

**ARREARS AND EVICTION POLICY FOR RENTED ACCOMMODATION**

It is the policy of Alderney Housing Association (AHA) to contain rent arrears at a low level in order to:

- Maximise our rental income so that our financial obligations can be met.
- Achieve this by ensuring that tenants are aware of their obligation to pay rent.
- Provide tenants with appropriate advice and assistance.
- Using eviction as a last resort.

**1. Financial Difficulty**

AHA want to keep tenants in their homes and assist them where possible if they suffer financial hardship. AHA will initially advise the occupier to speak with:

- Income Support at Employment and Social Security to see if the tenant qualifies for any assistance.
- Citizens Advice Bureau to see if they can help with any financial planning.

**2. Rent**

- a) The terms of the Tenancy Agreement are that the weekly rent is payable in advance of each week which commences at noon on a Saturday (the "due date"), so must reach AHA by the Friday before the due date.
- b) Tenant records are updated daily and show current rent balances.
- c) The Arrears report is run weekly on a Monday after ensuring all monies received up to and including the previous Saturday's receipts have been entered on the tenant rent accounts. The majority of arrears actions to be dealt with weekly by Wednesday each week.
- d) Arrears are reported to the Board quarterly.
- e) Quarterly Arrears Key Performance Indicators are prepared and included with explanatory graphs in the Quarterly AHA management accounts.

**3. Procedure if tenant falls into arrears**

Stage 1 (a) - **Where rent arrears arise at the level of one week** or less without prior agreement, the tenant is contacted and advised to clear the arrears. If the tenant is unable to clear the arrears in one payment an arrangement can be made for the arrears to be paid back over an agreed period at a recommended minimum of £25.00 per week (£108.00 per month).

(b) – In exceptional circumstances where rent arrears arise due to a tenant working towards paying one week in advance £5.00 per week can be agreed.

Stage 2 - **Where arrears reach the level of two weeks**, the tenant is contacted by letter and phone/email to discuss the arrears and advised that no payment is received, AHA may refer to Petty Debts. The arrears are to be paid in full. If the tenant is unable to pay the arrears in full, the tenant will be need to pay a minimum of £25 per week and provide three months of recent bank statements within two weeks. On receipt of the bank statements the AHA Manager will confirm an arrangement for the arrears to be re-paid. Only the AHA Manager can consider a repayment less than £25.00 per week with receipt of bank statements. Confirmation of the agreement will be confirmed in writing and signed by the tenant.

Stage 3 - **Where arrears reach the level of three weeks**, the tenant is advised AHA will refer to Petty Debts and a warning letter issued advising of breach of tenancy and that their tenancy is at risk. If the agreement is broken the case will be referred to Petty Debts. It is recommended that they contact Citizens Advice for financial advice. If the tenant is claiming Income Support they will be advised in writing that if arrears increase further the payment will be claimed direct through Social Security.

Stage 4 - **Where arrears reach the level of four weeks**, the tenant is referred to Petty Debts and a further warning is issued (**in red**). The tenant will be asked to attend a meeting at AHA to discuss the breach of the tenancy agreement and advise there are now grounds to evict. The tenant will be asked to sign disclosures to any relevant organisation that may be able to assist in sustaining their tenancy such as Employment & Social Security, Doctors, Health Visitors, Social Workers or Voluntary organisations. If Income Support is claimed AHA will claim the payment direct from Social Security and advise the tenant in writing of this.

Stage 5 - **Where arrears reach the level of five weeks**, an Intent Notice to Quit is sent to the tenant. Any relevant organisations are informed to enable them work with the tenant to try and sustain their tenancy. A timeline is completed for the tenant. Towards the end of that week the AHA's Board is contacted for permission to commence proceedings if the rent arrears increase to six weeks. They decide on each case individually.

Stage 6 - **Where arrears reach the level of six weeks**, a Notice to Quit is issued by The Greffier in the Alderney Court Office, giving one months' notice for the tenant to vacate the property. The tenant will be advised in writing that the case has been referred to our Advocates.

#### **4. Procedure if a tenant continues to fall into arrears**

- a) If a tenant falls into arrears of more than five weeks more than three times in two years then the tenant will be referred to the Board for eviction.

Date Approved:	June 2020	Date for Review:	June 2022
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