



## WHAT TO DO IF YOU ARE IN DEBT WITH ARREARS

It is vitally important that Havebury Housing Partnership collects its rent as this is its main source of income. All of the homes and services that we provide are paid for by rent that is paid by you, the Tenant. It is important that you pay in advance as requested and this is the reason why we are always quick to remind you when rent is owed.

We realise that it is sometimes difficult for you to pay rent and would encourage you to contact us if you are having problems so that we can assist you from becoming further into debt. Some debts are called priority debts because the consequences of not paying are serious. Priority debts should be dealt with before your non-priority debts.

### Priority debts include:-

1. Rent
2. Council tax
3. Utilities (gas/electricity)
4. TV licence
5. Child support and/or maintenance payments
6. Payments ordered by Court

If you do not pay your priority debt, you could lose your home, have your gas/electricity supply cut off, or have to accept an expensive pre-payment meter instead. You could also lose belongings on hire purchase such as a car, furniture or other goods.

If you are finding it difficult to pay your rent, speak to the Income Team immediately. We have experienced staff and they will enable you to deal with the issues relating to debt and help you to access any benefits and support that you may require.

### How will Havebury help me to pay my rent debt?

We will contact you as soon as you owe 1 week of rent payable which will normally be by letter or by telephone. We will try to contact you in a way that is appropriate to your needs and consider any disabilities that may make it difficult for you to either read letters or respond to us.

Our experienced staff will help you to make payments to clear your debt. We are happy to discuss the range of different methods of payment available with you and also the rate of payment that suits the amount that you can reasonably afford. We employ two Welfare & Benefit Advisors who will assist you if you are having problems with any of your benefit claims.

### **How can I get help or advice about debt?**

Our Team can also signpost you to a wide range of support services as well as in-house advice.

### **What happens if I have a priority debt with my rent?**

At Havebury we try very hard to ensure that a debt does not occur. However inevitably there are times when a priority debt will arise. We also understand there are some Tenants who do not see the need to pay rent and do not feel responsible for rent payment. Havebury will take swift action to ensure that these Tenants are dealt with as quickly as possible.

We should like to make it clear that when Tenants are in difficulty paying debts, we will make every effort to ensure that plenty of consideration and advice is given to assist them. However if this advice is not followed and efforts are not made to deal with a debt, we will take legal action as required.

### **WHAT TO DO IF YOU ARE IN DEBT WITH YOUR RENT**

We will write to you if you are in debt with your rent and urge you to work with us to resolve any difficulties. However, we must serve a notice of Seeking Possession where a debt continues to arise.

If you do not work with us and/or a remedy cannot be found after Notice is served as this is the first stage of a process that may end with eviction, we may share your name, address and contact details (along with occupant's details) with your local authority to support their legal obligation to reduce homelessness. The local authority may use this information as part of their homelessness reduction work and may make contact with you."

We will approach the County Court to request an Order for Possession. We will then request the Order as quickly as possible to ensure that the priority debt does not become so high as to be unclearable.

Even after a Court Order has been obtained, we will normally arrange for a Suspended Order so that you have the chance to clear your priority debt and remain in your property. It should be noted that once a County Court Judgement has been received this will make it very difficult for you to obtain credit or buy on hire purchase in future. Court costs of £325 will also be applied to your priority debt if we take you to Court.

It is also important to understand that when we are in receipt of a Court Order and you are a "Preserved Rights Tenant", you will lose your Right to Buy. Tenants with a Court Order are not allowed to exercise your Right to Acquire.

Where you fail to meet the terms of your Court Order, Havebury although reluctant, will be unable to avoid requesting a bailiff to carry out an Eviction Warrant and recover your property. We try very hard to avoid this but we must accept that where little or no attempt has been made to clear your priority debt, then eviction will be the ultimate outcome.

It should be noted that if you are evicted from your home due to your rent debt you may find it difficult to be rehoused by the Council as it is likely that you may be seen to have made yourself intentionally homeless by not paying your legal rent.

### **Rent debt action list**

The following is a very brief guide on what to do if you owe rent:

1. Contact a member of Havebury Income team immediately.
2. Ask to speak to Havebury's Welfare and Benefit Team of experts.
3. Seeks advice from Citizens Advice and/or take independent legal advice.

**If you have any queries, please contact Havebury on 0300 3300 900**

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**[www.havebury.com](http://www.havebury.com)**