

# Housing after a Relationship Breakdown



These information is for you if:

- Your marriage or civil partnership has broken down, and you have lost or are going to lose your home
- You have been living with another person as husband and wife or as if you were civil partners, your relationship has broken down, and you have lost or are going to lose your home

## Do I qualify for the Housing Register?

You may join the Housing Register by applying on-line. Once you have done this we will assess your application. You can apply online at [www.buckshomechoice.gov.uk](http://www.buckshomechoice.gov.uk).

**Before you do anything about your current home, it is very important that you seek legal advice.**

You may wish to contact one of the following:

- A Housing Advice Team at Aylesbury Vale District Council, [housingneeds@aylesburyvaledc.gov.uk](mailto:housingneeds@aylesburyvaledc.gov.uk) or 01296 585168
- Citizens Advice, Pebble Lane, Aylesbury or Wheeldon House, Market Hill, Buckingham  
National Advice-line 0344 411 1444

## You may have more rights than you think:-

The Family Law Act explains your rights of occupation of the family home when your relationship has broken down.

This Act states that even if a property is in your husband / wife / civil partner's sole name, the non-owner or tenant is able to remain, whilst the marriage or civil partnership continues. *You cannot be excluded or evicted except with the permission of the Court.*

The Family Law Act also details your rights of occupation if you have lived together or are living together as spouse or as civil partners. The agencies mentioned above will be able to advise you further regarding this.

## I am suffering from domestic violence. What can I do?

The law protects your rights to remain in your home if your relationship has broken down, but if you do not feel safe living there because of violence or threats

from your partner, you do not have to stay and endure it.

Our Housing Advisors can give you advice on your housing options, including action you can take through the courts to stop the abuse and stay in your home. We may also be able to help with emergency accommodation if you have to leave your home because of violence.

You can also contact Women's Aid, who have a National Helpline giving support, help & information (Tel: 0808 2000 247). They also have refuges, which are safe houses for women and their children to go to if they are experiencing domestic abuse.

The telephone number of the local Women's Refuge is 01296 436827, and they have a 24-hour service available on 01296 437777.

Please visit our website at <http://www.aylesburyvaledc.gov.uk/housing> for details of other agencies locally that can help you. Always call the Police on 999 for emergency help.

### **Will I need to be divorced to apply for housing?**

You can apply anytime to join the Register, but we will ask you for proof that you no longer have any legal rights of occupation to your matrimonial home or your former matrimonial home.

### **I will have nowhere to live, how can you help me?**

It is very important that you contact the Housing Needs & Advice Team before you sell or leave your home. Your first priority is to stay in your home.

The advice we can offer you if you have nowhere to live depends on your individual circumstances. It is very important that you contact us so that we can advise you properly and explore all the options available to you.

Our Housing Advisors can explain your legal rights to remain in your home and how you can pursue these.

If you have money problems, our Debt Advice Team can give you advice on maximising your income, check you are receiving all the benefits you can and also negotiate with any creditors you may have.

There are also a number of independent agencies who may also be able to assist you, some of which are listed on our website:

<http://www.aylesburyvaledc.gov.uk/housing>.

The leaflet "*Help with Homelessness*" (available online at the website address given above) gives information about what happens if you have to make an application as a homeless family.

### **My present home is accommodation provided by the Ministry of Defence for serving members of the Armed Forces. How can I be helped ?**

Provided that you can satisfy the Council that your marriage or civil partnership has broken down (please see section 3 above) and the Ministry of Defence confirms you must leave your accommodation, you may be eligible for additional help. Please complete a Housing Register application at

[www.buckshomechoice.gov.uk](http://www.buckshomechoice.gov.uk) so we can assess your housing need.

### **My present home is owner-occupied. Will this affect my application?**

Regardless of who is the owner of your home, you have a legal right, either to stay there or to a share in the equity, if it must be sold. It is therefore very important that you contact a Solicitor immediately to get proper advice about your rights.

If you have children, and your children are going to live with you, you should ask your solicitor to help you to keep your home, as part of the legal proceedings.

Whenever possible, we will advise you, with the help of the Housing Debt Advice Team and the Housing Advisor on how to keep your home. If your house is lost when it might have been saved, you may well be found intentionally homeless.

### **Now that I am single, how will you deal with my application?**

You will be classed as single if you are going to live on your own and you do not have children, OR if your children's main home is with your ex-partner.

If you can prove that the Courts have awarded you equal access to your children we may be able to take this in to account.

### **Now that I am single, what type of accommodation will I be eligible for?**

As a single person you will qualify for a studio apartment, one bedroom flat or house. If you are over 50 years of age you will also be able to express interest in bungalows.

### **Questions ?**

If you have any questions about the information in this leaflet, or about your own situation, please contact the Housing Needs and Advice Team at [housingneeds@aylesburyvaledc.gov.uk](mailto:housingneeds@aylesburyvaledc.gov.uk) or on 01296 585168.

For other general housing needs enquiries see our website [www.aylesburyvaledc.gov.uk/housing](http://www.aylesburyvaledc.gov.uk/housing) email us [housingneeds@aylesburyvaledc.gov.uk](mailto:housingneeds@aylesburyvaledc.gov.uk) or call us 01296 585168.



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