

Do you have rent arrears?

We know that from time to time Tenants may have problems paying their rent and end up with arrears. It can be difficult facing up to your problems, but we are ready to help you sort things out. Below, we have answered some Frequently Asked Questions

I can't pay my rent, who should I tell?

As soon as you realise you will not be able to make a rent payment you should contact the office (01277 234151) to discuss your rent arrears or to arrange an appointment.

What will happen when I contact you?

We will:

- Listen to what you have to tell us
- Help you identify any Housing Benefit entitlement
- Inform you of other Agencies that may be able to assist you
- Negotiate a suitable payment plan

How much will I have to pay?

We will ask you how much you can afford to pay and assess your offer against the arrears.

We will not request an unreasonable amount that will make your situation worse.

What will happen if I ignore my rent arrears?

When you receive a letter informing you that you are in arrears it is important that you act fast.

If you don't tell us that you have a problem we may take legal action against you that can mean eviction. You will also have to pay legal costs.

We may also find it necessary to inform the Local Authority, since rent arrears may affect any application for re-housing that you may have with the council

What action can Brentwood Housing Trust take against me to collect the arrears?

Every effort will be made to help you to pay your rent arrears, but if you ignore our requests, or if you break your payment plan, we commence legal action against your tenancy. This will include:

- **Notice of Seeking Possession:** This is the first step. It advises you that we will take action for possession if you do not make an agreement to pay your arrears. It gives 4 weeks for you to make contact and discuss the matter with your housing officer.
- **County Court Judgment:** If you fail to make or keep an agreement to clear your debt, we will apply to the County Court for a possession hearing. The Court will normally grant a suspended possession order. The judge will order you to pay the current rent plus an amount off your arrear. This is called a county court judgment or CCJ. If you have one of these, your credit rating will be seriously affected.
- **Eviction:** If you fail to keep the county court judgment, a warrant of eviction will be applied for. If you have not made up the missed payments, you will lose your home
- **Deductions from your benefits:** The court can order that deductions are made from your benefit before your payment is issued to you.
- **Attachment of Earnings Order:** deductions are made directly from your wage/salary.

Remember

Your rent is due weekly and in advance. If you are unable to make a payment — tell us!

We will do everything in our power to help you stay in your home, but we will take legal action

to repossess your home if you refuse to pay your rent.

If you are having money problems don't ignore them. They won't go away, and the longer you wait to deal with them or get advice, the worse the situation will be.

TOP TIPS FOR DEALING WITH YOUR DEBTS

- The people who you owe money to are called your **“Creditors”**.
- **Don't panic.** Help is available. A list of Organisations offering free and confidential advice is provided at the end of this information.
- **Act fast.** As soon as you are unable to make a payment when it is due, contact your Creditors to let them know. If you receive a letter informing you that they are considering further action, ask them to hold action for 2 to 3 weeks while you seek advice and assistance.
- **Always** keep copies of the letters that you write about your debts, and write down the dates of any telephone calls that you make to your Creditors.
- We recommend that you don't borrow more money to pay off your debts, but before taking out a loan always get impartial advice before you sign anything.

Don't rush in to it.

- If you do decide to take out a loan, make sure you find out all the details, such as the total cost of the loan and whether the loan is secured against your home.
- Fill out a Personal Budget sheet so that you know what income and expenses you have. There is a Personal Budget sheet enclosed with this booklet. This will help you work out a budget and calculate what money you have available to make payment to your debts.
- Write to your creditors as soon as possible telling them what payments you can realistically make. **Don't** offer more than you can afford. Most companies will help you, by letting you make installment payments. You may want to include a copy of your personal Budget Sheet.
- Make sure that you are getting all the benefits that you are entitled to. This can increase your Income. If you are on a low income you may be entitled to Income Support. If you are unemployed you may be able to claim Job Seekers Allowance. There are many benefits available including disability living allowance, Working Tax Credit, Pension Credit and Child Tax Credit.
- If you chose to use a Debt Management company make sure you know all about any fees that they will charge you and how long it is going to take to pay off your debts.
- You don't have to let a Debt Collector into your house. Make an appointment for them to call again when you have sought advice.
- If you are being harassed by a Debt Collector contact the Trading Standards Service or your local Citizen's Advice Bureau.
- If you are receiving Pension Credits, Income Support or Income Based Job Seekers Allowance you may be able to get Direct Deductions from your benefit to pay certain debts. This means that small amounts are deducted before you receive your benefit payments. Debts such as rent and Council tax can be paid in this way. You should contact your benefit office to find out if this is possible.
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- Get advice regarding your benefits and welfare rights at:

Citizens Advice Bureau
8 – 12 Crown Street
Brentwood
CM14 4BA
0844 477 0808

They offer specialist advice on Money issues, employment issues and welfare rights. They can also arrange solicitor appointments where appropriate.

