

Bristol City Council Homelessness Prevention Service

Self-help pack for private tenants issued with a section 21 notice

You are reading this help pack because your landlord has issued you with a Section 21 notice to end your tenancy.

You should start to take action to try and solve the problem. We ask everyone to try and solve things with their landlord unless there has been harassment or threats of violence from them, or unless we think you are vulnerable in some way.

You should take the actions below and record what you have done.



Action 1: Make contact with the landlord or agent

1. Try to speak to your landlord or agent within 24 hours to work out your chances of resolving the problem.
2. Whether or not you have been able to contact them, you should write to them / email them to tell them that you want to resolve things.
3. There is a letter in this pack for the following problems:
 - a) The landlord has or wants to increase the rent
 - b) The landlord is concerned because there is a shortfall in your rent
 - c) There are rent arrears
 - d) The landlord is unhappy because of your behaviour
4. Follow up the letter or email with a phone call within one week to ask for a response if you haven't received one.

Action 2: Record the response from the landlord or agent

If the landlord or agent has responded, keep a copy of the response. Also keep copies of any emails or letters they have sent you.

Action 3: Get together all the paperwork you have been given about the tenancy.

If you come to see us, we will want to see the following documents:

1. The Tenancy Agreement
2. Anything else you were given when you signed the tenancy, such as the Energy Performance Certificate and the Gas Safe Certificate.
3. The Section 21 notice.

4. If you paid a deposit, we will want to see the paperwork that the landlord should have given you about where they have protected the deposit.
5. We will want to see any emails or letters you have received from the landlord or agent and any copies of any you have sent.

Action 4: Start to look at where else you can afford to rent

Given the very small amount of social housing available, you will almost certainly have to consider renting from a landlord in the private rented sector

- Complete the form, **How Much Rent Can I Afford** (below) so you know exactly where you can afford to look for accommodation
- If you have relatives or close friends in any other towns or areas, look at these areas too if that is an option for you.

Go to the Where Can I Afford to Live page on the BBC website:

<http://www.bbc.co.uk/news/business-23234033>

1. Select the **Rent** icon
2. Select the number of bedrooms you need and then look at the map. It will tell you where in the country might be affordable for you
3. If you will be relying on Housing Benefit to pay rent, you will need to get the 'local housing allowance' (LHA) benefit rent figure for the area you might want to live in. To do this, **open a new window** in your browser and go to the Valuation Office Agency website. **Don't close down the BBC website page as you will need to return to this a bit later**

<https://lha-direct.voa.gov.uk/search.aspx>.

4. This website will tell you the likely **weekly** amount of benefit you might be able to get for the size of the property you want to rent.
5. Take this weekly amount and multiply it by 52, then divide by 12 to give you a monthly benefit rent figure.
6. Go back to the BBC website. Put the monthly figure you have been given into the box on the BBC website where it asks you how much you can pay monthly.
7. You will be shown on the map the areas that might be affordable for you if you

are relying on benefit to pay your rent. When you click on areas that might be affordable for you, it will give you more information.

How much Rent Can I Afford

<p>My current weekly income (from benefits / employment / other). List all income streams below:</p>	<p>£</p>	
<p>TOTAL WEEKLY INCOME:</p>	<p>£</p>	
<p>The item I spend money on</p>	<p>What you spend on this item at the moment:</p> <p>weekly amount</p> <p>£</p>	<p>What you think you could reduce this figure to</p> <p>weekly amount</p> <p>£</p>
<p>Gas and electric</p>		
<p>Food bill</p>		
<p>Clothes and shoes</p> <p><i>(you might only buy clothes every month. If so, work out how much you spent on clothes and shoes the last month you bought some. Multiply this figure by 12 and then divide it by 52. This will give you the weekly amount)</i></p>		
<p>Water rate</p>		
<p>Council Tax</p>		

