

Money Matters

Advice on Welfare Benefits and Paying Rent



Problems paying your rent?

A roof over your head is one of the most important things in your life - DON'T LOSE IT!!

People can fall into arrears with their rent or service charges and it is usually through changes in their circumstances rather than a deliberate decision to withhold payment. We understand this and want to help you when you have problems making ends meet.

We are also aware that arrears can happen because tenants may have low incomes and other debts to meet. We can help you to get advice on managing your finances, assist you in making benefit claims and make arrangements for you to reduce any arrears in manageable instalments. Whilst Tarka Housing has a duty to all of its tenants to ensure that rent is collected, we prefer to offer help and support to enable you to remain in your home rather than using threats and taking legal action.





What happens if I can't make a payment?

You should contact us immediately if you are unable to pay any monies due. We do check rent accounts every week and if you have missed a payment we will initially try to telephone you.

Once contact is made, we will either make an appointment to discuss any problems you have or make an arrangement with you to catch up on your rent. We will normally confirm this by letter. Our preference is for face-to-face contact or telephone, but if we cannot reach you within a few days we will write.

What if I miss more payments?

Again, we will try to contact you to arrange a personal appointment to discuss your difficulties and offer debt advice or arrange for you to get advice from somewhere else. We will confirm in writing any agreement we reach with you and will support you in whatever way we can.

What if I make an arrangement and can't keep to it?

The first thing you should do is contact us to discuss things. We are always willing to renegotiate or provide further advice. If you don't contact us, we will try to visit you or telephone to find out what has happened. If we cannot make contact, we will write to you and, depending on the amount owed, may have to serve you with a Notice of Seeking Possession (*a NOSP*).

What is a Notice of Seeking Possession?

A Notice of Seeking Possession is the first formal stage of action to recover possession of your home. The law requires Tarka to give Notice to its tenants of any legal action it may have to take to end a tenancy (*a Notice of Seeking Possession may be served for reasons other than rent arrears*). Once served, a Notice of Seeking Possession is valid for twelve months so that court proceedings can be begun without delay if the problem is not resolved.

Will I have to go to Court?

If you contact us regularly when you have problems and keep to any arrangements we make with you we will not need to take your case to court. If Tarka does have to take such action, you will have to pay the costs for this. Any court order made against you will be valid until the arrears are cleared and the costs paid.

If it is necessary to take further action, we will notify you by letter and will also try contact you to discuss the matter with you and make an arrangement to repay your debts. We will always try to go to the court hearing with a clear commitment for repayment from you and will ask the court to postpone possession action subject to your maintaining the arrangements we have made.

If you do not respond to our efforts to help you and do not turn up to the hearing to explain why you have not paid your rent or are unable to pay, the court may make an order for immediate possession of your home. In such circumstances, Tarka Housing is unlikely to withdraw from taking possession unless all arrears and costs are repaid in full.

What happens if I miss payments after the court has made an order?

Tarka can re-apply to the court and ask for a Warrant of Possession. If this is granted, the court will write to you advising you of the time and date of the eviction. The bailiff will usually also visit you before the eviction. The eviction will only be called off if the arrears and court costs are paid in full in cash, or by bankers draft, before the date and time of the eviction.

Tenants who are evicted may apply to the Local Authority (*or their agent*) under homelessness legislation. However, if the eviction was due to non-payment of rent they may be found to be 'intentionally' homeless and not eligible for re-housing.

Welfare Benefits Advice

Here is a brief overview of some of the main benefits:

Housing Benefit

This is designed to help those on low incomes, to pay their rent. You may be entitled to part, or full, Housing Benefit. Benefit can be paid either to you or direct to your landlord.

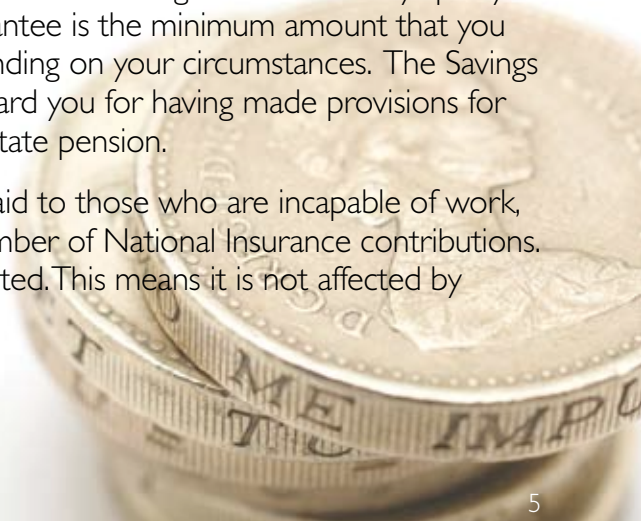
Council Tax Benefit

This is designed to help those on low incomes to pay their Council Tax bill.