Most Citizen Advice Bureau can offer specialist advice and will assist you with any appeals you may need to make.

We Can Help You Get the Benefit You Are Entitled To

If you are on a low income or unemployed you may be able to get help with rent and Council Tax payments.

Your housing officer can help you fill in the forms and answer many of the queries that you may have regarding your benefits.

JUST ASK!

Brentwood Housing Trust does not use debt collectors to recover current rent arrears. However, if you vacate the property without giving a forwarding address or you fail to make a suitable agreement to clear a debt from a former tenancy, the debt may be passed to a Debt Collection Agency who will trace you and request payment of the outstanding amount.

Below are words or phrases commonly used by Debt Collectors.

- **Priority Debt** - The consequences of not paying a priority debt are serious. These debts include Rent arrears, Fuel arrears, Council Tax arrears and Outstanding Court fines. Failure to pay these debts could result in you being evicted from your home, and in some cases you could be imprisoned.
- **Non Priority Debt** - These include Credit Card, Hire Purchase, Loans and overdrafts. Collection of these cannot be enforced by imprisonment.
- **County Court Judgment (C.C.J.)** — If your Creditors take action in the County Court they may request that a County Court Judgment be made against you. This means that the County Court has ordered you to pay an amount of money (This will normally be the debt plus Costs). Details of the CCJ are entered on to a Register which is used by Credit Companies, Banks, and Building Societies etc when you apply for credit. A CCJ will affect your credit rating.
- **Credit Reference Agency** - A company that stores computerised records of people's use of Credit. When you apply for credit, e.g. a store card, checks will be made with the Agency about your credit history

- **County Court** is a Civil Court which may be used to enforce collection of a debt. Debts up to £5000.00 are dealt with by the Small Claims section of the County Court.
- **Bailiff**-Someone who is authorised to collect a debt from you, on behalf of your Creditors. There are 3 types of Bailiff.
The County Court Bailiff who works for the Court Service.
The Certified Bailiff who has provided references to the County Court, and the people they employ are considered fit, and **The Private Bailiff**.
- **Warrant**- This is official written permission given to the Bailiff allowing him to carry out his/her duties to collect a debt. It is given by the Court.

USEFUL NUMBERS

ORGANISATION	TELEPHONE	WEBSITE
Department of Work & Pensions (DWP)		www.dwp.gov.uk
Brentwood Housing Trust	01277 225084	
Citizens Advice Bureau	0844 477 0808	www.citizensadvice.org.uk
Jobseeker's Allowance (JSA)	0800 055 6688	www.direct.gov.uk
Income Support	0800 055 6688	www.direct.gov.uk
Disability Living Allowance (DLA)	08457 123 456	www.direct.gov.uk
Child Benefit	08453 021 444	www.direct.gov.uk
Working Tax Credit	0845 300 3900	www.direct.gov.uk
Child Tax Credit	0845 300 3900	www.direct.gov.uk
Council Tax Benefit	01277 312831 01708 434343	www.brentwood.gov.uk www.havering.gov.uk
Housing Benefit	01277 312831 01708 433996	www.brentwood.gov.uk www.havering.gov.uk
Consumer Credit Counselling Service(CCCS)	0800 138 1111	www.cccs.co.uk
Home Heat Helpline (difficulty paying fuel bills)	0800 33 66 99	www.homeheathelpline.org.uk
Jobcentre	0845 6043719	www.havering.gov.uk jobseekers.direct.gov.uk
National Debt Line	0808 808 4000	www.nationaldebtline.co.uk
Benefit & Grant Advice	0800 802 2000	turn2us.org.uk
Welfare Rights	01277 312500 01708 434444	www.brentwood.gov.uk www.havering.gov.uk
Free school Meals	0191 216 6020	www.direct.gov.uk