



**Baobab  
Women's  
Project**

**WAAH**  
We Are All Human

## Living in overcrowded accommodation?

*I am a refugee woman living with my partner in a one bedroom private rented flat, with 2 children (2 and 5). My partner was working but is now attending a trade course at college and doing a little self-employed van driving work. We were living in a bigger house, but my partner couldn't afford the rent, so we moved to this small place in 2015. My mother and children group worker has checked the property and says it is too small for our family, my 5-year-old son is not able to play or move around properly. My children have been getting runny noses and colds since we moved here, the carpet smells and the windows don't open wide. We have applied to the council for help with a bigger property 3 weeks ago, but haven't heard anything yet. Can we get help to move?*

You are on a low income, and have done the right thing approaching the council for help. Have you done a housing application with the council? Proving you are on a low income is important, did you give them proof of benefits, evidence of any money received through part time work, and proof of studying at college when you made the application, relative to every member of the household.

They will assess the housing application you made and let you know if you are able to get onto the housing register to bid for a social tenancy. Housing applications are assessed according to need, you get points to bid on properties depending on your circumstances. It maybe that the conditions in the house are unliveable, so that you can be given priority over others as homeless. This is a separate application, and you will need to speak with the [Homeless Team](#) about your circumstances, whether you get help as homeless will depend on your living conditions, health and needs. If you're under 25, then the [Youth Hub](#) will help you as a young person.

You may get points for living in 'unsatisfactory living conditions' as 4 people living in a one-bedroom flat is squashed. You said that the mother and children group worker had visited you, get a letter to support this point in your application. Living in overcrowded home is covered by the law (the Room Standard or Space Standard in the Housing Act 1985), you could get 100 points for overcrowding plus 40 for every extra room you need. Look at [shelters summary of overcrowding Room and Space Standard](#) - the living room can be counted as a room, so if you have a living and bedroom, they may say that your accommodation has enough space. The space standard measures if the space is enough for the whole family, and if there's not much floor space you could be eligible as overcrowded.

You may also get points for 'medical or welfare reasons', if your children are ill because of the accommodation then you need to go to the doctor and get a letter about what the illness is, how many times you have seen them, and what they think the cause is. If they say you children are ill, and it is due to the property you are living in then this may mean the council will give you more points so you can move sooner. A Health and Care Award of points if you have a medical condition which can be improved by moving to a new home is 100 points for an urgent need, 50

points for a high need. The Health and Housing Panel decide what points to allocate so this is where they read your supporting letters from the doctor, or other support workers to decide if the need is high enough. You can also get a letter from a nursery or school about your children's health if they have seen them become ill since your move to where you live now.

There are points given for poor housing conditions, which could be category 1 or 2 hazards under the Housing Health and Safety Rating System. The environmental health team will assess your home and award you 20 points for each category 1 hazard they find, and 10 points for each category 2 hazard they find. Talk to the neighbourhood office about getting a visit from Environmental Health, they are part of the council, so you can also find their number and call to ask for help too if you want, find your local council website [here](#).

If you stay on the register for a long time and you are worried about your children, you can request a child in need assessment, from Children's Services. A child in need defined in the Children's Act 1989 says 'a child whose vulnerability is such that he/she is unlikely to reach or maintain a satisfactory level of health or development or his/her health and development will be significantly impaired without the provision of services'. If a social worker completed an assessment and finds your children in need, you will get 80 points for each child that is part of your household. They can refer you to the Housing Pathways Team for additional help. Talk to the Children's Centre about this, to get Children's Services involved the situation needs to be serious, at the moment you are doing what you can and are just starting this process.

Following up the housing application with the neighbourhood office is a good idea, they are very busy, and have far too many people with housing problems than they can cope with. Remember that while your conditions are bad, others maybe worse, if you don't get moved as quickly as you hope then persevere. It's up to you to give the housing team all the information you can to show them why your application needs to be prioritised over others.

It maybe that you want to look into getting [LHA \(Local Housing Allowance\) for a rented tenancy](#), for a 2-bedroom property, you could be eligible for 2 bedrooms up to £522.69 per month according to the council, click on rooms rates valid April 15 - March 16

Shelter have a lot of experience of housing issues and homelessness and if you feel that you don't understand or need help, [contact their Birmingham Office](#)