



Housing (Wales) Act 2014

2014 anaw 7

PART 2

HOMELESSNESS

CHAPTER 2

HELP FOR PEOPLE WHO ARE HOMELESS OR THREATENED WITH HOMELESSNESS

Duties to help applicants

70 Priority need for accommodation

- (1) The following persons have a priority need for accommodation for the purposes of this Chapter—
- (a) a pregnant woman or a person with whom she resides or might reasonably be expected to reside;
 - (b) a person with whom a dependent child resides or might reasonably be expected to reside;
 - (c) a person—
 - (i) who is vulnerable as a result of some special reason (for example: old age, physical or mental illness or physical or mental disability), or
 - (ii) with whom a person who falls within sub-paragraph (i) resides or might reasonably be expected to reside;
 - (d) a person—
 - (i) who is homeless or threatened with homelessness as a result of an emergency such as flood, fire or other disaster, or
 - (ii) with whom a person who falls within sub-paragraph (i) resides or might reasonably be expected to reside;
 - (e) a person—

Status: This is the original version (as it was originally enacted).

- (i) who is homeless as a result of being subject to domestic abuse, or
- (ii) with whom a person who falls within sub-paragraph (i) resides (other than the abuser) or might reasonably be expected to reside;
- (f) a person—
 - (i) who is aged 16 or 17 when the person applies to a local housing authority for accommodation or help in obtaining or retaining accommodation, or
 - (ii) with whom a person who falls within sub-paragraph (i) resides or might reasonably be expected to reside;
- (g) a person—
 - (i) who has attained the age of 18, when the person applies to a local housing authority for accommodation or help in obtaining or retaining accommodation, but not the age of 21, who is at particular risk of sexual or financial exploitation, or
 - (ii) with whom a person who falls within sub-paragraph (i) resides (other than an exploiter or potential exploiter) or might reasonably be expected to reside;
- (h) a person—
 - (i) who has attained the age of 18, when the person applies to a local housing authority for accommodation or help in obtaining or retaining accommodation, but not the age of 21, who was looked after, accommodated or fostered at any time while under the age of 18, or
 - (ii) with whom a person who falls within sub-paragraph (i) resides or might reasonably be expected to reside;
- (i) a person—
 - (i) who has served in the regular armed forces of the Crown who has been homeless since leaving those forces, or
 - (ii) with whom a person who falls within sub-paragraph (i) resides or might reasonably be expected to reside;
- (j) a person who has a local connection with the area of the local housing authority and who is vulnerable as a result of one of the following reasons—
 - (i) having served a custodial sentence within the meaning of section 76 of the Powers of Criminal Courts (Sentencing) Act 2000,
 - (ii) having been remanded in or committed to custody by an order of a court, or
 - (iii) having been remanded to youth detention accommodation under section 91(4) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012,

or a person with whom such a person resides or might reasonably be expected to reside.

(2) In this Chapter—

“looked after, accommodated or fostered” (*“yn derbyn gofal, yn cael ei letya neu’n cael ei faethu”*) means—

- (a) looked after by a local authority (within the meaning of section 74 of the Social Services and Well-Being (Wales) Act 2014 or section 22 of the Children Act 1989),
- (b) accommodated by or on behalf of a voluntary organisation,
- (c) accommodated in a private children’s home,
- (d) accommodated for a continuous period of at least three months—

- (i) by any Local Health Board or Special Health Authority,
 - (ii) by or on behalf of a clinical commissioning group or the National Health Service Commissioning Board,
 - (iii) by or on behalf of a county or county borough council in Wales in the exercise of education functions,
 - (iv) by or on behalf of a local authority in England in the exercise of education functions,
 - (v) in any care home or independent hospital, or
 - (vi) in any accommodation provided by or on behalf of an NHS Trust or by or on behalf of an NHS Foundation Trust, or
- (e) privately fostered (within the meaning of section 66 of the Children Act 1989).

(3) In subsection (2)—

“care home” (*“cartref gofal”*) has the same meaning as in the Care Standards Act 2000;

“clinical commissioning group” (*“grŵp comisiynu clinigol”*) means a body established under section 14D of the National Health Service Act 2006;

“education functions” (*“swyddogaethau addysg”*) has the meaning given by section 597(1) of the Education Act 1996;

“independent hospital” (*“ysbyty annibynnol”*)—

- (a) in relation to Wales, has the meaning given by section 2 of the Care Standards Act 2000, and
- (b) in relation to England, means a hospital as defined by section 275 of the National Health Service Act 2006 that is not a health service hospital as defined by that section;

“local authority in England” (*“awdurdod lleol yn Lloegr”*) means—

- (a) a county council in England,
- (b) a district council for an area in England for which there is no county council,
- (c) a London borough council, or
- (d) the Common Council of the City of London;

“Local Health Board” (*“Bwrdd Iechyd Lleol”*) means a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006.