

How to avoid court action



What to do if you have received a notice seeking possession of your home

I've received a notice seeking possession – what does this mean?

We have given you a notice seeking possession of your home (NOSP) because you owe us rent (this money is called rent arrears), and so far you haven't made an agreement with us to sort this problem out. We send you a NOSP as the first step towards taking court action against you.

We don't want to take you to court, so please contact us for advice straight away. We can help you make a repayment plan to pay off your arrears. As long as you make this plan and stick to it, we will not take court action against you.

We will always write to you to let you know if we are going to take you to court.

What should I do?

There are several things you can do to sort this out.

- Contact us straight away for help and advice.
- Work with us to agree a repayment plan, which means paying your normal rent plus an extra amount to pay off your rent arrears.
- Make sure you claim Housing Benefit and Council Tax Benefit from your local council if you are entitled to it.
- Check if you can claim any other benefits

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or tax credits.

- Keep us up to date about your situation and any progress on your benefit claims.
- Contact your local citizens advice bureau for help.

How can you help?

We don't want to take court action, and will try to avoid it by:

- giving you advice about claiming benefits or tax credits;
- helping you fill in Housing Benefit claim forms;
- helping you sort out any problems you have with claiming Housing Benefit;
- offering you extra support if you need it;
- giving you money and debt advice if you have other debts; and
- referring you to other support agencies for help.

What will happen if you take me to court?

If we go to court, we will ask the district judge for one or more of the following orders.

- **An adjournment** – this gives you extra time to sort out any issues raised during court proceedings before the judge makes a decision.
- **An adjournment based on payment terms** – the judge will ask you to make ➤

payments to us. As long as you make them, nothing else will happen.

- **A suspended or postponed possession order** – this means that we can repossess your home in the future, but only if you do not make the payments to us that the judge asks you to.
- **A money judgment** – this is an official record that the county court keeps about your debt. It is also known as a county court judgment (CCJ) and will make it hard for you to get credit (loans and mortgages) in the future.

If you have been in arrears several times, have broken other parts of your tenancy agreement, or moved out without telling us, we may ask for a **final order for possession**. This means the district judge will tell you to leave your home by a set date.

Who pays the court costs?

We will ask the court to charge you for any court costs. It will cost you at least £150, on top of the money you owe us.

Will I lose my home?

We don't want you to, and we will only evict you as a last resort if we have tried every other solution.

Please talk to us now to sort this problem out.

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How do I make a complaint or comment?

If you feel that we have treated you unfairly or dealt with your case badly, please contact the person that you were dealing with, or our customer service team. We will try to sort it out for you as quickly as possible. If we cannot do this, you can make a formal complaint.

To do this, please contact:

Customer services team
Westlea Housing Association
Methuen Park
Chippenham
Wiltshire
SN14 0GU.
Phone: 01249 465465
E-mail: enquiries@westlea.co.uk

However, it is always nice to know when you are happy with our service. If you think we have done something well, please tell the member of staff involved or the customer services team.

Who should I contact to talk about this?

Our team want to help you. please contact the customer accounts team as soon as possible:

Phone: 01249 466120
E-mail: customer.accounts@westlea.co.uk ►

The name of the officer who looks after your account is shown on all letters we send you.

Money advice

For money advice and help, please contact your local citizens advice bureau.

North Wiltshire citizens advice bureau:

0845 1203707 or 01249 443054 (minicom)

We have set up a scheme with North Wiltshire citizens advice bureau, so that you will be treated as a priority when you ask them for help. The project worker based there, will help you claim all benefits available to you and help you manage your debt problems.

To contact the project worker, please phone 01249 445115 (extension 4) or e-mail

westlea@northwiltscab.org.uk

West Wiltshire citizens advice bureau:

0845 1203737

Swindon citizens advice bureau:

0845 0505155.



If you would like to have any part of this document explained or translated, or in a different format such as in larger print or on audio tape, please contact Westlea on 01249 465465 to discuss your needs.



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