



Mercy Law
Resource Centre

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KNOW YOUR RIGHTS

ACCESSING HOMELESS ACCOMMODATION

MAKING AN APPLICATION



- You can present as homeless to any local authority who will assess your eligibility. The local authority needs to be satisfied that there is no other accommodation you could reasonably occupy, even temporarily, and that you could not pay for your own accommodation.
- You will need to provide documents to show you have no other accommodation available to you (for example a notice of termination of tenancy) and to show your financial position.
- A request for homeless accommodation can be made on your behalf.
- If you are accessing homeless accommodation, you should make *another, separate application* for social housing so that, assuming it is successful, you have an exit from homelessness.

HOMELESS ACCOMMODATION

- You can access homeless accommodation even if you are not on the social housing list or if your application for social housing is pending. The two assessments are separate and should not be linked.
- The local authority does not have a duty to provide homeless accommodation to you. Generally however, if the local authority accepts that you have no other accommodation available, it will be provided.
- The local authority can provide homeless accommodation in a wide variety of ways. This may include financial assistance for hotel and B&B accommodation, or placing you directly in a family hub.
- The local authority may ask you to 'self-accommodate' i.e. book your own hotel to meet your immediate housing needs. If this is not possible, you should tell the local authority and seek legal advice.





- There may be a charge for homeless accommodation, but this must take account of your financial means and should be affordable.
- If your homeless accommodation does not meet your needs and is unsuitable, you should request alternative accommodation. There may be grounds to challenge this if there is evidence to show how it does not meet your needs.
- You can access homeless HAP (Housing Assistance Payment) once you have been assessed as homeless by a local authority. You do not need to be accessing homeless accommodation.

WHAT IF MY APPLICATION IS REFUSED?

- You have a right to written reasons if you are refused homeless accommodation; you can also request reasons under Freedom of Information (FOI) legislation.
- If you are refused homeless accommodation, you can appeal the refusal. You may also complain to the Ombudsman for Children or the Ombudsman. You should seek legal advice.



FURTHER RESOURCES

- [Sections 2 and 10 of the Housing Act 1988](#)
- [Citizens Information Website Information on Homelessness](#)
- [Office of the Ombudsman for Children & Office of the Ombudsman](#)
- [DRHE Complaints Form](#)
- [Section 10 and Section 12 of the Freedom of Information Act 2014](#)
- [MLRC News Updates](#)



SUPPORT FROM MERCY LAW RESOURCE CENTRE

- Mercy Law Resource Centre (MLRC) is a registered charity and independent law centre.
- MLRC provides free legal advice and representation to people who are homeless or who are at risk of homelessness.
- MLRC are contactable on (01) 4537459 and info@mercylaw.ie for any questions in relation to accessing homeless accommodation.

