

Ms Emer Boyle
Communities Committee Clerk
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Dear Emer,

Housing (Amendment) Bill: Call for Evidence

Thank you for your letter dated 9 July 2026 in which the Committee advised that it was seeking views on the Housing (Amendment) Bill which was introduced on 30 June 2026. I will seek to address each of the Committee's questions in turn.

Do you support the overall purpose of the Housing (Amendment) Bill?

Senior officials from both the Department and the Housing Executive met with the Bill's sponsor on 8 September 2025 to discuss the proposal and the potential implications of the proposed reform. It remains the view of the Department that the Bill is unlikely to give effect to the stated policy intent, rather it would have the effect of bringing more people into the homelessness system sooner, with a commensurate pressure on the Housing Executive.

Minister Lyons has been clear that he is supportive of proposals looking at ways in which the legislative framework can better protect and support people at risk of homelessness. However, he is concerned that simply amending the definition of threatened with homelessness in isolation would result in unexpected and adverse consequences for both households and the Housing Executive. In his response to the Member, he cautioned that, *“this proposal will not address the significant pressures within the homelessness system, but rather lead to additional pressure which may cause the position to deteriorate.”*

Since the initial consultation on the Bill’s proposals, the Public Accounts Committee (PAC) has published its report on Homelessness in Northern Ireland and recommended, *“that the Department should work with the Housing Executive to explore options for strengthening homelessness prevention through the introduction of a statutory duty and bring forward proposals to the Minister within 12 months. In doing so, the Department should review and assess the impact of similar statutory duties in other jurisdictions, including those where the threat of homelessness duty afforded to households extends to at least 56-days.”*

The Department is committed to fulfilling this recommendation and is currently developing alternative proposals for a fundamental and comprehensive review of both homelessness legislation and practical implementation. To this end officials have begun engagement with both independent experts and key sectoral stakeholders.

The Department is supportive of the ambition to improve homelessness prevention outcomes and recognises that a comprehensive programme of change is needed on homelessness. However, the Housing (Amendment) Bill pre-empts and potentially undermines the outcome of the work already underway in response to the PAC recommendation which is more likely to result in meaningful reform.

Furthermore, should the Bill progress, the scale of the planned work to consider wider legislative reform would need to be significantly curtailed given the requirement to prioritise support for its development and implementation.

Do you consider that the current 28-day period provides adequate protection for people who are threatened with homelessness?

The Housing Executive's statutory homelessness duties are outlined in Part II of the Housing (NI) Order 1988 and the threatened with homelessness period should not be viewed in isolation.

Under Article 6D of the Housing (NI) Order 1988, the Housing Executive has a duty to secure that advice about homelessness and the prevention of homelessness, is available free of charge to any person in Northern Ireland. This duty is not restricted to offering support only within the 28-day threatened with homelessness period. For example, if an individual presents to the Housing Executive after receiving a Notice to Quit (NTQ) for eight weeks, or 56 days, they will be offered support where a housing assessment will be completed and registered in accordance with the Housing Selection Scheme. The Housing Advisor will provide advice, including referrals to Floating Support agencies, signposting to relevant advocacy agencies if required (i.e. Housing Rights / Shelter NI) and general advice.

The 28-day statutory duty to persons threatened with homelessness under the 1988 Order is essentially to enable the Housing Executive to secure the provision of temporary accommodation for the individual should it still be required.

The Department agrees that we need to improve homeless prevention work, but the substantive issues are not the length of the 'threatened with homelessness' period, they are the phrasing of the duty itself and the resources within the NIHE to carry out effective prevention work.

Clause 1 would amend the definition of "threatened with homelessness" so that a person is included if they are likely to become homeless within 60 days rather than 28 days. Do you support this change?

The clause will result in the Housing Executive being obligated to take reasonable steps to secure that temporary accommodation is made available for an increased number of people.

In other jurisdictions where the threatened with homelessness period was extended this was in the context of a wider prevention duty being introduced. For example, in England and Wales the initial prevention duty requires an authority to 'take reasonable steps to help the applicant to secure that accommodation does not cease to be available'. 'Helping to secure' does not mean that the authority has a duty to directly source and provide accommodation for the applicant. Instead, authorities should provide 'support and advice to applicants who are taking some responsibility for securing their own accommodation'.

