



Citizens Advice Bureau

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve problems. To find your nearest CAB go to www.citizensadvice.co.uk or find us in the phonebook.

Other factsheets in this series

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Rent Arrears:

There are a number of things you can do to prevent yourself from losing your home if you get into rent arrears.

This fact sheet tells you about some of them. But if you are in serious difficulties, you should get advice from a housing specialist. Also, if you have rent arrears, you might have other debts too. If this is the case, it might be best to get advice about all of your debts in one go. You should get help from a specialist debt adviser.



dealing with | debt
in Northern Ireland



Rent Arrears

NOTICE



Rent Arrears

Rent is a priority debt and must be paid before other non priority debts such as credit cards and loans.

Rent Arrears

There are a number of things you can do to prevent you from losing your home if you get into rent arrears. This fact sheet tells you about some of them. If you are in serious difficulties, you should get advice from a **housing specialist**. Also, if you have rent arrears, you might have other debts too. If this is the case, it would be best to get advice about all of your debts in one go rather than individually. You should get help from a **specialist debt adviser**.

Getting into rent arrears can be distressing and you can end up losing your home. Remember, it's your **responsibility** to make sure your landlord gets the rent in time. This applies whether you pay all your rent yourself or whether it's paid through **Housing Benefit**. You're responsible for paying your rent even if your **tenancy agreement** doesn't tell you when or where to pay it.

Contact your landlord

If you are getting into arrears, it can often help to **contact your landlord** and let them know you're having difficulties. Write a letter, explaining why you're having problems paying the rent. This could be, for example, because you've lost your job or have made a benefit claim that hasn't been dealt with. Ask if you can have more time to pay or if you could pay a reduced amount of rent for a certain period of time. Keep a copy of your letter.

Check the figures

If you can't sort out things informally with your landlord, get prepared for things being taken further. Start off by checking that the amount of rent owing is correct. Has your landlord recorded all your payments? You may have been asked to pay rent in advance before you moved in – if so, has this been taken into account? Have the figures been added up correctly? Are you responsible for paying all the arrears or should someone else also be paying?

Get financial help

If your circumstances have recently changed, you might have become entitled to welfare benefits that would help with your financial situation. You might, for example, have been ill, or be working fewer hours. Some benefits that you might be able to get include Working Tax Credit, Child Tax Credit, Rates Relief and Housing Benefit to help you pay rent. This applies whether you're a council tenant or in private rented accommodation.

If you have arrears of rent and you are claiming Income Support, Pension Credit, income-related Employment and Support Allowance or income-based Jobseeker's allowance, you can ask the Social Security Agency (SSA) to take off a fixed weekly sum direct from your benefit and pay it to the landlord. This is called a third party deduction.

Rent Arrears

Come to an agreement with your landlord

Once you're sure how much you owe and that you're getting all your benefits, try to come to an agreement with your landlord. They might agree to let you pay back the money you owe in instalments at so much a week, on top of your normal rent. Be realistic about how much you can afford to pay each week so you know that you'll be able to keep up the payments.

Housing Executive

If you have rent arrears with the Housing Executive it is important to contact them to discuss your situation. The Housing executive work closely with Citizens Advice and have trained advisers to help you.

Even if you do owe rent, it is a criminal offence for your landlord to do anything they know is likely to make you leave your home. This includes, for example, stopping you from getting into your home or disconnecting supplies of water, gas or electricity. This is called harassment and if you're being harassed in this way, you could report it to the council or to the police. However, it's best to talk to an experienced adviser before you do this.

Your landlord wants to evict you

If your landlord wants to evict you because of your rent arrears, there are rules about how this can be done. The rules depend on what sort of tenancy you have. Your landlord usually has to apply for an eviction order from court. In most cases, they have to serve a special notice on you before they can apply for an eviction order. In some cases, more than one notice is needed. If you get a written notice that your landlord wants to evict you (called a notice seeking possession), you should talk to an experienced housing adviser straight away.

You're evicted because of rent arrears

If you are homeless because you've been evicted for rent arrears, you can ask the Housing Executive for help. They may be able to rehouse you in some circumstances, for example, if you have children or are pregnant. You should also get advice from an experienced housing adviser. The Housing Executive must carry out an enquiry into your housing situation if you make a homelessness application at a Housing Executive District Office. You should get temporary accommodation if the Housing Executive decides that you are: homeless, eligible for assistance or in priority need.

If you can also prove you did not become homeless intentionally, then the Housing Executive will provide you with permanent accommodation. You may be able to challenge the intentionality decision if you can argue that you did not become homeless deliberately. For instance, that you were trying to keep up with the rent but your change in circumstances made it impossible to keep paying.

