

CO-OP HOMES TENANT ARREARS PROCEDURE

Service Standards

- There is early notification to customers of non payment
- Statements are provided quarterly

Objective

To effectively recover the maximum possible amount of debt owed to Co-op Homes, brought about by rent arrears, through monitoring accounts and offering options for repayment while ensuring tenants are aware of the consequences of not maintaining their rent payments.

Procedure

Responsibility

1. General Actions/ Notes

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| 1.1 | In addition to the current methods of payments on offer, cash is accepted at our Brentford Office for arrears cases. | Customer |
| 1.2 | A note is to be made on the housing management system (Omniledger Tenants Notes) every time an account is checked. | Managing Officer |
| 1.3 | <ul style="list-style-type: none">• Where necessary a tenant should be firmly encouraged to apply for Housing Benefit.• Housing Benefit is paid four weekly in arrears and this should be taken into account when deciding what action to take. The tenant should be asked to agree to direct payment of Housing Benefit to Co-op Homes.• Personal contact should be made via home visits and phone calls, out of office hours if necessary. The lone worker policy should be adhered to for any home visits.• If a tenant receives Income Support or Job Seekers Allowance and the arrears total at least four week's full rent, an application can be made for third party deductions towards their arrears .• Any arrears action should take into account the requirements of the pre-action protocol for possession claims based on rent arrears.• Investigative work such as the completion of an income and expenditure form should be carried out for each arrears case where possible.• Tenants should be encouraged to approach debt and welfare advice agencies and be provided with contact details for these agencies. | General |

2. Vulnerable or Aggressive Tenants

Contact should be made with support agencies for any vulnerable tenants. Information relating to the vulnerability of a tenant should be taken into account when determining the appropriate recovery action. Information relating to a vulnerable tenant should always be recorded on the housing management system.	Managing Officer
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Any incidents concerning aggressive tenants should be recorded on the housing management system. The Managing Officer should seek advice from their line manager if they have any concerns regarding recovery action for aggressive customers.

Managing Officer

3. Security Of Files

All files containing customer information should be kept in a locked cupboard when the office is unattended.

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4. Agreements

Agreements can be used at various stages throughout the rent arrears procedure for Stages 1 and 2. Agreements can also be used for Assured Periodic Tenancies and Assured Shorthold Tenancies after the service of a NOSP or prior to an application for a possession order. Agreements may be considered after the service of a Notice Requiring Possession for Assured Shorthold Tenancies

Managing Officer

It should be made clear to the tenant that we will make only one agreement per arrears stage, which if broken, may lead us to proceed with the next action stage in the procedure.

Managing Officer

5. Arrears Action Procedure for Assured Periodic Tenancies

5.1 Where possible all arrears should be checked for necessary action at least once every 4 weeks. Managing Officer

5.2 If the next appropriate action is not to be taken this must be explained in the notes. Managing Officer

5.3 An account should be checked prior to taking any action. Managing Officer

5.4 Stage 1

5.4.1 If this is the first time the tenant has gone into arrears a 1st stage letter should be sent. The correct 1st stage letter should be selected according to the tenant's method of payment, ie. No Housing Benefit, partial Housing Benefit or full Housing Benefit . Managing Officer

5.4.2 Where contact is made with the tenant: Managing Officer

- Find out the reasons for non-payment,
- Negotiate a reasonable arrangement for clearing the debt based on the tenant's ability to pay. Emphasise that the tenant must contact us if there is a change in their circumstances,
- Explain to the tenant the consequences of not keeping to the agreement,
- If the tenant clears the arrears or keeps to an agreement no further action is required.

5.4.3 If a tenant makes an agreement, a pre-NOSP agreement letter should Managing Officer

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be sent which confirms the amount of the agreement, the start date of the agreement and what will happen if the agreement is not maintained.

