

Your responsibility to pay your rent

When you signed your tenancy agreement or contract with Cairn HA, you entered a legal agreement. This means you have various rights and responsibilities. One of these responsibilities is to pay your rent and any additional service charges.

If you do not pay your rent, your rent account goes into arrears and you have broken an important part of your tenancy agreement. As a last resort Cairn HA can take action to end your tenancy.

This leaflet sets out the various stages we will go through to collect rent that is not paid on time. For information on paying your rent, please ask your Housing Officer for a copy of our leaflet called **Understanding Your Rent**.



Further advice

If you find yourself in financial difficulty or threatened with eviction, it is very important to get advice as quickly as possible. Contact your Housing Officer about your arrears or the Citizens Advice Bureau may also be able to help with your debt problems. Your local office can be found at www.cas.org.uk

Understanding Arrears

what happens if you fall behind with your rent?

www.cairnha.com

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HAPPY TO TRANSLATE



The information contained in this leaflet can also be made available, on request, in other languages or formats such as Braille or large print.

Cairn HA is a registered Scottish Charity Number SC016647
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What happens if you fall behind with your rent?



STAGE 1: Initial contact

We keep electronic records on our computer systems of all your payments to us. If you don't pay your rent we will send you a letter reminding you of the debt, requesting that you make a payment or contact us to discuss the arrears.

We do this because we want to help you if you are having difficulties. It is far easier to sort out any problems if the amount involved is a small one. If the arrears are paid or you make an arrangement with us to pay in instalments, we will take no further action.

If you are having difficulty paying your rent, you should contact your Housing Officer as soon as possible.

STAGE 2: Second contact

If we don't hear from you one week after sending the initial letter, or you fail to keep to the repayment plan, we will send a second letter stating that we may consider starting a legal process if we don't hear from you. The second letter will include forms authorising your local authority to pay your Housing Benefit entitlement directly to us to save time.

If you contact us and bring your payments up to date, or arrange a payment plan the arrears recovery procedures will stop.

STAGE 3: Home visit

If there is still a problem after our second contact, we'll send you a letter advising that we're going to come to visit you to discuss your arrears. We want to give you every chance to contact us or to pay off your arrears.

At this visit, we will discuss your arrears and financial circumstances. You will be able to let us know if you're having difficulty paying your rent and if this is what has led to your account going into arrears. We will try to give you practical advice and help to put you in contact with debt management agencies.

At this point you can still stop the arrears recovery procedures by either bringing your account up to date or arranging an instalment plan with us.

If we don't manage to speak with you and we don't hear from you within seven days of the appointment time our next stage is to start legal proceedings.

STAGE 4: Legal action

If you weren't at home when we visited or you haven't contacted us, we will have no choice but to issue a **Notice of Proceedings for Recovery of Possession (NSP)**. This is a formal document stating that legal proceedings have started to recover the debt.

Remember: It's your responsibility to make sure that your rent is paid on time. If you don't pay on time, your account may go into arrears.

If you receive an NSP from us you have 28 days to contact us to make full payment or come to an agreement to stop the proceedings. We will try twice more to contact you, but if we don't hear from you in that time we will send instructions to our solicitor to start court action to recover the debt.

We must advise you that this court action could result in you being evicted from your home.

STAGE 5: Eviction

If you are evicted from your home due to not paying your rent and building up arrears, this will have serious implications for any housing applications you subsequently make.

Depending on circumstances, local authorities and other housing providers - such as Registered Social Landlords - may not have any legal obligation to find you permanent accommodation.