

Dealing with rent arrears

If you are at risk of falling behind with your rent payments, or already have rent arrears, read this sheet.

Your housing costs are a priority

If money is very short, there are a few costs that you must make certain that you meet – like your housing costs. If you are evicted from your home for rent arrears and cannot get a good landlord reference, it can be very difficult to find somewhere else to live.

The first thing you should do is to complete a budget sheet, so that you know where your money is going. You may be able to make some adjustments to non-essential outgoings. You can use your budget in later negotiations with your landlord, if necessary. You can find useful budget sheets at <https://tools.nationaldebtline.org/yourbudget/> and <https://www.moneyadviceservice.org.uk/en/tools/budget-planner>. The local Citizens Advice will be able to help you with budgeting advice if you need help.

Can you get any additional income?

You don't need to be unemployed to be eligible for benefits – there is help available to bolster your household income if you are on a low wage. You may also be eligible for a contribution towards your rent. It is easy to check your entitlement – go to this webpage: <https://www.gov.uk/benefits-calculators>. Make sure you have the following details ready:

- savings
- income, including your partner's (from payslips, for example)
- existing benefits and pensions (including anyone living with you)
- outgoings (such as rent, childcare payments)
- council tax bill

See our information sheet on Dealing with Debts for more ideas for getting help with your income.

Tell your landlord you are having difficulty

Negotiating with your landlord about catching up with missed rent payments and keeping your home is always easiest if you contact them as early as possible – and let them know that you are taking steps to sort things out. If you are already in arrears, use your budget sheet to work out what you can afford to offer on top of your rent – even if it is only a few pounds. Be realistic with any offer you make to your landlord because it is important that you keep to your agreement.

Social landlords

Council and housing association landlords will always want to keep you in your home if possible, and if you are honest from the start of any difficulties you are having, they will work with you to try and find a solution. This may include getting you free comprehensive debt advice if you owe money to several organisations.

If you would like to contact a debt advisor now, you can locate one locally here:

www.moneyadviceservice.org.uk/en/tools/debt-advice-locator. A debt advisor can help you get back on track and will help you negotiate affordable repayment arrangements with your debtors.

If your landlord intends to take you to court to evict you, they must serve you with a notice first. If the landlord is using your rent arrears as grounds to evict you, you can usually avoid court action by paying up what you owe or by reaching a sensible agreement to repay arrears in instalments. Your landlord may proceed to court and the judge may give a 'Suspended Possession Order' – which legally binds you to make regular payments on top of your rent. If you miss even one instalment, your landlord can go straight back to court for a possession order. If your landlord asks for a 'Money Judgement' against you (to recover the money you owe), this will affect your future credit rating.

If a possession order is applied for and granted by the court, don't panic! Your landlord still needs to apply for an eviction warrant. This may give you enough time to raise the money to clear the arrears in full and save your home. Some ideas about how you might raise the money are in our 'Dealing with Debts' information sheet – but try and avoid taking out a 'payday loan' unless it is your last resort and you know you will be able to pay it back quickly.

Applying as a homeless person

If you are threatened with homelessness within 56 days, it is important that you seek the help of your local council's Housing Options team (even if the same council is also the landlord that you owe money to). The Housing Options team will work with you to develop a 'Personalised Housing Plan', outlining the steps that you and the council must take, so that your homelessness might be prevented. So long as you co-operate with this process, they can give you a great deal of help.

If you are evicted and are in a priority need group, you may be given temporary accommodation while you and the council work together to find you somewhere else to live. You would be in priority need if you have dependent children, or if you are more vulnerable than an ordinary person, perhaps because of your health. If after 56 days of trying to relieve your homelessness you still have nowhere to go and are in priority need, the council will consider if you are 'intentionally homeless'. You would be intentionally homeless if your homelessness was as a direct result of something that you have done or not done (such as deliberately not paying your rent when you could have afforded to do so). If you are not in priority need, or if the council decides you became homeless intentionally, there will be no further help from the council. If you have children, Children's Social Care will be concerned with the children's welfare and may provide accommodation. Children's Social Care in Medway is on 01634 33466 (01634 304400 in an emergency), or email ss.accessandinfo@medway.gov.uk. For the rest of Kent, telephone 03000 41 11 11, or email social.services@kent.gov.uk.

Contacting your local Council

Ashford: <https://www.ashford.gov.uk>

Canterbury: <https://www.canterbury.gov.uk>

Dartford: <https://www.dartford.gov.uk>

Dover: <https://www.dover.gov.uk>

Gravesham: <http://www.gravesham.gov.uk>

Maidstone: <https://self.maidstone.gov.uk>

Medway: <https://www.medway.gov.uk>

Sevenoaks: <https://www.sevenoaks.gov.uk>

Folkestone & Hythe: <https://www.shepway.gov.uk>

Swale: <https://www.swale.gov.uk>

Thanet: <https://www.thanet.gov.uk>

Tunbridge Wells: <http://www.tunbridgewells.gov.uk>

Tonbridge & Malling: <https://www.tmbc.gov.uk>