- 5.4.4 If an agreement is being maintained the account must be closely monitored. If the agreement is not maintained, a breach of pre-NOSP agreement letter should be sent which specifies the date for the agreement to be brought up to date. The tenant has one opportunity to bring their agreement up to date within seven working days of the date of the letter. Managing Officer

5.5 Stage 2

- 5.5.1 Where a tenant continues to be in arrears after two weeks, a 2nd stage letter should be sent. The correct 2nd stage letter should be selected according to the tenant's method of payment, ie. No Housing Benefit, partial Housing Benefit or full Housing Benefit . Managing Officer

- 5.5.2 The purpose of a second stage letter is to: Managing Officer
- Warn that if a satisfactory agreement is not reached to clear the debt that a notice of our intention to seek possession of the property will be served,
 - Warn that in the event of legal proceedings court costs would be incurred.

- 5.5.3 If a tenant makes an agreement, a pre-NOSP agreement letter should be sent which confirms the amount of the agreement, the start date of the agreement and what will happen if the agreement is not maintained . Managing Officer

- 5.5.4 If an agreement is being maintained the account must be closely monitored. If the agreement is not maintained, a breach of pre-NOSP agreement letter should be sent which specifies the date for the agreement to be brought up to date.. The tenant has one opportunity to bring their agreement up to date within seven working days of the date of the letter. Managing Officer

5.6 Stage 3- Notice of Seeking Possession (NOSP)

- 5.6.1 If the debt is not cleared in full or an agreement is not made or maintained legal action will be started by serving a Notice of Seeking Possession (NOSP). Managing Officer

- 5.6.2
- If the main objective is to recover the arrears rather than gain possession of the property, the Notice of Seeking Possession should be served on grounds 10 and 11. Grounds 11 should only be included where the tenant is a persistent debtor. Managing Officer/Operations Manager
 - If the main objective is to regain possession of the property, the Notice of Seeking Possession should be served on grounds 8. The history of a tenancy must be taken into account if possession is to be sought on grounds 8 and the tenancy agreement should be checked as it may not permit the company to serve a Notice on

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<p>grounds 8. The tenant should also have arrears of at least eight weeks or two month's rent at the date of service (and at the date of the hearing). Any Notices served upon Grounds 8 require the authorisation of the Operations Manager.</p> <ul style="list-style-type: none">• A Notice of Seeking Possession should not be served if a tenant has provided the local authority with all the evidence required to process a Housing Benefit claim, there is a reasonable expectation of eligibility for Housing Benefit and the tenant has paid other sums not covered by Housing Benefit.	
<p>5.6.3 The purpose of a NOSP accompanying letter is to:</p> <ul style="list-style-type: none">• Make an appointment for the tenant to attend the office to make arrangements to clear the debt,• Let the tenant know that we will refer the matter to Court without further warning if the debt not resolved,• Remind them that if they leave the property we will still pursue the debt as a former tenant arrear,• Inform them that court action may affect their ability to obtain credit in the future.	Managing Officer
<p>5.6.4 The NOSP should be served by first class post or by hand.</p>	Managing Officer
<p>5.6.5 A certificate of service should always be completed. This indicates how the NOSP was served and is essential evidence in possession proceedings.</p>	Managing Officer
<p>5.6.6 The tenant is given three options at stage 3 to take within 28 days to avoid court action:</p> <ol style="list-style-type: none">1. Pay in full,2. Leave the property by returning the keys,3. Make a realistic agreement to clear the debt in the fastest possible time.	Managing Officer
<p>5.6.7 If the tenant does not attend their NOSP appointment or make contact, a missed NOSP appointment letter should be sent out .</p>	Managing Officer
<p>5.6.8 If the tenant contacts and makes an agreement, a NOSP agreement letter should be sent out which confirms the amount of the agreement, the start date of the agreement and what will happen if the agreement is not maintained.</p>	Managing Officer
<p>5.6.9 If an agreement is being maintained the account must be closely monitored. If the agreement is not maintained, a breach of NOSP agreement letter should be sent which specifies the date for the agreement to be brought up to date. The tenant has one opportunity to bring their agreement up to date within seven working days of the date of the letter.</p>	Managing Officer
<p>5.6.10 Following the expiry of the notice period, an application for a possession hearing should be made if:</p>	Managing Officer

