

# Supporting you to pay rent



A lot of people get behind with their rent for many different reasons. If you are behind with yours, this leaflet says what you can do to sort out your rent arrears, and help you keep your home.

## **Remember!**

- Do not ignore your debts, they will not go away
- It is never too late to do something about your situation
- Ask for advice – we are here to help



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# What to do if you cannot pay your rent

## What do I do first?

If you are in rent arrears, there are many ways you can begin to sort out your situation. You can use this checklist to help you:

- Talk to our Income Management Team
- Sort out any other debts – we can help you with this
- Check if you can increase your income
- Check if you can get help with your rent
- Get help if you are having problems with housing benefit
- Reduce non-essential costs eg satellite TV

## Talk to our Income Management Team

Colne has specialist advisors who deal with rent and arrears.

Your Income Management Advisor can help you work out how much you can afford to pay back each week. It is important not to agree to pay back more than you can really afford. For independent advice, Citizens Advice or Shelter can help.

See page 6 and 7 for useful contact details.

## Sort out any other debts

If you have debts other than your rent arrears, you can get help sorting these out. We can arrange for an appointment with a member of the Income Management Team to help you either at our offices or at your home.

Free independent money advice is available from Step Change Debt Charity on **0800 138 111** or online at [www.stepchange.org](http://www.stepchange.org)

## Check if you can increase your income

You should check to see if you are getting all of the welfare benefits and tax credits that you are entitled to. Thousands of people miss out on these benefits. We have a specialist Welfare Support Officer, please contact us for assistance.

Further advice is also available from the DWP website [www.gov.uk/browse/benefits](http://www.gov.uk/browse/benefits)

## Check if you can get help with your rent

Housing benefit is to help people to pay rent if they have a low income. You can get housing benefit even if you work, if your income is low enough.

To claim housing benefit, contact the housing benefit department at your local council. Do not delay – it is difficult to get housing benefit backdated unless you have a good reason.

## Making a new claim for housing benefit

At the start of your tenancy, we will ask you if you are applying for housing benefit. If you have received housing benefit in the past, the amount you received will be a good indication of how much housing benefit you will get (assuming your circumstances have not changed). If you received £30 per week, and your new rent is £70 per week, you will need to start weekly payments of at least £40 per week whilst your housing benefit is being assessed.

Depending in which local authority area you live, your claim can take up to eight weeks or longer to be assessed. Please ensure you always ask that your claim can be backdated to the start of your tenancy. It is important to remember to get a written receipt for any documents you are asked to provide, such as payslips, proof of benefits etc.

## Overpayments

In some situations, the council will tell you that they have paid you too much housing benefit, which you must pay back. This is often done by reducing a regular amount from your future housing benefit payments.

If this causes you serious financial problems, you can ask the housing benefit team to take a smaller amount each week. You would then be required to make up the shortfall directly to us.

Overpayments of housing benefit are a common cause of rent arrears. Please make sure you tell the council if your circumstances change. If these changes come to light later on, your housing benefit will often be reduced to pay back the amount you have been overpaid.

## Universal Credit

Universal Credit (UC) is a new benefit which replaces the following benefits with a single monthly payment:

- Income based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Income Support
- Working Tax Credit
- Child Tax Credit
- Housing Benefit

You will be advised by your local Job Centre if you will be paid Universal Credit. Following assessment, Universal Credit is paid directly to you. You will have full responsibility for paying your rent from this. If you are already in debt with your rent prior to making a claim for Universal Credit, you need to ensure that you contact us to arrange a payment plan specifically for your debt.

## How does Colne deal with rent arrears?

1. Initially, we make contact with a resident if one week's rent remains unpaid. This will be by text message, telephone or letter.

2. If you are aware that you are waiting for your housing benefit claim to be assessed we will contact the local authority to check the status of your claim.

3. The Income Management Team will do all they can to help. It does not matter how much you owe, we can help you sort it out.

4. If you do not contact us, and there is no reply to our first letter after seven days, we will write again advising that a 'Notice Seeking Possession' will shortly be served.

5. If you still do not make an arrangement to pay off your arrears or you fail to keep that arrangement, Colne will start the process to take you to court.

## The legal process

If you do not pay your rent, then ultimately you face being evicted. This section explains how the legal process works.

### What is a Notice Seeking Possession?

Colne must issue a Notice Seeking Possession before it can take you to court. Do not ignore this notice. Do not panic – a Notice Seeking Possession does not mean you have to leave your home. It is a warning that if you do not talk to us and make an arrangement to pay off your arrears, Colne may take you to court.

Only make an offer you can afford. If you are having problems with housing benefit or any other benefit, please contact us straight away.

### What happens if I am taken to court?

If Colne decides to take you to court, you will be sent a summons to appear at the County Court.

### You should attend the hearing

Try to make regular payments between getting the summons and attending the court. This will show the court that you are trying to sort out your rent arrears.

You will need to explain how much you can afford to pay towards your rent arrears each week. You should tell the Judge about any difficulties you or your family are having (such as money or health problems).

## For more information, and advice about the court hearing, you can contact –

- Citizens Advice
- Shelter
- A solicitor – you may be able to get help under the Legal Aid Scheme

See page six for their details

## What action can the court take?

### Suspended Possession Orders

This means that the Court orders you can stay in your home as long as you regularly make payments the Court tells you to. For example, the order might say that you should pay your rent plus £10 per week towards your arrears. If you do not pay then we may go back to Court and ask for you to be evicted.

