



## **CHISEL RENT ARREARS POLICY SUMMARY**

- Our aim is to collect all our rent and help tenants stay in their homes.
- Rent is payable weekly, in advance. If you pay monthly, you should pay monthly in advance unless otherwise agreed with us.
- Tenants with clear rent accounts are entered into a cash prize draw twice a year and we prioritise tenants who pay their rent on time for non essential improvement works to their homes. Other than in exceptional circumstances no tenant with rent arrears can be offered a transfer to another CHISEL home.
- We will contact you if you miss payments as soon as possible.
- Unless you have contacted us we will send you a reminder at 3 weeks arrears (unless you are on full housing benefit). If you get a reminder, you must either clear the arrears in 7 days or make an agreement with us to pay regularly until they are cleared.
- If you are experiencing financial difficulties we will agree an arrears repayment agreement with you – usually so that the arrears are cleared within 18 months.
- If you are having problems with housing benefit, we will help you to sort them out.
- We encourage tenants on housing benefit to agree for this to be paid directly to CHISEL and if you have arrears we may require you to switch to this method.
- If you are receiving Income Support and you owe 8 weeks rent or more, we may apply to the Benefits Agency for Arrears Direct where an arrears amount is deducted from your benefit and sent straight to CHISEL.
- We will usually issue a Notice of Seeking Possession if 5 weekly payments have been missed.
- We will always issue a Notice of Seeking Possession if we have sent you 3 arrears reminders within a 6 months period and you don't clear the arrears.
- If you receive a Notice of Seeking Possession, you have 4 weeks to either pay off all the arrears or make an agreement with us to do so.
- If you do not contact us to make a repayment agreement, or if you agree a repayment agreement with us but don't keep to it, we will apply to the court for a Possession Order. Possession will normally be sought under Ground 10 of Section 8 of the Housing Act 1988 (failure to pay rent) or Ground 11 (persistent arrears).
- CHISEL's director has discretion to approve an application for possession using Ground 8 (8 weeks arrears) where a tenant has failed to keep to the terms of a previous court order. Ground 8 differs to Grounds 10 and 11 in that the court *must* grant possession.

- At the court hearing the court will either grant an Outright Possession Order or a Suspended or Postponed Possession Order.
- If the court grants a Suspended or Postponed Possession Order, we will write to you telling you how much you need to pay off the arrears each week in order to avoid eviction.
- As well as the arrears, you will also have to repay all the court costs.
- If you keep to the terms of your court order, you will not lose your home.
- If you don't keep to the terms of your court order, we will proceed to eviction.
- If the court grants an Outright Possession Order, we will normally decide to evict you.
- You can appeal against eviction to the CHISEL Eviction Appeals Panel.
- If your appeal fails, we will apply for a Bailiff's warrant to evict you. This normally takes about 6 weeks.
- We will continue to chase you for the money you owe, even if you are evicted. We use a debt collection agency for this purpose.

Remember, if you are having problems paying your rent contact us straight away. We will try and help and may be able to refer you to a specialist advice service. The worst thing you can do is bury your head in the sand. We don't want to evict anyone, but if you persistently miss payments, we will have no choice.