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<ul style="list-style-type: none"> • There is no contact from a customer following attempts to contact by phone, letter and a home visit, • The customer has failed to make and maintain a repayment agreement, • The tenant has not cleared the arrears (if no agreement is in place). 	
5.7 <u>Stage 4- Court Referral</u>	
5.7.1 Stamp duty should be applied for where necessary.	Managing Officer
5.7.2 The Managing Officer should check the history before referring the case to court for details of the tenant's circumstances. Any court action should also take into account the requirements of the pre-action protocol for possession claims based on rent arrears which states that possession proceedings should not be started if the tenant has: <ul style="list-style-type: none"> • Provided the local authority with all the evidence required to process a Housing Benefit claim, there is a reasonable expectation of eligibility for Housing Benefit and the tenant has paid other sums not covered by Housing Benefit. 	Managing Officer
5.7.3 Legal advise will be sort where necessary	Managing Officer
5.7.4 In all Possession Proceedings the following documentation must be sent to the Court: <ul style="list-style-type: none"> • Covering Letter • Cheque for appropriate court fee 	Managing Officer
5.7.5 The following items should be sent in triplicate: <ul style="list-style-type: none"> • N5 (Signed by a Manager) • Form N119 (Signed by a Manager) • Certificate of service of NOSP • Copy of the NOSP • Copy of the front page of the tenancy agreement • Most recent statement of the rent account covering at least the past 6 months from when it was last in credit or at a nil balance. 	Managing Officer
5.7.6 Notify the tenant of the referral in writing and make an appointment to see them to discuss the proceedings. If the appointment is not kept every effort is to be made to contact the tenant. This includes a home visit out of hours if necessary.	Managing Officer
5.7.7 If there is no response to the court referral letter, a missed court referral appointment letter should be sent.	Managing Officer
5.7.8 Following a court referral if an agreement is reached, it must be made clear to the tenant that Co-op Homes still intends to pursue Court action.	Managing Officer

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5.7.9 When the Court date is received, notify the tenant in writing. The tenant will also receive notification direct from the Court.	Managing Officer
5.7.10 No later than 10 days prior to the possession hearing, the tenant should be sent a letter with an up to date rent statement confirming the order we intend to apply for, disclosure of what knowledge we have of the tenant's Housing Benefit claim (where applicable) and a reminder of the court hearing date and time .	Managing Officer
5.7.11 If the arrears are cleared prior to the Court date, proceedings should continue for the purpose of requesting court costs.	Managing Officer
5.8 <u>Stage 5- Court Attendance</u>	
5.8.1 By the date of the Court hearing, the following action must have been taken: <ul style="list-style-type: none">• Every effort made to contact the tenant,• Tenant should be encouraged to attend the hearing,• Decision made on the type of Order to be sought. We can obtain an Outright Possession Order, a Postponed Possession Order, an order for costs only, the case can be adjourned for a period or it can be adjourned on terms,• The tenant should be advised on the type of Order and the costs being sought,• Contact made with the local authority's Revenues and Benefits Team to check the status of any Housing Benefit claims.	Managing Officer
5.8.2 The following items should be taken to Court: <ul style="list-style-type: none">• Most recent statement of the rent account from when it was last in credit or a nil balance,• A record of agreements made,• Details of any social, welfare or other issues regarding the tenancy,• The original tenancy agreement and NOSP or copies accompanied by a witness statement,• If necessary arrange for an Officer from the local authority's Revenues and Benefits Team to attend.	Managing Officer
5.8.3 Action to be taken following the hearing: <ul style="list-style-type: none">• The tenant should be provided with written confirmation of the outcome of the hearing.• The 'Court and Evictions Log' should be updated in the following: \\Coopws\common\Tenancy Management\Outcome of Court Log	Managing Officer
5.9 <u>Stage 6- Breach of Court Order</u>	
5.9.1 If a court agreement is not maintained, the tenant has one opportunity to bring their payments up to date within seven working days. A breach of PPO or adjourned on terms agreement letter should be sent (depending on the court order awarded) which specifies the date for the	Managing Officer

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agreement to be brought up to date.

