

مستحققات الايجار

বকেয়া ভাড়া

کرایہ های عقب افتاده

Arriérés de loyer

# your to guide rent arrears

Zaległości w płatności czynszu

ਬਕਾਇਆ ਕਿਰਾਇਆ

Kirada Maqan

کرایے کے بقایا جات



**Chevin**  
HOUSING ASSOCIATION LTD

A member of the Chevin Housing Group  
Charitable

**Please read this if you have missed any rent payments.  
It explains more about rent arrears, what you can do to repay  
them and what we can do to help you.**

### **What happens when we take action against you?**

*\*The following advice is for tenants who have an 'assured tenancy'*

*\*If you have an introductory tenancy, assured shorthold tenancy or a secure tenancy these rules will not apply to you.*

#### **This booklet covers:**

- Housing Benefit (rent rebate)
- How you can pay off your rent arrears
- Whether we can agree to your offer
- What happens if we take court action against you
- Eviction – what you can do

**There are a number of steps we must take when you are in rent arrears before we can take you to court.**

**These are policy and legal requirements.**

- Before any legal action is taken, you will have received a number of letters and will have been visited by your Housing Officer. The earlier you respond to us, the easier it will be to find a solution.
- A Notice Seeking Possession will have been delivered, usually by hand, to your home. Sometimes the Notice will be sent to you by recorded delivery.
- A warning of court action will have been issued.
- You will be advised that we are applying to court for possession of your property.
- You will receive a date to attend court for the possession hearing.
- You should attend the court hearing as the outcome will be reached after hearing evidence from yourself and us. The judge will then make an order that is legally binding.

**It is important to remember that this action can be avoided by talking to your Housing Officer and making an agreement that is reasonable to both parties.**

**In all cases we will try to help you to stay in your home but you also have to make a serious effort to pay your debt.**



### **Housing Benefit (rent rebate)**

Rent arrears often build up when tenants don't claim all the benefits they are entitled to or their claim is delayed in some way. If you are unemployed or on a low income you should be able to claim for housing benefit and other benefits. By claiming Housing Benefit you can reduce the amount of the rent you need to pay.

#### **To make a claim for Housing Benefit, you can:**

- Contact your local council for an application form and for help with completing it.
- Ask your Housing Officer to help you to complete an application form.
- When you make a claim, always ask for a receipt and remember to keep copies of any letters you send or receive about your claim.
- Pay as much as you can towards your rent until your benefit comes through. This should be agreed with your Housing Officer as soon as possible.
- Always remember to keep your Housing Officer informed of the progress of your claim and to keep in regular contact with the Housing Benefit office.

## What can I do if the council does not pay all my rent?

- You will need to pay any shortfall yourself. Your income will have been taken into account during the processing of your claim by the Housing Benefit office.
- You can ask the Housing Benefit office to review their decision. You have a right to a review and can appeal the decision within one month but you can only do this if you think a mistake has been made.
- The Housing Benefit office can top up your payments with a 'Discretionary Housing Payment'. This is a limited fund and as the name suggests, is discretionary. The payment is only available to claimants who can show they will be in hardship due to exceptional circumstances. You cannot appeal this decision but you can ask them to look at it again.
- With our permission, you can take in a lodger to assist you with your housing costs. This will, however, affect the amount of benefit you receive so you need to think carefully about doing this and should always seek advice first.
- Remember - payments made directly to your rent account by family or friends do not affect your other benefits.

### Housing Benefit Payments

- It can often take several weeks for a Housing Benefit claim to be processed.
- Housing Benefit is paid every four weeks for the weeks that have just passed (four weeks behind your rent charges).
- It may be helpful to get your Housing Benefit paid directly to us.



## Paying Your Rent Arrears

### How can I pay off my rent arrears?

Contact your Housing Officer as soon as possible. It is always better to try to come to an arrangement to pay off your arrears at an early stage. Keeping in regular contact with your Housing Officer shows that you are committed and willing to resolve the difficulties you are having with your rent. By doing this you may be able to prevent court action being taken.

If you are waiting for a Housing Benefit claim to be processed and this is making your rent arrears worse, explain your problem to the Housing Benefit office. They may be able to make an interim payment if you have been waiting more than 14 days.

Work out how much you can afford to pay and discuss this with your Housing Officer. Start paying your rent immediately, plus the amount you have offered towards the arrears. If the offer you make is not enough to prevent court action going ahead then an application for possession will be applied for in the local county court.

Complete a personal budget sheet. Help with this is available from Citizens Advice Bureau, National Debtline or your Housing Officer. We may be able to refer you to a tenancy support service and depending on where you live, this may be our own in-house tenancy support service.

The budget sheet reflects your current financial situation and shows that you have offered the maximum amount you can afford.

