

Rent Arrears



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North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

A guide to avoiding or dealing with Rent Arrears

We have provided this leaflet to help tenants who may fall behind with their rent (get into rent arrears). It gives important information about what you need to do if you find yourself in rent arrears.

We understand that you may find yourself in arrears for all kinds of reasons and that you may find it difficult to sort out your financial problems. However, we are here to help, give you advice and help you through any difficulties. You can get help from your Housing Officer at your Area Office.

Remember – We are here to help. Come in and speak to us now.

Why is it important that I pay my rent?

When you accepted your tenancy you signed a legal agreement to pay your rent on time. If you don't pay your rent on time, you have broken that agreement and we can take action against you that could put your home at risk. If you do not pay your rent, it makes it more difficult for us to provide services to repair and maintain your home.

What should I do if I miss a rent payment?

It is very important that you contact your Housing Officer immediately. Your Housing Officer will do everything they can to help you but we do need your co-operation from the earliest stage, before the problem becomes serious.

Can I get help to pay my rent?

You may qualify for Housing Benefit or from April 2015 the new benefit gradually being rolled out to replace housing benefit for working age claimants known as Universal Credit to help with your rent. However, it is still your responsibility to make the claim and return the information we need on time. If you do not, we will still take action against you.

When you accepted your tenancy you signed a legal agreement to pay your rent on time.





Our Housing Officers are trained to help you by helping you to receive your full entitlement to Housing Benefit.

What can you do to help me?

Our Housing Officers are trained to help you by:

- Helping you to receive your full entitlement to Housing Benefit;
- Offering you an appointment to see a Welfare Rights Officer or Debt Advisor;
- Allowing you to repay the debt in installments; and
- Offering you other ways to pay and other payment periods, for example, every week or month, or to pay by direct debit.

What will happen if I ignore my arrears?

The steps below explain what we will do if you do not contact us about your arrears.

Early stage

We will send you a reminder letter first. If you fail to contact us or pay the amount you owe us, your Housing Officer will then visit you at home. If you fail to respond to this visit, we will move to the next stage of our arrears policy.

Serious stage

If you still fail to contact us, you will receive a notice of proceedings for recovery of possession (NOP). You may also receive an NOP if you do contact us but still owe a considerable amount. This notice allows us to take legal action against you for not paying your rent. This notice is normally served on you by a Housing Officer or by recorded delivery, you will be asked to sign to confirm you have received it. However, there may be times when a Sheriff Officer will serve the notice. This notice is valid for six months from the date that it becomes effective. By law, we must also send this NOP to everyone in your home who is over 15 years and 9 months old, who we know is living with you.

Court stage

If you still do not contact us, we will take court action to allow us to evict you from your home. This is always taken as a last resort and the Housing Officer will visit you again to try and speak to you before we take action.

If we have to take you to court, this will cost you money, as you will be charged court expenses of around £150.

When your case comes to court, you can go to court yourself or be represented by your own solicitor. Even after court action has started, you will still be able to pay rent arrears in full or come to an arrangement with us. If you do not offer to repay the arrears, the court is likely to grant our request to evict you. However, if you pay us everything you owe, we won't take any more action against you. If you fail to keep to the agreement, your case will be recalled to court and we will then apply for a decree for eviction. This decree will allow us to evict you from your home.

A decree for eviction has been granted against my tenancy. What happens now?

We will invite you to your Area Housing Office to be interviewed by the Area Housing Manager. This is your final opportunity to explain why you have not been able to pay your rent. We will tell you when you need to have either paid the balance in full or substantially reduced it. If you do not do this before the given date, we will set a date for you to be evicted.

I have been given an eviction date. What should I do?

You should contact your Housing Officer immediately. If you do not contact them, we will evict you. If you do contact them, there are certain circumstances where we will agree to postpone your eviction and monitor payments. So, it is essential that you contact your Housing Officer to discuss your circumstances.

Do not let it get too late for us to help you - contact us now.

If you have been given an eviction date you should contact your Housing Officer immediately.