- 5.9.2 If a tenant fails to bring their payments up to date with the terms of a postponed possession order, a home visit should be carried out prior to eviction referral. Managing Officer

If a tenant fails to bring their payments up to date with the terms of an adjournment on terms, the case should be referred to court to reinstate proceedings. A confirmation letter should be sent to the tenant.

5.10 Stage 7 – Eviction Application

- 5.10.1 If the terms of a postponed possession order are not rectified or if an outright possession order was awarded, the case should be referred for eviction. An eviction report should be compiled and referred to the Operations Manager for authorisation of the eviction referral. The report should detail the contact history with the tenant, the family composition and any known medical or welfare issues. Managing Officer/Operations Manager

- 5.10.2 Where permission to apply for an eviction from the Court is required, form N244 should be submitted together with a witness statement, covering letter and court fee. The application should be signed by the Operations Manager. A notification letter should also be sent to the tenant. Managing Officer

- 5.10.3 Once permission to issue an eviction warrant has been granted the following should be completed: Managing Officer/Operations Manager
- Application for Warrant (N325) or an Application to Reissue the Warrant (N445) to be signed by the Operations Manager and sent to the County Court with the relevant fee and covering letter.
 - Notification letter sent to tenant. This should state the tenant can submit an application to suspend the warrant if they are unable to clear the outstanding arrears in full (for grounds 10/11 cases only) should be used for ground 8 cases.
 - Notification should be sent to the relevant local authority's Housing Needs and Social Services Offices with details of the family composition.

5.11 Stage 8 – Eviction

- 5.11.1 When notification of the eviction date is received: Managing Officer
- Confirmation should be sent by fax and post to the County Court of our attendance. A Risk Assessment form should be completed where required.
 - Confirmation letter should be sent to the tenant. This should include the date, time and a request to clear the property and return the keys prior to the eviction date. It should also advise the tenant they can submit an application to suspend the warrant if they are unable to clear the outstanding arrears in full (for grounds 10/11 cases only) should be used for ground 8 cases.

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<ul style="list-style-type: none"> • Confirmation should be sent to the relevant local authority's Housing Needs and Social Services Offices with details of the family composition. • Arrangements should be made for a contractor to attend the eviction to force entry and change locks and to clear the property of any belongings or rubbish. • Storage should be arranged for any possessions that are left in the property. The Managing Officer should attend with a camera, complete an inventory and take photographs of any items removed from the property and/or any damage to the property. • Two Co-op Homes Officers should attend the eviction • Allocations Officer should be notified. • Police attendance should be arranged if necessary 	
<p>5.11.2 If the tenant applies to the County Court to suspend the warrant, an officer should attend the hearing with details relating to the breach of the original order. Co-op Homes can also appeal against any suspension the County Court makes; this is particularly relevant in cases where previous suspensions have been granted by the Court.</p> <p>If the tenant's application is successful, the contractor's appointment to attend the eviction should be cancelled.</p> <p>An outcome of court letter should be sent to the tenant .</p>	Managing Officer
<p>5.11.3 On completion of the eviction if there is a forwarding address for the tenant or any details which may assist in recovering the outstanding debt, the IT system should be updated with the relevant information. The debt will be recovered as a former tenant arrear.</p> <p>The 'Court and Evictions Log' should be also updated in the following: \\Coopws\common\Tenancy Management\Outcome of Court Log</p>	Managing Officer
6. <u>Arrears Action Procedure for Assured Shorthold Tenancies</u>	
6.1 Where possible all arrears should be checked for necessary action at least once every 4 weeks.	Managing Officer
6.2 If the next appropriate action is not to be taken this must be explained in the notes.	Managing Officer
6.3 An account should be checked prior to taking any action.	Managing Officer
6.4 <u>Stage 1</u>	
6.4.1 If this is the first time the tenant has gone into arrears a 1 st stage letter should be sent. The correct 1 st stage letter should be selected according to the tenant's method of payment, ie. No Housing Benefit, partial Housing Benefit or full Housing Benefit.	Managing Officer
6.4.2 Where contact is made with the tenant:	Managing Officer

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- Find out the reasons for non-payment,
- Negotiate a reasonable arrangement for clearing the debt based on the tenant's ability to pay. Emphasise that the tenant must contact us if there is a change in their circumstances,
- Explain to the tenant the consequences of not keeping to the agreement,
- If the tenant clears the arrears or keeps to an agreement no further action is required.