**Always remember that your rent account is your responsibility regardless of who is paying your rent.**



### **What will Chevin do to help you?**

- We will contact you at the earliest opportunity to discuss your arrears and agree a payment plan to resolve this.
- We will help you with a claim for Housing Benefit.
- If you have submitted a claim for Housing Benefit and you have supplied all the evidence needed for the claim to be processed, we will not take possession action against you.
- If you keep to the agreement you have made with your Housing Officer, we will not take possession action against you.
- We can, in some circumstances, apply to have your arrears paid to us by direct deductions from your benefits or earnings.
- We will, with your agreement, refer your case to a tenancy support service.
- We will provide you with details of debt advisory agencies.



## Court Action

### When court action is taken.

- If we have been unable to resolve the situation after going through all our procedures, there will be times when we have to take the matter to court.
- You will be informed of the date of the hearing by the court and we will confirm this to you.
- You should complete the “Defence Form” that will be sent by the court (Form N11R). It is important to complete this as this gives the Judge a full picture of your finances and your current situation.
- If you wish to make a new offer to pay your arrears, you should contact your Housing Officer. If your offer is agreed, your Housing Officer will apply to the court to have the hearing adjourned.
- You should begin paying the amount you have offered against your arrears because if your case does go to court, your payments will be taken into account by the Judge.
- It is important for you to attend the court hearing as it will give you the chance to tell the Judge about your personal circumstances. If you cannot attend due to illness or other reasons, write to the court to explain and try to get a relative or friend to represent you.

## Attending Court

- Make notes about what you want to say at the hearing.
- If your circumstances have changed since you filled in the court forms, work out a new personal budget sheet. Take copies of this to give to the Judge and your Housing Officer.
- If you wish to make a late offer of payment you should speak to your Housing Officer before the hearing takes place.
- If you are unable to pay the arrears in a short time you should make an offer of repayment that you can afford. Make sure you do not offer more than you can afford because if you fail on this agreement you are putting your tenancy at risk again and you could face eviction from your home.

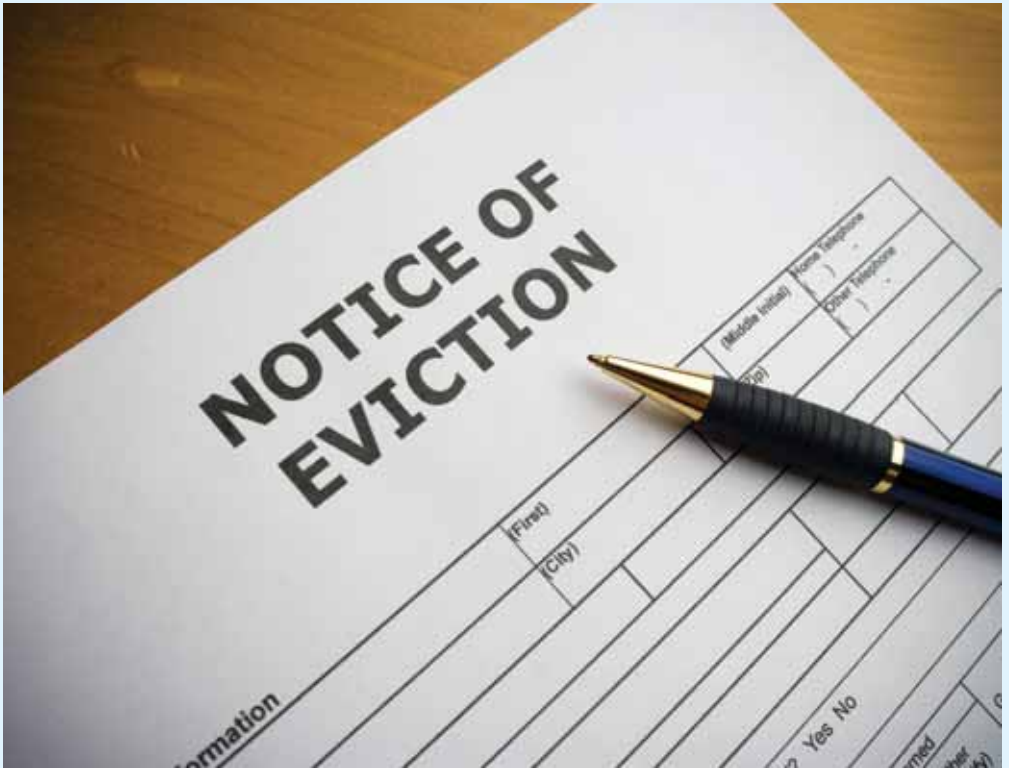
## Orders the Judge may make.

If the Judge thinks your offer is fair, they may grant a suspended order for possession. This means that as long as you keep paying the normal rent plus the amount ordered by the court each week, we can take no further action against you.

If the court does not think your offer of repayment is reasonable or it has been shown that you have not made efforts to repay in the past, the Judge can make an outright order for possession. The court will normally allow you 28 days before enforcing the possession order, after which you can be evicted from your home.

In all cases, the court may order you to pay the costs of the court hearing.

