



# Dealing with **RENT ARREARS**



It is council policy to keep rent arrears at a low level in order to:

- prevent you from losing your home through eviction
- help you maximise income and prevent you getting into financial difficulty
- maximise the Council's rental income to invest in services.

The Head of Housing sets annual rent arrears targets and these are reported to the Community Services Overview Panel each year. A range of convenient and flexible rent payment methods are available to make it as easy as possible for you to pay your rent and to suit individual needs.

Read on to find out more...

## Our Rent Arrears policy

Information is available to you about:

- The amount of rent payable.
- Methods of paying your rent.
- The current position on your rent account.
- The Council's policy and procedures on rent arrears.
- Advice on Housing Benefit and other welfare benefits.

Action to deal with rent arrears is taken at the earliest possible stage. The Council takes a sympathetic but firm and consistent approach. If you are in arrears with your rent and you have a credit(s) on another former rent account (for example a credit on a bed and breakfast charges account or hostel charges account) that credit is transferred directly to your rent account.

The Council tries to avoid taking legal action but where initial action to contain and reduce a debt isn't successful, court proceedings will be started. Eviction is only requested as a last resort or where no other solution is possible.

## Help and advice

If you are finding it difficult to pay your rent you must speak to your Income Recovery Manager. They will help you look at your finances and the options available to you. If necessary, they will put you in touch with other services that

may assist for example Debt Counselling, Citizens Advice Bureaux.

## **DON'T IGNORE THE PROBLEM**

If you continue to be in arrears with your rent and you fail to do anything about it or ask for help you may end up losing your home. If we have to take you to court to ask for possession of your home, the district judge will look more favourably on your case, if you have made every effort to deal with the situation.

## **Action we will take if you have rent arrears**

### **Letters**

We will send you letters telling you that you have rent arrears and asking you to make payments to clear the arrears.

### **Home visit**

If the rent arrears are not cleared, we will visit you at home or telephone you to speak about the problem and to discuss how you are going to pay the rent owed.

### **Instalment agreements**

If you are unable to pay your rent arrears in one go we may be able to make an agreement with you to pay them by instalments. If you don't keep to the agreement we would have to take further action.

## **If you owe us small rent arrears**

If the amount you owe us is small and not getting any bigger we may apply to the Court for a money judgment. If we have to do this the amount you owe us will be increased by court costs. All money judgments are listed on the County Court Register and this will show up if a credit reference search is carried out on you. Having a money judgment may affect your ability to get credit or pay monthly services (for example a mobile phone, cable/satellite television).

## **Legal action**

Before we can issue legal proceedings for possession of your home we must first tell you that we are planning to do so. We have to do this by serving you with a **Notice of Seeking Possession, if you are a secure tenant, or a Notice of Proceedings for Possession of an Introductory Tenancy, if you are an introductory tenant**. This Notice will be sent to you at your home and will tell you that we are going to ask the Court for a Possession Order because you have not paid your rent.

We won't be able to issue possession proceedings until the Notice has expired. This will be four weeks after we have sent it to you. This means that you have a chance to pay the rent arrears or come to a suitable arrangement with your Income Recovery Manager to pay back the rent arrears. However, if you ignore the Notice and remain in arrears with your rent we will issue possession proceedings and the matter will go to court for the district judge to decide whether to make a Possession Order. If you are an introductory

tenant the Court has to make a Possession Order as long as we have followed the correct procedure (please see our booklet ‘**Your Tenancy**’). If a Possession Order is made you will be very close to losing your home. You will also have to pay the legal costs that we have incurred by taking you to court.

