



## Citizens Advice Cymru Case studies

### EUSS Challenging decisions (January to August 2024)

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#### **Anna's story (South Wales):**

Anna has Power of Attorney for her mother's financial affairs but not for medical decisions. Her mother has dual Hungarian and Romanian citizenship and obtained pre-settled status in 2019, initially for five years although this has been extended for a further two years and expires in 2026. In the five years in which she has had pre-settled status her mother has travelled in and out of the UK using her Hungarian passport and has evidence in the form of plane ticket bookings but has no stamps as evidence of this in her passport. Anna has a letter from her mother's GP showing the dates of her mother's medical appointments over the five year period. She has some evidence of residence in the UK such as a British bank account, a claim submitted for Pension Credit and she is listed on the voting register, but all of this evidence is relatively recent and does not cover the five year period required. Anna lives in a rented adapted house. The tenancy agreement is held jointly with her husband although they are currently in the process of divorcing. The Housing Association is aware that her mother lives with her, but her mother's name is not listed on the tenancy agreement.

Anna applied for settled status for her mother in May 2024 but this has since been refused on the grounds that she has not provided evidence of her mother's continuous residence in the UK over the past five years. She has 14 days to appeal that decision, but this is unlikely to be successful unless she can provide more evidence of continuous residence in the UK. She is aware that she can apply again for settled status in 2026, but does not know whether a failure to appeal the decision now might have an impact on the success of a later application.

#### **Lina's story (South Wales):**

Lina moved to the UK from Germany around 10 years ago. She lives with her British husband and young daughter in a housing association property in South Wales. Lina applied for settled status 3 years ago. However, as she was unable to provide the correct proof regarding her residency in the UK she was given pre-settled status instead.

She recently came to Citizens Advice for help as she would like to reapply for settled status so that she can be accepted on her partner's Universal Credit claim, and claim benefits in her own right. The deadline for most people to apply to the EUSS was the end of June 2021 however as she already has pre-settled status she is eligible to reapply to the scheme to upgrade her status. Our adviser told her how to do this, including the documents required. They also passed on details of the charity Settled in case Lina needed more specialist support. Following this advice Lina was happy to make the application herself, and contact Settled if need be.

**Elena's story (North Wales):**

Elena arrived in the UK from Romania at the end of 2018. She applied for and was granted pre-settled status in 2019. Earlier this year (2024) she applied to upgrade her status to settled. She subsequently received an email requesting further information however didn't respond as she had had to return to Romania due to a family bereavement.

On returning to the UK she applied again but her application has been refused. She is unsure why this is the case so sought help from Citizens Advice to clarify the situation. Our adviser provided some information and Elena felt able to follow up things by herself, with the help of friends. We also provided contact details for the charity Settled if she subsequently needed further assistance to challenge the decision.