Or, if you are on benefits, the weekly contribution you have to pay towards the Council Tax (if any).		
Public transport costs		
OTHER WEEKLY COSTS	£	£
<ol style="list-style-type: none"> 1. TV cable / Sky costs 2. TV Licence 3. Maintenance payments / CSA 4. Travelling expenses for leisure 5. Travelling and meal costs if working 6. Child care costs 7. School meal costs 8. Car costs: insurance, road tax, petrol and annual general maintenance <i>(break down into a weekly estimated cost)</i> 9. Credit cards / catalogue / store card 10. Toiletries 11. Meals out 12. Laundrette 13. Mobile phone 14. Mobile phone insurance 15. Life insurance / private pension / endowment policy / health insurance 16. Repayments on any finance or loans (money lenders or family or friends) 17. Prescriptions, dentist and glasses costs 18. Pension payments 19. Pet costs 20. Leisure expenditure (such as the cost of trips to the cinema) 		

21. Alcohol 22. Cigarettes 23. Court fines 24. Other (<i>please state</i>)		
Final assessment	What I currently spend on everything above	What I could reduce this figure to
Totals and calculation of affordability (record this as a weekly amount)	£	£

Resources to try and sort out the problem with your landlord or their managing agent

My letters

There is a letter for each of the common reasons why a landlord normally issues a notice to end a tenancy. You have a better chance resolving the problem if your landlord is convinced that you are committed to finding a resolution. Sending or emailing a letter showing them your commitment is a good start to resolving the problem.

There is a letter in this pack for the following common problems:

1. The landlord has or wants to increase the rent
2. The landlord is concerned about a rent shortfall because you are getting less benefit to help with your rent.
3. There are rent arrears
4. The landlord is unhappy because of your behaviour
5. The landlord is selling the property

[A letter about increased for the property]

Dear [*Mr / Ms X*]

I am writing to you because I have received a section 21 notice to end my tenancy. I think the reason you have issued the notice is because you have increased or want to increase the rent and you feel that I will not be able to afford it.

I am looking at ways I can afford to pay all or the majority of the extra rent.

Before you decide to carry on with possession action, I would be grateful if you would consider the following:

1. I might be able to claim a Discretionary Housing Payment to cover all or some of the additional rent for a period of time. I can make a claim for this benefit.
2. I might also be able to afford to pay some more rent from my current income. I have worked out what I might be able to afford and would like to talk to you about this.
3. I will be contacting / have contacted the Council's Homelessness Prevention Service and I think they would be willing to speak to you.

I would be extremely grateful if you could contact me as soon as possible to discuss this letter. We can then work out exactly what I can do to pay towards the extra rent. This would also mean you wouldn't have to go to incur the extra costs of having to end the tenancy and find another tenant.

I would like to resolve this as soon as possible and would really appreciate your early response.

My phone number is _____

My email address is _____

Yours sincerely
[**Your Name**]

[A letter about a shortfall in rent]

Dear **[Mr / Ms]**

I am writing to you because I have received a section 21 notice to end my tenancy. I think the reason you have issued the notice is because there is a shortfall in the rent and you don't think I will be able to afford to continue to pay.

I am looking at ways I can afford to pay the extra rent you would like. Before you decide to carry on with possession action, I would be grateful if you could consider the following:

1. I might be able to claim a Discretionary Housing Payment to cover all or some of the additional rent for a period of time. I can make a claim for this benefit.
2. I might also be able to afford to pay some more rent from my current income. I have worked out what I might be able to afford and would like to talk to you about this.
3. I have contacted / will be contacting the Council's Homelessness Prevention Service and I think they would be willing to speak to you.

I would be extremely grateful if you could contact me as soon as possible to discuss this letter. We can then work out exactly what I can do to pay towards the extra rent. This would also mean you wouldn't have to go incur the extra costs of having to end the tenancy and find another tenant.

I would like to resolve this as soon as possible and would really appreciate your early response.

My phone number is _____

My email address is _____

Yours sincerely
[Your Name]

[A letter about rent arrears]

Dear **[Mr / Ms]**

I am writing to you because I have received a section 21 notice to end my tenancy because I have rent arrears. I want to apologise to you and let you know that I want to do everything I can to resolve this before you take any further possession action.

