



Rent Express Scheme

Tenancy Problems

Information for Landlords and Letting Agents



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If any issues arise during Rent Express tenancies please contact the Housing Advice Team (HAT) as soon as possible.

How to reduce the risk of rent payment problems

- See if the tenant can pay by standing order.
- Check your bank account to ensure that the payment has been made on time. You can do this by telephone or internet banking, or by visiting a branch office.
- If the tenant is in receipt of Housing Benefit, if you have written consent from the tenant you may be able to speak to the Council about their claim.
- Housing Benefit is normally paid four weekly but rent is normally due calendar monthly. You may be prepared to let your tenant pay the same amount of rent each year but allow them to pay 13 four weekly payments of rent instead of 12 calendar month payments.

Rent Arrears

If a tenant gets into rent arrears:

- Make sure that all payments have been recorded and added up correctly.
- Speak to the tenant and any letting agent you are using.
- Find out why the rent has not been paid. For example is the tenant having problems with their bank or with Housing Benefit being paid? Are they having debt problems or have they lost their job or become ill?
- Find out when the tenant will be able to pay their rent and clear any rent arrears. If the tenant is not able to clear the rent arrears in a lump sum ask the tenant to write down their income and outgoings and work out what they can afford to pay via a payment plan.
- Advise the tenant to claim Housing Benefit and Discretionary Housing Payment straight away and to ask for it to be backdated giving detailed information about why they did not claim earlier.

- Come to an agreement with the tenant about how much they can pay towards their rent arrears (in addition to their rent), when payments will be made and when the rent arrears will be cleared. Confirm what has been agreed in writing.
- If the tenant is in receipt of Housing Benefit check if they have informed them of any changes in their circumstances, for example if their income has increased or decreased or if there are any changes to their household.
- Contact the HAT if the tenant falls into rent arrears.
- HAT will speak to the tenant, give you advice and refer the tenant to relevant agencies including tenancy support and Citizens Advice Bureau. The HAT can also liaise with Housing Benefit and see if the claim can be fast-tracked.
- Advise the tenant to contact the HAT and obtain independent money advice, e.g. from the Citizens Advice Bureau.
- Advise the tenant to check their tax code and find out whether they are entitled to any other benefits or tax credits, by obtaining welfare benefit advice, e.g. from the Citizens Advice Bureau.
- For new private tenancies starting after April 2008 Housing Benefit is normally paid direct to the tenant. However if your tenant is vulnerable and has difficulty managing their financial affairs, has consistently not paid their rent in the past without good reason, or has rent arrears of 8 weeks or more the Council may consider paying Housing Benefit direct to you. Contact the Housing Benefit Team direct to discuss this further.
- If you are considering asking the tenant to leave or applying for a County Court Judgement contact the HAT straight away. Let the HAT know if there is anything they can do to help resolve the problems with the rent and to keep the tenant in the property.
- If the tenant is due to move out or the tenancy is ending, contact the HAT straight away. If there are rent arrears at the end of the tenancy and you have a Rent Express Scheme tenant, you can make a claim under the Rent Guarantee within 14 days of becoming aware of the tenant leaving permanently or the tenancy ending.

Problems with the condition of the property and damage or loss to the property

If you have any problems with the condition of the property:

- Speak to the tenant and any letting agent you are using.
- Arrange access with the tenant in order to inspect the property.
- Establish what the problems are and whether these are the responsibility of the landlord or the tenant .
- Contact the HAT straight away if your tenant causes any damage or loss to the property.
- Ensure you carry out any repairs that are the landlord's responsibility.
- If repairs are not carried out enforcement action could be taken by the Council under the Housing Act 2004.
- The HAT can refer the tenant to agencies that provide support and can liaise with the Private Sector Housing Team who can give advice on disrepair/ hazards.
- If the tenant is leaving please give the HAT at least 7 days' notice of the date and time you are due to carry out an end of tenancy inspection. The HAT may ask to visit the property with you so that they can carry out a joint inspection to assess whether there has been any damage to the property caused by the tenant.

If you have received a Deposit Guarantee and want to make a claim then contact the Council and complete the Deposit Guarantee Claim form on the Deposit Guarantee Leaflet within 14 days of the damage or loss occurring, the tenant leaving permanently or the tenancy ending.

Neighbour Problems/ Anti Social Behaviour

If you have received complaints or witnessed neighbour problems or anti-social behaviour from your tenant or his/ her visitors

- Speak to the tenant and any letting agent you are using.
- Find out what the alleged dispute or problem is about. For example are there issues to do with noise, verbal abuse, harassment, intimidation, children's behaviour, parking, rubbish, pets etc.
- Find out what the tenant is going to do to address and resolve any problems. Confirm what has been agreed in writing.

- Contact the HAT straight away. The HAT can speak to the tenant and refer them if appropriate for family or neighbourhood mediation, to tenancy support and to other organisations. The HAT can send you more information on dealing with housing and neighbour problems/ anti-social behaviour.
- If appropriate liaise with and advise the tenant or any complainants to contact South Warwickshire's Anti Social Behaviour Officer, the police or the Council's Environmental Protection Team.
- Find out what options are available to you and other agencies to address any problems if they have not been resolved.

Possession Action

- If you want the tenant to leave contact the HAT straight away. The HAT can give you advice about the correct legal procedure you need to follow to get possession of the property. If your tenant has an assured shorthold tenancy and does not leave, you would need to serve the correct notice and apply to the county court for a possession order and eviction warrant.
- It is very important that you follow the correct legal procedure as it is a criminal offence to harass or illegally evict a tenant and you could be prosecuted.

Please note:

As the Council has assisted in setting up the tenancy with the help of the Rent Express Scheme please let the Council know if the tenant is breaching any terms in the tenancy agreement. Please send the HAT a copy of all information and letters sent to the tenant.



Stratford-on-Avon District Council

www.stratford.gov.uk

South Warwickshire Anti Social Behaviour Officer:	01789 260123
Environmental Protection Team:	01789 260835
Private Sector Housing Team:	01789 260848
Housing Advice/ Options Team (HAT):	01789 260 844/5/6
Housing Benefit and Council Tax Benefit:	01789 260991

General Advice including Benefits and Debt

Stratford-upon-Avon Citizens Advice Bureau	www.adviceguide.org.uk
Advice:	01789 293299
Appointments:	01789 261299
Housing Benefit Leaflets:	www.benefit-leaflets.org
The Valuation Office Agency / Local Housing Allowance:	www.lha-direct.vao.gov.uk

Warwickshire Police: 01926 415000 (or in an emergency dial 999)

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