## If you are evicted

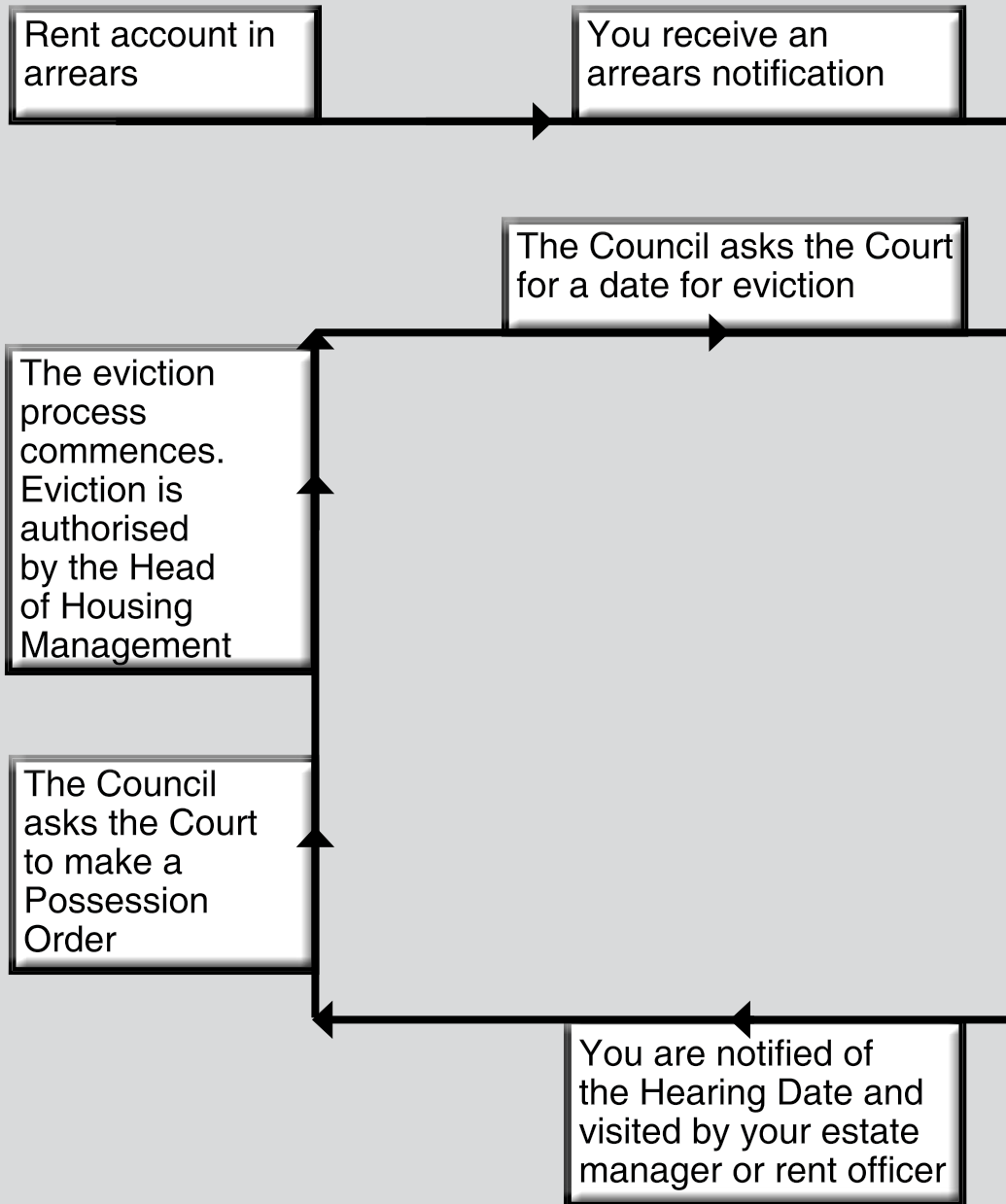
If you have been evicted from your home and have nowhere to go you have the right to apply to us for rehousing. We will look at your application and make a decision as to whether we have a legal duty to rehouse you. If you have been evicted from a council property because of rent arrears and are homeless as a direct result of your actions this would be called ‘**intentional homelessness**’. We would not usually rehouse you permanently if you are found to be intentionally homeless.