6.4.3 If a tenant makes an agreement, a pre-NOSP agreement letter should be sent which confirms the amount of the agreement, the start date of the agreement and what will happen if the agreement is not maintained. Managing Officer

6.4.4 If an agreement is being maintained the account must be closely monitored. If the agreement is not maintained, a breach of pre-NOSP agreement letter should be sent which specifies the date for the agreement to be brought up to date. The tenant has one opportunity to bring their agreement up to date within seven working days of the date of the letter. Managing Officer

6.5 Stage 2

6.5.1 Where a tenant continues to be in arrears after two weeks, a 2nd stage letter should be sent. The correct 2nd stage letter should be selected according to the tenant's method of payment, ie. No Housing Benefit, partial Housing Benefit or full Housing Benefit. Managing Officer

6.5.2 The purpose of a second stage letter is to: Managing Officer

- Warn that if a satisfactory agreement is not reached to clear the debt that a notice of our intention to seek possession of the property will be served,
- Warn that in the event of legal proceedings court costs would be incurred.

6.5.3 If a tenant makes an agreement, a pre-NOSP agreement letter should be sent which confirms the amount of the agreement, the start date of the agreement and what will happen if the agreement is not maintained. Managing Officer

6.5.4 If an agreement is being maintained the account must be closely monitored. If the agreement is not maintained, a breach of pre-NOSP agreement letter should be sent which specifies the date for the agreement to be brought up to date. The tenant has one opportunity to bring their agreement up to date within seven working days of the date of the letter. Managing Officer

6.6 Stage 3- Notice of Seeking Possession (NOSP) / Notice Requiring Possession (NRP)

6.6.1 If the debt is not cleared in full or an agreement is not made or maintained legal action will be started by serving a Notice of Seeking Managing Officer

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Possession (NOSP) or a Notice Requiring Possession (NRP).	
6.6.2 <ul style="list-style-type: none">• If the main objective is to recover the arrears rather than gain possession of the property, the Notice of Seeking Possession should be served on grounds 10 and 11. Grounds 11 should only be included where the tenant is a persistent debtor.• If the main objective is to regain possession of the property without securing payment of any rent owed, a Notice Requiring Possession should be served. The history of a tenancy must be taken into account if possession is to be sought with a Notice Requiring Possession. A Notice Requiring Possession requires the authorisation of the Operations Manager.• A Notice of Seeking Possession or Notice Requiring Possession should not be served if a tenant has provided the local authority with all the evidence required to process a Housing Benefit claim, there is a reasonable expectation of eligibility for Housing Benefit and the tenant has paid other sums not covered by Housing Benefit.	Managing Officer / Operations Manager
6.6.3 The purpose of a NOSP/NRP accompanying letter is to: <ul style="list-style-type: none">• Make an appointment for the tenant to attend the office to make arrangements to clear the debt,• Let the tenant know that we will refer the matter to Court without further warning if debt not resolved,• Remind them that if they leave the property we will still pursue the debt as a former tenant arrear,• Inform them that court action may affect their ability to obtain credit in the future.	Managing Officer
6.6.4 The NOSP/NRP should be served by first class post or by hand.	Managing Officer
6.6.5 A certificate of service should always be completed. This indicates how the NOSP/NRP was served and is essential evidence in possession proceedings.	Managing Officer
6.6.6 The tenant is given three options at stage 3 to take within: <ul style="list-style-type: none">• 28 days for a NOSP,• 2 calendar months/2 calendar months that coincides with the last day of a period of the tenancy depending if a Section 21(1) or Section 21(4) notice is served. The tenancy agreement should be checked for the applicable notice period, to avoid court action: <ol style="list-style-type: none">1. Pay in full,2. Leave the property by returning the keys,3. Make a realistic agreement to clear the debt in the fastest possible time.	Managing Officer