In Northern Ireland however the duty associated with 'threatened with homelessness' status is that the Housing Executive 'shall take reasonable steps to secure that accommodation does not cease to be available for his occupation'. The action must be taken by the Housing Executive.

Without addressing the effect of the current legislation, just extending the 'threatened with homelessness' period would not support efforts to prevent homelessness, it would simply bring people into the homelessness system earlier.

Furthermore, the financial impact of households being placed in temporary accommodation for longer is likely to frustrate attempts to move to a more upstream, prevention model as limited resources will be directed towards meeting the statutory duty to provide temporary accommodation.

Would extending the period to 60 days make it more likely that homelessness can be prevented before a person or household reaches crisis point?

Amending the threatened with homelessness period in isolation is unlikely to have the positive impact anticipated.

The Bill merely extends the housing duty. It does not make provision for, or introduce, any additional measures which would enable the Housing Executive to effectively prevent homelessness given the current housing supply constraints.

While the Housing Executive can provide advice and make referrals to floating support and advocacy services etc., the Bill does not consider the wider capacity issues across the voluntary and community sector to successfully utilise the extended timeframe to assist individuals who may be at risk of homelessness.

Could the Bill increase demand for temporary accommodation, including non-standard accommodation such as hotels or B&Bs?

Given the constraints around housing supply which are already preventing the Housing Executive from being able to discharge their homelessness duties, and the persistently high demand for temporary accommodation, it is our assessment that the Bill will inevitably result in the increased use of non-standard temporary accommodation, and for longer periods of time.

In the Housing Executive's original consultation response, it stated that, *"in the absence of additional housing supply and / or additional long-term funding to increase the supply of voluntary sector hostels, it is likely that the reliance on non-standard temporary accommodation would increase as a result of this Bill. As temporary accommodation is a statutory duty this would impact on both the Housing Executive and Department for Communities as both would have to allocate funding to temporary accommodation at the expense of other funding streams."*

Most obviously those other funding streams include prevention work.

The Draft Budget proposals for 2026-2030 reflected an extremely constrained budget position, falling short of the Department's requirements to tackle homelessness over the budget period. In the context where the Department is already managing significant financial pressures on its expected RDEL budget, we estimate, the Bill could further compound these pressures.

Non-Standard accommodation costs around £600 a week on average. Last year 1,454 households were accepted as homeless due to loss of private rented accommodation. If half of these households entered non-standard accommodation for a month longer than at present this would cost an additional £1.75m a year.

During evidence to the Committee for Communities on 2 July, the Bill sponsor quoted estimated cost increases of £750k - £1m per annum which were described as a very rough estimate and were based on the position in Scotland, not Northern Ireland. As they have not been shared with the Department, officials are unable to make an assessment of the methodology used or provide an estimate of the actual cost implications. Significant work, alongside the Housing Executive, is still required in this area to test these assumptions.

Clause 2 provides that the Act would come into operation 6 months after Royal Assent. Is this an appropriate period to allow for preparation and implementation?

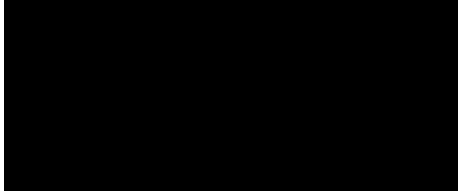
It is unlikely that 6 months would be an adequate timescale to enable the Housing Executive to sufficiently scale up to manage the increased caseload as a result of this change and make the required system changes. Temporary accommodation placements, particularly non-standard placements, by nature require intensive case management. The Committee should liaise with the Housing Executive to establish a realistic implementation timeframe if this Bill is to proceed.

The Centre for Homelessness Impact is an independent, evidence-led organisation with extensive experience of supporting jurisdictions across the UK to assess the impacts of homelessness policy and legislative change. The Chief Executive has cautioned against legislative reform without adequate consideration of operational capacity and system readiness. In particular, they cited examples from other jurisdictions where legislative reform had led to increased caseloads and costs, because it had been taken forward in isolation from wider systems change.

In summary the Department's view is that the Housing (Amendment) Bill should not be progressed given that the Department is already commencing a more

fundamental and comprehensive review of homelessness legislation and service-delivery.

Yours sincerely,



Laura Coffey

Departmental Assembly Liaison Officer

Private Office