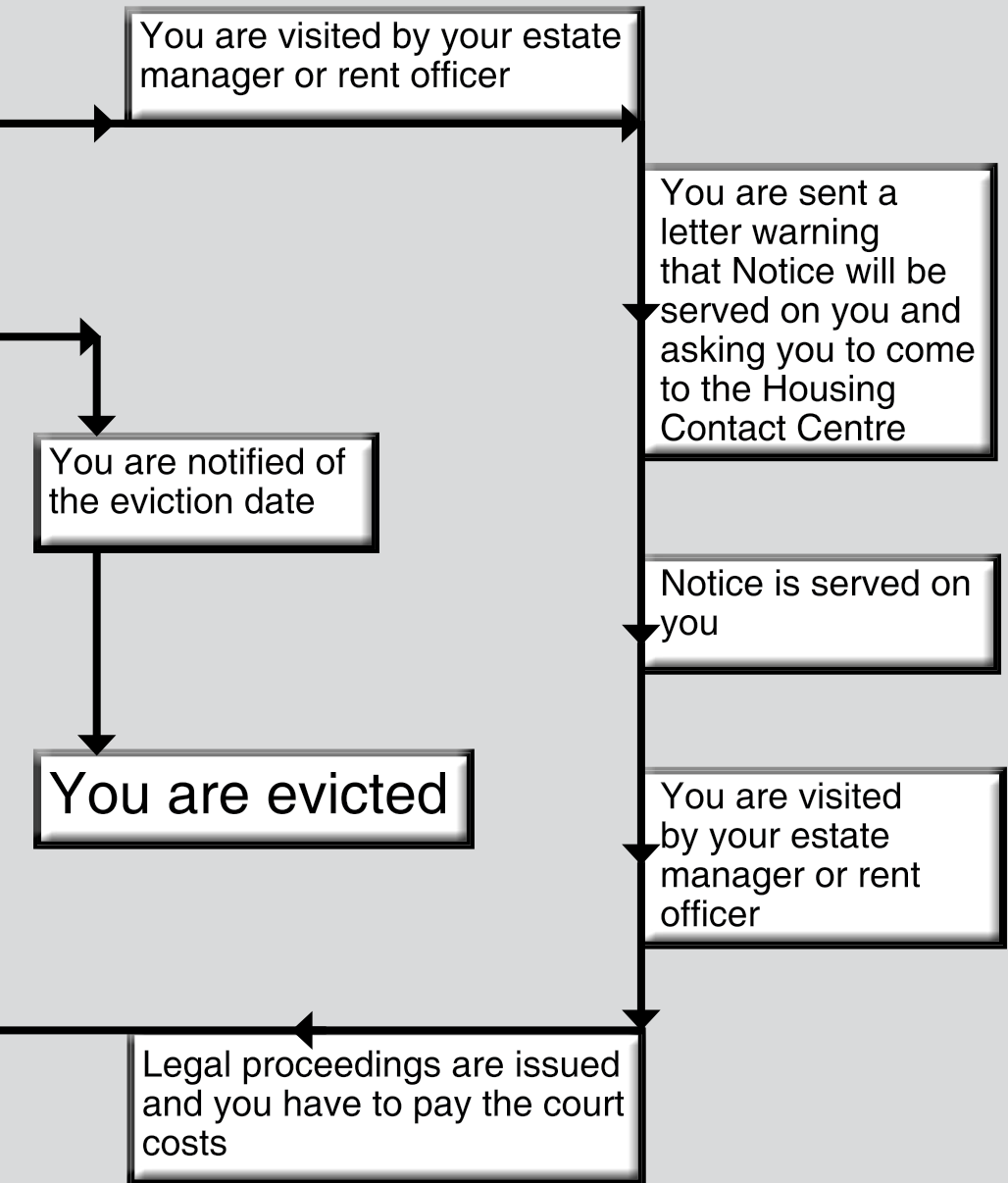
If you are in rent arrears it does affect some of your rights as a tenant. We won’t usually agree to you:

- Making a change to your tenancy unless the change is made by a court order.
- Making improvements or alterations to your property.
- Transferring to another property.