### Possession Orders and Eviction

If the court makes a Possession Order, this is an order instructing you to leave your home. This may be immediately, but more common is a 28 day possession order. This means you have 28 days before you should leave – but it is still not too late to do something about it.

Even if you were not in court when the order was issued, you can get legal advice about getting your order changed – but you need to act quickly. After the possession order takes effect (for example 28 days) Colne can then apply for a

Bailiff's Warrant. This gives you the date you must leave your property. If you have not left, the Court Bailiff will come to your home and evict you. Even at this stage it is not too late to do something – you can of course prevent the eviction by clearing your arrears in full and any court costs incurred.

## What happens if I am evicted?

Colne will notify the Local Authority's Homelessness department of the date of the eviction, and also the number of adults and children living in the property. Only certain groups of people qualify for re-housing by the Local Authority. Even though you may be homeless, you need to be in a 'priority need group' to be considered – for example, single homeless people are not always considered to be in a 'priority need'.

Even if you are in 'priority need' – for example you may have children – the Local Authority will not house you if it decides you are 'intentionally homeless'. This may be because you failed to make or keep to an arrangement to pay off your arrears. In this case, the council may only offer you temporary accommodation for a limited period.



## Shelter

Blackburn House, Ground Floor,  
32 Crouch Street, Colchester,  
Essex CO3 3HH  
Telephone – 03445 151860

### Opening hours

Monday to Friday  
9.30am to 5.30pm

## Council Offices

Tendring	01255 686811
Maldon	01621 854477
Chelmsford	01245 606879
Babergh	01473 835798
Braintree	01376 557852
Colchester	01206 282600

## Citizens Advice

citizens  
advice

### Chelmsford

Burgess Well House, Coval Lane,  
Chelmsford, Essex CM1 1FW  
Telephone – 08449 938667

### Opening hours

Monday, Wednesday, Thursday  
and Friday 9am to 4.30pm,  
Tuesday 9am to 12.30pm and  
Saturday 9.30am to 12pm

### Clacton on Sea

18 Carnarvon Road,  
Clacton on Sea, Essex CO15 6QF  
Telephone – 01255 377080

### Opening hours

Monday to Thursday 10am to 4pm  
and Thursday 5.30pm to 8pm

### Colchester

Blackburn House, Ground Floor,  
32 Crouch Street, Colchester,  
Essex CO3 3HH  
Telephone – 08444 770808

### Opening hours

Monday to Friday  
9.30am to 12.30pm

### Harwich

Morrisons Car Park,  
Iconfield Park, Parkeston,  
Harwich, Essex CO12 4EN  
Telephone – 01255 377080

### Opening hours

Monday to Friday 9.30am to 4pm

### Maldon

St Cedds House, Princes Road,  
Maldon, Essex CM9 5NY  
Telephone – 01621 841195

### Opening hours

Monday 10am to 4pm and  
Tuesday to Friday 10am to 1pm

### Sudbury

Belle Vue, Newton Road,  
Sudbury, Essex CO10 2RG  
Telephone – 01787 374671.

### Opening hours

Monday, Tuesday and  
Thursday 10am to 3pm  
Alternatively, you can call  
the general advice line on  
08444 111 444 or visit  
[www.adviceguide.org.uk](http://www.adviceguide.org.uk)

## Useful contacts at Colne

### Colne's Income Management Team

We are here to help you. To get advice on rent arrears, please contact us:

 Call 01206 244700

 Text RENT to 07539 114114

 [info@colnehousing.co.uk](mailto:info@colnehousing.co.uk)

## Job Centre Plus - DWP Benefits

### Chelmsford

The Gemini Centre, 88 London Road,  
Chelmsford, Essex CM2 0YN  
Telephone – 0845 6043719

### Opening hours

Monday to Friday 8am to 6pm

### Clacton on Sea

55 Station Road, Clacton on Sea,  
Essex CO15 1RS  
Telephone – 0845 6060234

### Opening hours

Monday to Saturday 9am to 5pm,  
Sunday 10am to 4pm

### Colchester

Greytown House, 138 High Street,  
Colchester, Essex CO1 1SP  
Telephone – 0845 6043719

### Opening hours

Monday to Friday 9am to 5pm

### Harwich

164-168 High Street,  
Dovercourt, Essex CO12 3AT  
Telephone – 0845 6060234

### Opening hours

Monday to Friday 9am to 5pm

### Sudbury

21 Borehamgate, Sudbury  
Suffolk CO10 2EG  
Telephone - 0345 6043719

### Opening hours

Wednesday 10am-5pm  
Other weekdays 9am-5pm

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We will make every effort to provide information in alternative formats on request, including audio, large print and translations.

**Colne Housing  
Block G, Parkside,  
Knowledge Gateway,  
Nesfield Road,  
Colchester, Essex  
CO4 3ZL**

**Tel: 01206 244700**

**Text Service: 07539 114114**

**E-mail: [info@colnehousing.co.uk](mailto:info@colnehousing.co.uk)**

**Website: [www.colnehousing.co.uk](http://www.colnehousing.co.uk)**

Registered with Homes England (LH1651) and under the Co-operative and Community Benefit Societies Act 2014 (20799R) with exempt charitable status.

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