendance allowance and were also entitled to Pension Credits and Council Tax Benefit. Their income was increased by £16,806.92 per year (over £300 per week).

Note: The average income increase for benefit shortfall cases in August was almost £7,000 per annum.