

FAREHAM

BOROUGH COUNCIL

Housing Options

Social Housing Tenants in Rent Arrears

Social Housing is the term given to both Council and Housing Association accommodation.

If you have missed your rent payments or are worried you will not be able to meet your rental payments you should sort things out as soon as possible.

If you are having financial difficulties and are struggling to pay your rent you should contact your Housing Officer straight away to discuss the situation and prevent further action.

It is extremely important you don't ignore the problem. It won't go away and the longer you leave it the worse it gets! Acting now will prevent the situation from escalating and avoid the loss of your home.

What can happen if you don't pay your rent?

Your Housing Association or Local Authority has the right to seek a court order to evict you for the rent arrears. Registered Social Landlords view eviction as the last resort and would rather assist you to remain in your home than take legal proceedings against you, however, they do view rent arrears as a serious issue and will take steps to regain possession if you persistently fall into arrears.

If your landlord does take legal proceedings against you, you may be liable for court costs. It could also result in a County Court Judgment being made against your name and it will affect your ability to get credit or a loan.

If you are evicted due to rent arrears Fareham Borough Council could decide that you have caused your own homelessness and may have a limited duty to help you. You may also be overlooked for permanent social housing in the future should you apply to the Housing Waiting List.

What is the legal process?

Your Housing Officer will have to follow a process if they intend to evict you and you will be informed of their intentions at every step, you will be given opportunities to discuss the problem before legal action is taken.

If your Housing Officer intends to apply for possession the following steps will be taken;

- You will first be served with a 'Notice to Quit'; once your notice expires your landlord can then apply to the courts for a 'Possession Order'.

- The courts will have a hearing to decide if a Possession Order should be granted, you will be able to represent yourself with help from the housing court desk at this hearing and make a realistic repayment plan to reduce your arrears.
- If you can come to an arrangement with your landlord and agree to stick to a payment plan the judge will most likely award a 'Suspended Possession Order' Should you default on any payment plan and fall into arrears again your landlord can refer the matter directly back to the courts for a 'Bailiffs Warrant'.
- If you are unable to come to an agreement or the arrears cannot be paid the judge will grant a 'Possession Order', this will give a date after which your landlord can apply for a Bailiffs Warrant to have you evicted from the property.
- If a Bailiffs Warrant is granted this will give you a date on which you MUST vacate the property, if you have not managed to find other accommodation you are able to apply for a 'Stay of Execution' this can postpone the Bailiffs Warrant to allow you a short time to find a solution to your housing problem.

Assistance with paying your rent

If you are on a low income you may be eligible for certain benefits such as housing benefit, council tax benefit or tax credits.

If you have already made a claim for housing benefit it is your responsibility to ensure the claim is in payment and your full rental obligations are being met.

If you have an active claim for Housing Benefit and your circumstances change due to a change in employment or a relationship breakdown you should contact the Housing Benefits department immediately as this may affect your payments.

Help and Advice available

Below is some useful information about where you can get help and advice about your financial issues;

Fareham Borough Councils Housing Options Service

Civic Offices, Civic Way, Fareham, Hants, PO16 7AZ

You can see an advisor if you drop in to the Customer Services Centre on the Ground Floor of the Civic Offices. A Housing Options Officer will be available if you drop in:

Monday-Friday 9.30am to 4.00pm.

If you are unable to visit the Civic Offices due to health reasons a home visit can be arranged to discuss your options.

Tel: 01329 236100 ext. 4343

Citizens Advice Bureau

2nd Floor County Library Building, Osborn Rd, Fareham, PO16 7EN

Tel: 0300 456 2987

Fax: 01329 550456

Opening Hours:

Monday – Friday 10.00am to 4.00pm, with a late night opening on Thursdays between 5.00pm and 6.30pm (note: closed one morning a month for training see website for details www.farehamcab.org.uk)

An adviser is also available at the following locations:

Highlands Hub, 103 Highlands Road on Tuesdays 9.30am to 3.00pm check with JS

Portchester Library, West Street on Thursday's 10.00am to 3.00pm check with JS

Housing Court Desk

If you have a possession hearing at Portsmouth Court you can speak to an advisor from Swain & Co. Solicitors who offer emergency advice and assistance:

National Debtline

Tel: 0808 808 4000

Open Monday – Friday: 9.00am to 9.00pm and Saturday 9.30am to 1.00pm

www.nationaldebtline.co.uk

StepChange Debt Charity

Tel: 0800 138 1111

Open Monday – Friday 8.00am to 8.00pm and Saturday 8.00am to 4.00pm

www.stepchange.org