

## Useful contacts

### Housing Associations:

**A2Dominion Housing Group** - 0845 408 6666

**Elmbridge Housing Trust** - 01932 235 700

**London & Quadrant Housing Trust** - 0844 406 9000

**Metropolitan Housing Trust** - 0208 976 1000

**Thames Valley Housing Trust** - 0800 358 7767

### **Spelthorne Citizen Advice Bureau, [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk):**

Staines - 01784 444220 / Sunbury - 01932 765041

The Citizen Advice Bureau help desk at Staines County Court runs on a Thursday morning and is available for clients facing possession claims from housing association tenancies, private tenancies and mortgages.

### **Runnymede Citizen Advice Bureau, [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk):**

Addlestone - 01932 842666 / Egham - 01932 827187

### **Elmbridge Citizen Advice Bureau, [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk):**

Walton, Weybridge and Hersham - 01932 221 680

### **Other useful numbers:**

**Consumer Credit Counselling Service** - 0800 138 1111

**Debt Free Direct** - 08000 831 433

**Jobcentre Plus** - 0800 055 6688

**National Debtline** - 0808 808 4000

**Pension Credit Helpline** - 0800 991 234

**Spelthorne Council Housing Benefit and Council Tax Helpline** -  
01784 446 374

**Tax Credit Hotline** - 0845 300 3900

**Surrey Law Centre**, Jacobs Yard, Woodlands Road, Slyfield Green, Guildford,  
GU1 1RL. Phone no - 01483 215000

**Housing Options**, Spelthorne Borough Council, Knowle Green, Staines,  
TW18 1XB. Phone no - 01784 446 380 / Fax no - 01784 446 387

# Can't afford to pay your rent?

## Advice for housing association tenants

If you or someone you know would like any information available from the Housing Options Department in Braille, larger print, by tape, or any other language, please contact us direct.

### **Disclaimer**

This leaflet is not a statement of the law. Nor does it cover every situation. If you are in doubt about your legal rights or obligations, you should seek further advice for the Citizen Advice Bureau or an independent legal advisor. The information in this leaflet may become out of date. We have made every effort to ensure it is correct at the time of publication, but the Council cannot accept any responsibility for any loss you suffer because you acted or decide not to take action as a result of any statement in this leaflet.

[www.spelthorne.gov.uk/housing](http://www.spelthorne.gov.uk/housing)



It is important to act now; by seeking advice at an early stage you may be able to keep your home.

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If you can't afford to pay your current rent, you won't be alone! In today's economic climate there are lots of people struggling to pay their bills, debts and handle their finances in the best way possible.

Don't bury your head in the sand! It is important to act now; by seeking advice at an early stage you may be able to keep your home. The Government had made changes to legislation and introduced new schemes so that everyone helps to ensure that repossession is the last resort.

But you must act now!

## What your Housing Association can do

You should contact the Housing Association immediately to make arrangements to clear your arrears.

There is a choice of payment methods including:

- payment at the post office
- PayPoint and Pay Zone
- SMS text messaging
- salary direct deductions
- DSS direct
- standing order
- Direct Debit
- payment by post
- on-line via their website

If you start getting into rent arrears, don't be afraid to contact your housing association, they are there to help and they will:

- Contact you quickly when money is owed, offering help and assistance.
- Explain what will happen if you do not pay your rent
- Agree a repayment plan to help so that debts can be paid in a reasonable time span.
- Make every effort to make reasonable arrangements before court action is threatened.
- Give advice and assistance about welfare benefits either directly using Housing Association staff or through referral arrangements with local agencies such as Citizen Advice Bureau, Debt line etc.
- Give advice and information on who to contact to help make the most of benefits and help to deal with any other debts.

- Tell tenants before they take legal action due to rent or service charge arrears, sending all information in plain English.
- The Housing Association will take action to recover the money that is owed by the tenant, including the legal costs if you don't keep to an agreement. Eviction will be a last resort, but it will happen if you fail to pay off your rent arrears.

The Government has issued guidelines to ensure that Housing Associations act reasonably. The Pre Action Protocol for Rent Arrears' was added to court rules and came into force on 2 October 2006. The protocol sets out guidelines for all possession claims that are based on rent arrears by social landlords (Housing Associations). The aim is to encourage more contact between landlords and tenants before court action is taken. Courts are required to consider whether the protocol has been followed when deciding on what order to make.



#### The key points of this protocol are:

- Landlords should contact tenants as soon as possible after arrears accrue and discuss causes, benefits available, and options for resolving the situation. Agreed repayment plans must be affordable and take into account the tenant's income and expenditure patterns.
- Landlords must ensure the tenant understands all of the information provided.
- Landlords must assist tenants in claiming Housing Benefit and where applicable, arrange for direct payments to be paid to the landlord. Landlords should also assist in resolving any Housing Benefit problems.
- Landlords must not start claims for possession where it can be shown that there is a pending Housing Benefit claim with a reasonable expectation of the tenant being entitled to housing benefit. However the tenant must be able to demonstrate that the claim has been submitted.
- Quarterly rent statements must be produced, showing the amount due and payments made during the past 13 weeks.
- Landlords should advise tenants with rent arrears to consult a debt advice agency, as other debts may be a problem and make the appropriate referrals.
- Following service of a Notice of Seeking Possession and before starting court action, a landlord must contact the tenant and discuss the arrears, repayment proposals and progress in claiming Housing Benefit.
- Where the tenant is complying with a reasonable pattern of arrears repayment, court action should not be progressed.
- Even in the absence of satisfactory repayment arrangements being kept to, the landlord must advise the tenant to comply with such arrangements and give reasonable time to do so before starting court action.
- If court action is started, the landlord must give details of the date and time of the hearing to the tenant, as well as warn of the consequences of losing the home.

- The landlord must provide the tenant with updated rent statements and tell the tenant about any information regarding their Housing Benefit application at least ten days before the date of the court hearing.
- If after the issue of court action, the tenant agrees to comply with a repayment agreement, then the court action should be postponed.
- If the agreement is not kept to by the tenant and the landlord decides to reinstate the court action, then the tenant must be advised of this and given time to catch up with the failed agreement.

A court can take into consideration whether or not a landlord has complied with the protocol and if the court considers that the landlord has not done so, it can dismiss the claim and, in certain cases, impose an Order for costs on the landlord.

### What can you do

- Seek help now!  
Contact your housing association, Citizen Advice Bureau, or any other debt advisor.
- Don't ignore your arrears – they won't go away, but you may lose your home!
- Pick up an Advice Pack from the Housing Options Team or Citizen Advice Bureau.



### What the Housing Options Team can do

- We can help you to liaise with your Housing Association
- We can refer you to the Citizen Advice Bureau who will help you to complete a financial statement and provide further advice about any money concerns
- We will advise you on your housing options
- We can refer you to other voluntary agencies for free advice
- We will provide you with benefit advice to maximize your income
- We will work with you to save your home