Income Support/Job Seekers Allowance - This benefit is intended to ensure that no-one's income drops below a certain amount, depending on their individual circumstances. Some of the people who may be entitled to this include: those who are incapable of work, those who are "signing on" as available for work, single parents, and carers. The amount of income, or savings you have, can affect the amount of Income Support you are entitled to.

Pension Credit - This can be claimed by older people. It is divided into the Pension Guarantee, and the Savings Credit. You may qualify for either or both. The guarantee is the minimum amount that you should have to live on, depending on your circumstances. The Savings Credit, is paid to you, to reward you for having made provisions for retirement, above the basic state pension.

Incapacity Benefit - This is paid to those who are incapable of work, and have made a certain number of National Insurance contributions. This benefit is not means-tested. This means it is not affected by income or savings.





Tax Credits - There are two types of Tax Credits. These are: Working Tax Credit, and Child Tax Credit. These are paid by the Inland Revenue. Working Tax Credit can be claimed by those in full-time work, whose earnings are below certain levels. Extra amounts can be paid to those who have to pay child-care costs while they are working. Child Tax Credit can be claimed by those with children, whose income is below certain levels.

Disability Living Allowance - This is a benefit which can be claimed by those who are sick or disabled. It will be paid to those who either have mobility problems, or need help with things like getting out of bed/dressing/bathing/preparing main meals. People with either poor physical, or poor mental health, may be entitled to this benefit. It can also be claimed for sick or disabled children. This benefit is not means-tested.

Attendance Allowance - This is a benefit which can be claimed by people aged over 65 years, who because of an illness or a disability, have difficulty with a list of daily activities. These include getting out of bed, dressing, bathing, managing stairs, managing medication, and others. This benefit is not means-tested.

Industrial Injuries Benefit - This is a benefit which can be claimed by those who have an illness or disability resulting from an industrial accident. Benefit will only be paid to those who are medically assessed as 14% disabled or more.

Bereavement Benefits - These include: the Bereavement Payment, Widowed Parent's Allowance, and Bereavement Allowance. The rules for these benefits are complex.

The Discretionary Social Fund - This Government fund makes payments to certain people in need. It provides Budgeting loans, Crisis Loans, and Community Care Grants. Budgeting loans are repayable, and can only be claimed by those who have been claiming Income Support for six months or more. Crisis Loans can be claimed by anyone, who has suffered a crisis and does not have enough resources to meet their short-term needs. Community Care Grants can be claimed by those who are entitled to Income Support. These grants do not need to be repaid. They can only be claimed by people in certain circumstances. These include families under exceptional pressure, those who are settling back into the community, and others.

The Regulated Social Fund - This fund includes Funeral Expenses payments, Sure Start maternity payments, Cold Weather payments, and Winter Fuel payments. Funeral Expenses payments are paid to certain groups of people who claim certain benefits, have suffered a bereavement, and are responsible for funeral costs. Sure Start Maternity grants are worth £500. They can be claimed by those who are claiming certain qualifying benefits, and are pregnant, or have recently given birth. Cold Weather payments will be paid to those who claim certain benefits, and live in an area where a period of very cold weather (*below 0 degrees celsius*), has been forecast or recorded. Winter Fuel Payments are paid to certain people aged over 60 years, to assist with heating costs in the cold weather. This is only a short summary of some of the welfare benefits and Tax Credits which you may be able to claim. The regulations covering most of these benefits are very complex.

Remember you need not be alone with any money problems:

You can get free independent help and advice from your nearest Citizens' Advice Bureau:

Bideford CAB (01237) 473161
Torrington CAB (01805) 626126
Holsworthy CAB (01409) 253372

or the **National Debt Line** on **Freephone 0800 086 0690**.

If you or someone you know would like the Money Matters leaflet on audio tape, in large print, in Braille or translated into another language, please contact our Communications Manager on **01237 428080** or email **info@tarkahousing.org.uk**

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