

## Housing advice for people being evicted from the private sector

This advice is for people who are threatened with, or homeless, due to the loss of a private sector accommodation.

### What type of tenancy do I have?

Most people have an assured shorthold tenancy. If you are unsure what type of tenancy you have, then this tool on the Shelter website is very useful to help you find out:

[https://england.shelter.org.uk/housing\\_advice/downloads\\_and\\_tools/tenancy\\_rights\\_checker](https://england.shelter.org.uk/housing_advice/downloads_and_tools/tenancy_rights_checker)

### Help from West Suffolk

The Housing Team at West Suffolk provides advice on the rights and responsibilities of private tenants, landlords and agents. We aim to prevent homelessness and can investigate allegations of harassment and illegal evictions within the private rented sector.

The team can advise and assist tenants at risk of losing their homes or tenants worried out their current housing situation. Some of the areas we can offer support which include:

- checking if your tenancy deposit is protected
- explaining the terms of your tenancy agreement
- disrepair and safety standards
- harassment from your landlord or agent
- a threat of eviction
- retaliatory evictions
- rent arrears

We would always recommend that you **contact us as soon as you believe that there is a risk of homelessness** as this gives us more time to resolve your housing problem.

### What to do in advance of meeting a housing advisor

You should try and speak to your landlord or agent to see if the problem can be sorted out. We would advise that you then write or email them to identify what the problem is and to suggest how you can resolve this. You can do this in the following type of scenarios:

- if the landlord has advised that he wants to put the rent up and you are worried you cannot afford the increase

- if there are issues with a rent shortfall because your circumstances have changed or you have had your benefit reduced
- if there are rent arrears, or
- if the landlord is unhappy with an aspect of your behaviour as a tenant.

You should send the letter or email regardless of the landlord or agent's response as even if they have said no they may change their mind once they have had a chance to see the letter and can see you are really committed to sorting things out.

Don't leave things – follow up the letter with a phone call or email within a week of sending it asking them for a response. If the landlord or agent has responded write down what their response was and whether they want to discuss a possible solution. Keep copies of any email or letter they have sent you in response as we will want to see them.

## **What to bring to the meeting with a housing advisor**

Once you have been in contact with you us may be invited to attend a meeting with a housing advisor. You will be given a list of documents and information to bring with you. This is likely to include:

- the tenancy agreement
- anything else you were given when you signed the tenancy such as the Energy Performance Certificate and the Gas Safe Certificate
- the Section 21 notice
- if you paid a deposit, we want to see the paperwork that the landlord should have given you about where they have protected the deposit. This is called the prescribed information
- any emails or letters you have received from the landlord or agency and any copies of any you have sent
- before you come to see us try and write down the dates and details of any contact between you.

At the meeting we will have a duty to assess the circumstances of your homelessness, identify what your housing and support needs are, and to work with you to try to prevent your homelessness or support you to find somewhere to live.

We will provide you with a 'personal housing plan' which will tell you what we can do to help you and what you can do to help yourself.

We will work with you and your landlord to resolve the issues with the intention of keeping you in the property. In some circumstances, we can try to find a small financial payment which might be able to resolve the situation. We have a lot of experience in negotiating with landlords so it is important that you come to us as soon as you know there is a problem.

## **If the issue cannot be resolved**

For the council to be legally obliged to provide you with accommodation, we would need to be satisfied that you are eligible, homeless, in priority need and that you have not made yourself intentionally homeless.

Given the small number of social rented homes available, if you have had to leave your tenancy, you will almost certainly have to consider renting from a landlord in the private rented sector. We will work hard with you to identify which areas are affordable for you to move to and the likelihood of securing accommodation.

## **More help**

Please contact the Housing Options Team on 01284 763233

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