

Further advice is available from:

Shelter Scotland
Tel 0800 800 4444
www.shelter.org.uk

Citizens Advice Bureau
www.citizensadvice.org.uk
Visit the website and enter your post code for your local office

For information about debt and budgeting, the following agencies can assist:

Money Advice Service
Tel 0300 500 5000
www.moneyadviceservice.org.uk

National Debt Line
Tel 0808 808 4000
www.nationaldebtline.org.uk

Contact your local authority welfare rights and housing options:

Angus Council
Tel 03452 777 778
www.angus.gov.uk

Dundee City Council
Tel 01382 434000
www.dundee.gov.uk

Highland Council
Tel 01349 886606
www.highland.gov.uk

Perth & Kinross Council
Tel 01738 475000
www.pkc.gov.uk

West Dunbartonshire Council
Tel 01389 737000
www.west-dunbarton.gov.uk

Information in Other Formats

This leaflet can be made available on CD, tape or audio formats, in Braille, in large print and in languages other than English. Contact us on 0800 678 1228 for information.



enquiries@caledoniaha.co.uk
www.caledoniaha.co.uk

Dundee Area Office
118 Strathern Road
Broughty Ferry
Dundee DD5 1JW
Tel: 0800 678 1228

Perth Area Office
5 South St. Johns Place
Perth
PH1 5SU
Tel: 0800 678 1228

Scottish Housing Regulator Reg. No. HEP 224. Industrial and Provident Society Reg. No. 2343 R(S). A Scottish Charity No. SC013988



**PREVENTING RENT
ARREARS AND
COURT ACTION**

Preventing rent arrears and court action

Paying rent on time is a condition of your tenancy. If you fall behind with your rent it's important to make a payment plan to pay your ongoing rent charge and what you owe. Rent is a **priority debt** and you could lose your home if you do not pay. This guide intends give you practical information and advice if you are behind with your rent.

What can you expect from us if you have rent arrears?

If you have rent arrears we will:

- Try to come to a reasonable arrangement with you to pay ongoing rent and arrears
- Tell you about the terms of the tenancy agreement
- Give you a breakdown of your rent account
- Try to give you help and advice about whether you may be entitled to receive housing benefit or universal credit
- Tell you how you can get help and advice with debts and encourage you to contact the local authority for further assistance with benefits advice and housing options

Before legal action we will consider:

- Any claim for housing benefit or universal credit you are making and what the likely outcome of this will be
- Whether you are likely to pay off your arrears in a reasonable time, and
- Whether you are likely to be able to keep to a payment plan

Early action

To prevent arrears increasing, we will visit you at home, meet you in our offices,

phone, email, text and send you letters. Please don't ignore us as we want to discuss how we can assist you by ensuring your household income is as much as it could be. In agreement with you, we will refer you for specialist advice about money, debts, budgeting and utility bills.

Don't bury your head in the sand!

If your debt continues and we have done all we can to assist you, we will serve you and all members of your household over the age of 16, with a Notice of Proceedings for Recovery of Possession.

This will be delivered to your home by Sheriff Officers or by two members of Caledonia staff.

If you receive a Notice of Proceedings for Recovery of Possession, contact us as soon as possible because this is the first sign we are considering legal action against you.

Court Action

Once we have done all we can to assist you, and if a payment plan is not adhered to, we will ask the Sheriff Court to award us a Decree which will enable us to evict you.

We will tell you in writing the date your case will call at the Sheriff Court and we

Speak to us about your rent or to arrange benefits and money advice. Call us now on 0800 678 1228

will inform the local authority that your home may be at risk.

Advice and assistance will still be available so you can avoid losing your home. Seek advice from a solicitor or other independent advocate and speak with the local authority about your housing options and welfare rights.

On the day your case calls at Court, our Solicitor will explain to the Sheriff why we are asking for you to be evicted.

Before making a decision the Sheriff will want you or your representative to explain why you haven't paid the rent. The Sheriff will normally make one of the following decisions:

• Grant Decree for Possession and Payment

It may still be possible for you to avoid eviction at this stage but only if you pay the debt in full.

If decree is granted and you do not pay the amount in full, we will evict you within six months and employ a debt collection agency to continue to pursue the debt.

The Decree will also make you responsible to pay Court costs, normally in the region of £350.00

although the costs can be higher.

• Continue the case

The Sheriff may decide to give you more time to keep to a payment plan or resolve a benefit issue. Another date will be set for your case to be heard.

• Put the case on hold

If you are consistently keeping to a payment plan when your case calls at Court, the Sheriff may put the case on hold. This allows us to go quickly back to Court if arrears begin to increase.

• Dismiss the case

If you pay the debt, the Sheriff will simply dismiss the case.

What to expect on the day of an eviction

On the agreed date and time, Sherriff Officers and Caledonia staff will come to the property to enforce the Decree.

You will have to leave with your belongings and the locks will be changed.

Eviction is always a last resort for us, so don't let it happen to you!