CO-OP HOMES TENANT ARREARS PROCEDURE

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6.6.7 If the tenant does not attend their NOSP/NRP appointment or make contact, a missed NOSP/NRP appointment letter should be sent out.	Managing Officer
6.6.8 If the tenant contacts and makes an agreement, a NOSP/NRP agreement letter should be sent out which confirms the amount of the agreement, the start date of the agreement and what will happen if the agreement is not maintained.	Managing Officer
6.6.9 If an agreement is being maintained the account must be closely monitored. If the agreement is not maintained, the tenant has one opportunity to bring it up to date within seven working days of the date of the letter. A breach of NOSP/NRP agreement letter should be sent which specifies the date for the agreement to be brought up to date.	Managing Officer
6.6.10 Following the expiry of the notice period, an application for a possession hearing should be made if: <ul style="list-style-type: none">• There is no contact from a customer following attempts to contact by phone, letter and a home visit,• The customer has failed to make and maintain a repayment agreement,• The tenant has not cleared the arrears (if no agreement is in place).	Managing Officer
6.7 <u>Stage 4- Court Referral</u>	
6.7.1 Stamp duty should be applied for where necessary.	Managing Officer
6.7.2 The Managing Officer should check the history before referring the case to court for details of the tenant's circumstances. Any court action should also take into account the requirements of the pre-action protocol for possession claims based on rent arrears which states that possession proceedings should not be started if the tenant has: <ul style="list-style-type: none">• Provided the local authority with all the evidence required to process a Housing Benefit claim, there is a reasonable expectation of eligibility for Housing Benefit and the tenant has paid other sums not covered by Housing Benefit.	Managing Officer
It is also important to note that if we commence possession proceedings after serving a Notice Requiring Possession, an order for possession of an Assured Shorthold Tenancy cannot take effect earlier than six months from the date the tenancy commenced.	

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6.7.3 Legal advise will be sort where necessary	Managing Officer
6.7.4 In all Possession Proceedings the following documentation must be sent to the Court: <ul style="list-style-type: none"> • Covering Letter • Cheque for appropriate court fee 	Managing Officer
6.7.5 The following items should be sent in triplicate for proceedings with a Notice of Seeking Possession: <ul style="list-style-type: none"> • N5 (Signed by a Manager) • Form N119 (Signed by a Manager) • Certificate of service of NOSP • Copy of the NOSP • Copy of the front page of the tenancy agreement • Most recent statement of the rent account covering at least the past 6 months from when it was last in credit or at a nil balance. 	Managing Officer
6.7.6 The following items should be sent in triplicate for proceedings with a Notice Requiring Possession: <ul style="list-style-type: none"> • N5B (Signed by a Manager) • Certificate of service of NRP • Copy of the NRP • Witness Statement Cover Sheets x 3 • Full copy of the tenancy agreement 	Managing Officer
6.7.7 Notify the tenant of the referral in writing and make an appointment to see them to discuss the proceedings. If the appointment is not kept every effort is to be made to contact the tenant. This includes a home visit out of hours if necessary.	Managing Officer
6.7.8 If there is no response to the court referral letter, a missed court referral appointment letter should be sent.	Managing Officer
6.7.9 Following a court referral if an agreement is reached, it must be made clear to the tenant that Co-op Homes still intends to pursue Court action.	Managing Officer
6.7.10 If pursuing legal action following the service of a Notice of Seeking Possession, please follow steps 5.7.9 to 5.11.3 for Assured Periodic Tenancies.	Managing Officer
6.7.11 If pursuing legal action following the service of a Notice Requiring Possession, please follow the 6.8.1 to 6.11.2 for Assured Shorthold Tenancies.	Managing Officer

6.8 Stage 5 – Application for a Possession Order

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| 6.8.1 | Following written confirmation from the County Court that a claim has been issued, the expiry date for the tenant to file their defence should be entered in the Outlook calendar. | Managing Officer |
| 6.8.2 | Following the expiry date, confirmation should be obtained from the County Court if the tenant has filed a defence. | Managing Officer |

If no defence has been filed and the tenant is still occupying the property, form N206A (Notice of Issue) should be completed and returned by fax and post to the relevant County Court. A confirmation letter should also be sent to the tenant.