I would be very grateful if you could consider the following:

1. I might be able to claim a Discretionary Housing Payment. This payment will not be able to help me pay off the arrears but it can be used to help me pay the rent in the future. I will be making a claim for this.
2. I have looked at what I am spending my money on and where I can make savings. I have worked out what I can now afford and I would like to talk to you about this.
3. I am talking to my relatives and friends to see if they can help me.
4. I would like to talk to you about agreeing a repayment plan to pay off the arrears as quickly as possible.
5. I am determined not to get into arrears again and have an appointment with a money and debt advice service to help me.
6. I have contacted / will be contacting the Council's Homelessness Prevention Service and I think they would be willing to speak to you.

I hope you can see that I am trying to find a solution to the rent arrears. I would be extremely grateful if you could contact me as soon as possible to discuss this letter. I am aware that a landlord has six months from the date of the section 21 notice to take possession action. If you were still unhappy after giving me a chance to resolve things, you wouldn't have to issue a notice all over again.

I really want to resolve this as quickly as possible.

My phone number is _____
My email address is _____

Yours sincerely
[Your Name]

[A letter about antisocial behaviour]

Dear **[Mr / Ms]**

I am writing to you because I have received a section 21 notice to end my tenancy. I think the reason you want to end it is because you haven't been happy with me as a tenant. I want to apologise to you and let you know that I want to do everything I can to resolve the things you are unhappy about.

I am very sorry that you have been unhappy with me as a tenant. I would like to resolve things and convince you that these things won't happen again.

This is what I plan to do to make sure that there are no more problems.

1. I am committed to changing my behaviour immediately.
2. I am willing to sign a behaviour agreement so that I am clear about how I need to conduct myself in your property.
3. If the Council offers any extra support to me I will cooperate with that support.
4. The Council could set up a meeting between us to discuss what solutions you want. I will fully cooperate with that meeting if it goes ahead.
5. I would like to ask if you would be prepared to stop or delay any further possession action until the above actions have had time to take effect.

I would be very grateful if we could talk on the phone or set up a meeting to discuss everything so I can convince you of my commitment to change.

I have contacted / will be contacting the Council's Homelessness Prevention Service and I think they would be willing to speak to you. I am aware that a landlord has six months from the date of the section 21 notice to take possession action. If you are still unhappy after giving me a chance to resolve things, you wouldn't have to issue a notice all over again.

I hope you can see that I am committed to resolving things and I would be extremely grateful if you could contact me as soon as possible to discuss this letter.

My phone number is _____

My email address is _____

Yours sincerely
[Your Name]

[A letter about the landlord potentially selling the property]

Dear **[Mr / Ms]**

I am writing to you because I have received a section 21 notice to end my tenancy. I think the reason you have issued the notice is because you want to sell your property.

I am aware that you wouldn't need to end my tenancy if you have sold or are planning to sell your property to a new landlord.

1. If you are selling or have sold the property to a buy-to-let landlord, you would not need to evict me. Many landlords are unaware that they do not necessarily need to sell with vacant possession, as the tenancy will continue with the new owner.
2. A new buy-to-let owner will have the advantage of having the property let from the day they buy it. They can offer the tenant the opportunity to sign a new tenancy agreement but there is no obligation to do so as the new landlord and the tenant will be bound by the existing tenancy terms and conditions.
3. There is nothing to prevent a landlord proceeding with a sale and taking action to recover possession through due process once a sale has been agreed.

If the reason you want to end the tenancy is that you want a higher rent or, if you can be persuaded not to sell if there was the prospect of a higher rent, I might be able to pay a higher rent.

I would be grateful if you could consider the following:

1. I might be able to claim a Discretionary Housing Payment to cover all or some of the additional rent for a period of time.
2. I might also be able to afford to pay some more rent from my current income.
3. I have contacted / will be contacting the Council's Homelessness Prevention Service and I have been told they are willing to speak to you.

I would be extremely grateful if you could contact me so we can discuss all of this.

My phone number is _____

My email address is _____

Yours sincerely

[Your Name]