If you are in rent arrears and you apply to carry out a mutual exchange with another tenant you will only be able to go ahead with the exchange if you pay your rent arrears. If you have a Possession Order against you, you will not be able to carry out your Right to Buy the property.

# Your route to eviction if you don't pay your rent





If you have difficulty reading this document because of a disability or because English is not your first language, we can help you. Please call our helpline on 020 8547 5757 or ask someone to call on your behalf.

چنانچہ قادر نیستید این نامہ را بہ دلیل ناتوانی یا مشکل زبان بخوانید ما میتوانیم بہ شما کمک کنیم۔ لطفاً خود یا شخص دیگری با شماره کمک شہرداری کینگستون تماس بگیرید۔  
تلفن 020 8547 5757 ۰۲۰۸۵۴۷۵۷۵۷

Si vous êtes dans l'incapacité de lire ce document à cause des barrières linguistique ou autre, nous pouvons vous aider. Appelez ou faites appeler le numéro d'assistance du Kingston Council au 020 8547 5757.

نہ گہر توانای خویندنہ وہی ندم نوسراوت نہی نہ بہر پہ ککھوتہی/ بی توانای یا خود نہ بہر زمان تینہ گہ پشتن ، نہوا نیمہ نہ توانین یارمہ تیت  
بدہین ۔ تکایہ پیوہندی بکہ بہ ہیلی یارمہ تی شارهوانی کینگستونہ وہ (Kingston Council) بہ ڈمارہ تہ لہ فونی 020 8547 5757  
یان بہ کہ سہی بلی کہ بہ ناوی تووہ پیوہندی بکات ۔

إن لم تكن قادراً على قراءة هذا النص بسبب اللغة أو أي عائق آخر، اتصل بنا فندحن نستطيع مساعدتك. الرجاء الاتصال بخط مجلس كنجستون للمساعدة (Kingston Council Helpline) على الرقم 020 8547 5757 أو اطلب من أي شخص آخر الاتصال بنا نيابة عنك.

ਜੇਕਰ ਤੁਸੀਂ ਅਪਾਹਜਤਾ ਜਾਂ ਭਾਸ਼ਾ ਦੇ ਕਾਰਣ ਇਸ ਦਸਤਾਵੇਜ਼ ਨੂੰ ਪੜ੍ਹਨ ਵਿੱਚ ਅਸਮਰਥ ਹੋ, ਤਾਂ ਅਸੀਂ ਤੁਹਾਡੀ ਸਹਾਇਤਾ ਕਰ ਸਕਦੇ ਹਾਂ। ਕਿਰਪਾ ਕਰਕੇ 020 8547 5757 'ਤੇ ਕਿੰਗਸਟਨ ਕੌਂਸਲ ਦੀ ਹੈਲਪਲਾਇਨ 'ਤੇ ਕਾਲ ਕਰੋ ਜਾਂ ਆਪਣੇ ਵੱਲੋਂ ਕਿਸੇ ਨੂੰ ਕਾਲ ਕਰਨ ਲਈ ਕਹੋ।

Caso você nao consiga ler este documento devido a disabilidade ou idioma, nós podemos ajudar. Por favor, ligue para o canal de atendimento Kingston Council no telefone 020 8547 5757, ou solicite a alguém para ligar por você.

உங்களால் இந்த கடிதத்தை படிக்க இயலவில்லை என்றால்  
தயவு கூர்ந்து கிங்ஸ்டன் உதவி மையத்தை நீங்களோ அல்லது  
உங்களை சார்ந்த எவராவது தொடர்பு கொள்ளவும்.  
தொடர்பு கொள்ள வேண்டிய எண் 020 8547 5757

اگر آپ معذوری یا زبان کے سبب اس دستاویز کو پڑھنے سے قاصر ہیں تو ہم آپ کی مدد کر  
سکتے ہیں۔ براہ مہربانی 020 8547 5757 پر کنگسٹن کونسل ہیلپ  
لائن کو فون کریں یا کسی سے درخواست کریں کہ وہ آپ کی جانب سے فون کرے۔