If a defence has been filed, the following items should be taken to the Court hearing:

- Most recent statement of the rent account from when it was last in credit or a nil balance,
- A record of agreements made,
- Details of any social, welfare or other issues regarding the tenancy,
- The original tenancy agreement and NOSP or copies accompanied by a witness statement,
- If necessary arrange for an Officer from the local authority's Revenues and Benefits Team to attend.

The outcome of the hearing should be confirmed in writing to the tenant. There no appendix attached as the outcome of the hearing varies. The claim could be dismissed, the date for possession could be extended, the tenant's defence may be dismissed or both parties could reach an agreement to postpone possession.

- If the claim is dismissed, arrears action should recommence from stage 1 for Assured Shorthold Tenancies.
- If the tenant's defence is dismissed and/or the date for possession is extended, arrears action continues from 6.9,
- If both parties reach an agreement to postpone possession, the account should be monitored to ensure the agreement is maintained. Any breach of the agreement should result in the case being referred back to court for a possession order.

6.9 Stage 6 – Possession Awarded

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| 6.9.1 | Following confirmation from the County Court a possession order has been awarded, a confirmation letter should be sent to the tenant. | Managing Officer |
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The date for possession should be diarised in the Outlook calendar and the 'Court and Evictions Log' should be updated in the following:
\\Coopws\common\Tenancy Management\Outcome of Court Log

6.10. Stage 7 – Eviction Application

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6.10.1 Following the expiry of the date for possession, an application for an eviction warrant should be made if the tenant has not provided Co-op Homes with vacant possession of the property: <ul style="list-style-type: none">• Application for Warrant (N325) to be signed by the Operations Manager and sent to the County Court with the relevant fee and covering letter.• Notification letter sent to tenant.• Notification should be sent to the relevant local authority's Housing Needs and Social Services Offices with details of the family composition.	Managing Officer/Operations Manager
6.11 <u>Stage 8 – Eviction</u>	
6.11.1 When notification of the eviction date is received: <ul style="list-style-type: none">• Confirmation should be sent by fax and post to the County Court of our attendance. A Risk Assessment form should be completed where required.• Confirmation letter should be sent to the tenant.• Confirmation should be sent to the relevant local authority's Housing Needs and Social Services Offices with details of the family composition.• Arrangements should be made for a contractor to attend the eviction to force entry and change locks and to clear the property of any belongings or rubbish.• Storage should be arranged for any possessions that are left in the property. The Managing Officer should attend with a camera, complete an inventory and take photographs of any items removed from the property and/or any damage to the property.• Two Co-op Homes Officers should attend the eviction• Allocations Officer should be notified.• Police attendance should be arranged if necessary	Managing Officer
6.11.2 On completion of the eviction if there is a forwarding address for the tenant or any details which may assist in recovering the outstanding debt, the IT system should be updated with the relevant information. The debt will be recovered as a former tenant arrear. The 'Court and Evictions Log' should also be updated in the following: \\Coopws\common\Tenancy Management\Outcome of Court Log	Managing Officer

7. <u>Court Costs</u>	
7.1.1 Any court costs awarded should be recorded on the housing management system and recorded in the following: \\Coopws\common\Tenancy Management\Outcome of Court Log	Managing Officer
7.1.2 Court costs should be debited to the rent account: <ul style="list-style-type: none">• Once an account reaches a zero balance or credit balance for an	Managing Officer/Finance Team

CO-OP HOMES TENANT ARREARS PROCEDURE

Procedure

Responsibility

- active tenancy where court costs have been awarded,
- Once an account reaches a credit balance to include the value of the courts costs where the debt has been paid in full to avoid eviction. Any tenant clearing their debt to avoid eviction is liable for all of the court costs awarded in relation to that claim, including the Bailiff warrant fee.
 - Following the completion of an eviction and prior to the termination of a tenancy where court costs have been awarded and the Bailiff warrant fee should be applied.

The date of any costs debited to the rent account should be recorded in the following "Outcome of Court Log".