

**From housing options team to homeless applicant
Refusing an out of time section 202 homeless review request**

[Name and address of homeless applicant]

[Date]

By [first class post email to: *[insert email address]*]

Dear

Request for review of decision on your homeless application

Thank you for your recent [letter / email], dated [date], which we received on [date]. You asked us to review the decision we made on your homelessness application on [date of original decision].

What has the Council decided?

We have decided not to review the decision.

What are the Council's reasons for making this decision?

Homeless applicants have a legal right to ask us to review certain types of decision.

However, the law says you must ask for a review within 21 days of the day you were notified of the decision.

In your case the decision was made and confirmed in writing on [date of decision letter].

Even allowing for the time taken for the decision letter to arrive by post, your request was not made within the 21-day time limit. Your request did not reach us until [date]. I calculate this was most likely [number] days after the deadline expired.

We can accept out of time review requests. When we receive late requests we have to consider your explanation for the delay and if a review would be successful.

We have concluded:

[Insert reasons for your decision. The following are merely illustrative examples]

- It's unlikely your review would be successful [OR] While your substantive reasons for asking for a review arguably have some merit, it is by no means certain a review would be successful. Also, the importance of this factor is outweighed by the other factors below.
- You were clearly told about the deadline for asking for a review in the decision letter.
- You have not given any reasons for the delay in asking for a review [OR] You could have asked for a review within the 21-day time limit, notwithstanding the stated reasons for your delay in requesting a review.



- The delay of *[insert period of time, eg 10 days]* may not be very long but in the context of the legal time limit of 21 days, the delay was significant.

Can I appeal this decision?

You don't have a legal right to appeal this decision. The only way you can legally challenge our refusal to carry out a review is by seeking permission to apply for judicial review. You should seek independent legal advice if you want advice about this option.

Can I get independent advice?

Yes. Shelter provides a free housing advice helpline on 0808 800 4444. The helpline is open 8am to 8pm on weekdays, and 8am to 5pm on weekends. Visit www.gov.uk/check-legal-aid to check whether you can get legal aid and to find a legal aid provider.

What if I have questions?

If you have any questions or want to discuss this letter please do not hesitate to contact me. My contact details are at the top of this letter.

Yours sincerely

[Insert name]

[Job title]