Points to remember

- You can get advice and help from any Area Housing Office.
- Make sure you get in touch with us as soon as you miss a payment.
- There are many places you can go for independent advice about debt problems. We can also put you in touch with a Debt Advisor.
- Do not ignore any letters we send you.
- Make sure you sort out any Housing Benefit claim.
- If court action becomes necessary, we will charge you the cost of this. So, it is always best that you avoid this action.
- If you are evicted, you can apply again for council housing.
- If you have rent arrears greater than one month's rent and you have not arranged to repay it you will be suspended from offers of housing until you have made an arrangement and kept to this arrangement for 3 months.
- You have the right to make a homeless application, however, we may consider you to have made yourself intentionally homeless under part 2 of the Housing (Scotland) Act 1987, as amended in part 1 of the Housing (Scotland) Act 2001 – Homeless Persons. This would mean that we would not have a duty to find you permanent accommodation, although we may find you temporary accommodation for a short time if you have nowhere else to stay.

What happens if I give up my tenancy but still owe rent?

We will send you a letter telling you how much you owe us and asking you to contact us to make a repayment agreement. If you fail to contact us, we will take further action to recover the total amount you owe.

If we do not have a forwarding address for you, we may consider contacting a tracing agent.

This is a company that can trace your current contact details. It may also affect you being given another council tenancy at a later date.



Do not ignore
any letters
we send you.

Useful Contact Numbers

Area Housing Offices

Beith and Dalry Housing Office

01294 835355 / dalryhousing@north-ayrshire.gov.uk

Irvine Housing Office

01294 310150 / irvinehousing@north-ayrshire.gov.uk

Kilbirnie Housing Office

01505 685177 / kilbirniehousing@north-ayrshire.gov.uk

Kilwinning Housing Office

01294 552261 / kilwinninghousing@north-ayrshire.gov.uk

Largs Housing Office


01475 687590 / largshousing@north-ayrshire.gov.uk

Housing Benefits Office

01294 310000

Three Towns Housing Office

01294 310005 / threetownshousing@north-ayrshire.gov.uk



Irvine Area Social Services Offices
01294 310300

North Coast Social Services Offices
01475 687592

Three Towns Area Social Services Offices
01294 605261

Garnock Valley Area Social Services Offices
01505 684551

Money Matters Help Line
01294 310456

Community Housing Advocacy Project
01294 475636

North Ayrshire Citizens Advice Service
01294 608142

NAC Tenancy Support Team
01294 310650

In Court Advisor
01563 549367

Job Centre Plus
New Claim 0800 055 6688
Find A Job 0845 6060 234
UC Helpline 0345 6000723

Contact North Ayrshire Council on
01294 310000

www.north-ayrshire.gov.uk



This document is available in other formats such as audio tape, CD, Braille and in large print. It can also be made available in other languages on request.

該文件還有其他形式，如語音磁帶、CD、盲文版本及大字體版本。如有需求，還提供其他語言版本。

یہ دستاویز دیگر شکلوں میں بھی دستیاب ہے، جیسے آڈیو ٹیپ، سی ڈی، بریل اور بڑے حروف کی چھپائی میں۔ درخواست کرنے پر یہ دستاویز دیگر زبانوں میں بھی مہیا کی جا سکتی ہے۔

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਰੂਪਾਂ ਵਿਚ ਵੀ ਮਿਲ ਸਕਦਾ ਹੈ, ਜਿਵੇਂ ਸੁਣਨ ਵਾਲੀ ਟੇਪ 'ਤੇ, ਸੀ ਡੀ 'ਤੇ, ਬ੍ਰੇਲ ਅਤੇ ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ। ਮੰਗ ਆਉਣ 'ਤੇ ਇਹ ਹੋਰ ਬੋਲੀਆਂ ਵਿਚ ਵੀ ਦਿੱਤਾ ਜਾ ਸਕਦਾ ਹੈ।

Ten dokument jest do uzyskania w różnych formatach: na taśmie dźwiękowej, płycie CD, brajlem i dużym drukiem. Na żądanie, można go także otrzymać w innych wersjach językowych.