**It is important to note that having a county court judgement registered against you will affect your ability to borrow money.**



## Eviction

If the Judge has approved the eviction, a warrant of possession will be issued. This will be a letter from the court bailiffs giving you a date and time when they will come to evict you.

You can apply to the court to suspend the warrant. To do this you will need to complete court form N244 and pay a court fee (if you are on a low income you can apply to have this fee waived but the court will ask you for proof of this). An appeal hearing date will be arranged prior to your eviction date. You should attend this hearing as failure to attend may result in your case being dismissed.

You can also appeal to our Head of Housing at Harrison Street, Wakefield WF1 1PS. Telephone number 0845 2701088.

On the day of eviction your Housing Officer will be at the property, together with a court bailiff and a joiner. They will gain access to your home and change the locks.

You must have all your belongings removed from the property by this time. Any belongings left at the property will be disposed of unless you let us know that you want to keep them. If this is the case we will keep your belongings at the property for a maximum of 28 days. We will allow you accompanied access on one occasion and at a mutually convenient time for you to remove your belongings.

You can still avoid the eviction taking place by paying your rent arrears and associated court costs **in full and in cash**. Cheques will not be accepted at this late stage.



## Rehousing

If you think you may lose your home, you should contact your local council to make a homeless application. The council only has to offer you permanent rehousing under certain circumstances.

If the council has to offer you another home, you may not have any choice over where it is in your local area.

**\*If you think you may eventually lose your home, it is very important to get advice beforehand.**

### Additional Help

#### Shelter

0808 800 4444  
[www.shelter.org.uk](http://www.shelter.org.uk)

#### National Debtline

0808 8084000  
[www.nationaldebtline.co.uk](http://www.nationaldebtline.co.uk)

#### Citizens Advice Bureau

0870 1202450  
[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

## We are committed to a policy of equal access to information.

If you would like this information in another language or format, or if you require the services of an interpreter, please contact us on **0845 270 1088**



CASSETTE



IN LARGE TYPE



BRAILLE



OR ANY OTHER FORMAT

Arabic

نحن ملتزمون بسياسة تكافؤ الوصول إلى المعلومات.  
إذا كنت ترغب في الحصول على هذه المعلومات بلغة أو شكل آخر أو إذا كنت تتطلب خدمات مترجم فوري، رجاء اتصل بنا.

Bengali

তথ্যের সমান অভিগমনের নীতির বিষয়ে আমরা প্রতিশ্রুতিবদ্ধ।  
আপনি যদি এই তথ্য অন্য ভাষা বা রূপে চান, অথবা আপনার যদি এক দোভাষীর পরিষেবার প্রয়োজন হয়, অনুগ্রহ করে আমাদের যোগাযোগ করুন।

Farsi

ما به سیاست برابری دسترسی به اطلاعات پایبند هستیم.  
اگر مایل به دریافت این اطلاعات به زبان یا فرمت دیگری هستید، و یا به خدمات مترجمین شفاهی نیاز دارید، لطفاً با ما تماس بگیرید.

Punjabi

ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਸੂਚਨਾ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਜਾਂ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ ਹੈ, ਜਾਂ ਜੇ ਤੁਹਾਨੂੰ ਦੁਭਾਸ਼ੀਏ ਦੀਆਂ ਸੇਵਾਵਾਂ ਦੀ ਜ਼ਰੂਰਤ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਸਾਡੇ ਨਾਲ ਸੰਪਰਕ ਕਰੋ।

Somali

Waxaa naga go'an siyaasadda awood u helidda warka oo loo wada siman yahaye.  
Haddii aad jeclaan lahayd warkan oo ku qoran luqad kale ama qaab kale u qoran,  
ama haddii aad u baahan tahay adeeg turjumaan afka ah, fadlan nala soo xiriir.

Urdu

ہم معلومات تک مساوی دسترسی کی پالیسی کے پاسدار ہیں۔  
اگر آپ ان معلومات کو کسی دوسری زبان یا صورت میں چاہتے ہیں، یا اگر آپ کو کسی مترجم کی خدمات درکار ہیں، تو برائے مہربانی ہم سے رابطہ کریں۔

French

Nous appliquons une politique d'égalité d'accès aux informations.  
Si vous souhaitez consulter ces informations dans une autre langue ou sous un autre format, ou si vous avez besoin des services d'un interprète, veuillez nous contacter.

Polish

Kierujemy się zasadą równego dostępu do informacji.  
Jeżeli chciał(a)byś otrzymać ten tekst w innym języku lub formacie bądź potrzebujesz tłumacza, prosimy o skontaktowanie się z nami.



A Member of The Chevin Housing Group  
Charitable

Chevin Housing Association Ltd  
Harrison Street, Wakefield, WF1 1PS

**Tel:** 0845 270 1088

**Email:** [enquiries@chevinha.co.uk](mailto:enquiries@chevinha.co.uk)

**www.chevinha.co.uk**

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business for neighbourhoods