

*These notes refer to the Localism Act 2011 (c.20)
which received Royal Assent on 15 November 2011*

LOCALISM ACT 2011

EXPLANATORY NOTES

COMMENTARY

Part 7: Housing

Chapter 1: Allocation and Homelessness

Sections 145, 146 and 147: Allocation

371. [Sections 145, 146 and 147](#) make reforms to the legislation on the allocation of social housing under Part 6 of the Housing Act 1996 (the 1996 Act). They give local housing authorities in England the power to determine what classes of persons are or are not qualifying persons to be allocated housing and take existing social tenants out of the scope of Part 6 of that Act, with the exception of those who must be given reasonable preference for an allocation.

Section 148 and 149: Duties to homeless persons

372. [Section 148](#) enables a local authority in England or Wales fully to discharge the main homelessness duty to secure accommodation with an offer of suitable accommodation from a private landlord, without requiring the applicant's agreement. Tenancies must be for a minimum fixed term of 12 months.
373. [Section 149](#) provides that the main homelessness duty will recur, regardless of whether the applicant has a priority need for accommodation, if the applicant becomes unintentionally homeless again within 2 years of accepting a private sector offer and re-applies for accommodation.