



YOUR TOP TEN QUESTIONS ANSWERED

This download contains answers to the following questions -

1. How do I find my own place
2. Can I claim Housing Benefit?
3. I'm being evicted – what should I do?
4. Am I entitled for housing from the Housing Executive?
5. How do I get out of my tenancy?
6. I've got rent arrears. What do I do?
7. Is my landlord responsible for all repairs?
8. My landlord is hassling me. What do I do?
9. My landlord has kept my deposit
10. What can I do about the flatmate from hell?



1. How do I find my own place?

The kind of place that's right for you will depend on what you can afford and whether you are ready for total independence or not.

Many young people move into privately rented places - often a shared flat or bedsit. Finding a place is fairly easy.

Check local papers, shop windows, websites and letting agencies to see what's available - but don't pay any letting agency fees until you've agreed to move in.

The downside is, you'll need to come up with a deposit and rent in advance, and it can be hard to find landlords who'll accept housing benefit .

However, if you want your own space but still need a bit of support from time to time, a local foyer might be a good first step.

You can probably also apply for Housing Executive or housing association accommodation .

This is usually cheaper than renting privately. But bear in mind that you may have to wait a long time for an offer, if you get one at all.

Confused? Download our handy guide to the pros and cons of all the options and use our checklist when you go to see potential properties.



2. Can I claim Housing Benefit?

You may be able to claim housing benefit to help pay your rent if you have a low income or are claiming benefits. You'll need to fill in a claim form if you want to do this.

How much you get, if any, will depend on your situation. But it may not cover all of your rent. You'll have to make up the difference from your other income. There are special rules that might affect you if you:

- are under 25
- have been in care, or
- are a full-time student .

Claims sometimes take a long time to process, and you will have to pay all of the rent yourself until the Housing Executive has completed this.

If you haven't had any payments within 14 days of the council receiving your claim form, ask for an interim payment.

The Housing Benefit rules are complicated, so go to a local advice agency if you need help.

They may be able to help with forms or chase up delays, and can check that you're getting everything you're entitled to.



3. I'm being evicted - what should I do?

Firstly, it may be worth trying to negotiate with your landlord. If there has been a misunderstanding, or you have fallen behind with the rent, you may be able to come to an agreement.

If this isn't possible, your rights depend on the type of agreement you have with your landlord and the reasons for the eviction.

In most cases, landlords have to follow a special legal procedure to evict you. They usually have to give you the correct amount of written notice and get a court order. But some people are only entitled to 'reasonable notice'.

This doesn't have to be in writing.

If a landlord doesn't follow the correct procedure, or tries to force you out by making life difficult, they may be guilty of harassment or illegal eviction, both of which are serious criminal offences.

Different types of tenancy give you very different rights. If you have a tenancy agreement it is worthwhile doing everything possible to keep your home.

Contact an adviser as soon as possible. Getting advice may help you to delay the eviction, or even prevent it altogether.

If you don't have a tenancy agreement your landlord will usually get an eviction order from the court and you will end up having to pay your landlord's court costs.

It may be better to start thinking about what your best move is.



4. Am I entitled for housing from the Housing Executive?

Most people can apply for a Housing Executive home, but waiting lists are usually very long. In some areas, it's very difficult to get a place unless you are given priority on the waiting list.

But if you have nowhere to stay or are likely to become homeless within 28 days, the Housing Executive may have a duty to house you immediately.

You don't have to be sleeping on the street - you might be staying with friends or relatives temporarily, or need to move because of violence, or unsanitary conditions.

If you don't have a home that's safe and reasonable for you to stay in, you may be legally classed as homeless.

If you are in this situation, you should make a homeless application. The Housing Executive will look into your situation to see what help you are entitled to.

If you have nowhere to stay, the Housing Executive may offer you emergency housing while your situation is being assessed.

Not everyone is entitled to accommodation, but this doesn't mean that the Housing Executive can just turn you away. Most people are entitled to advice and help at the very least.



5. How do I get out of my tenancy?

Whatever you do, don't just walk away!

If you do, you'll probably still be liable for the rent after you move out. It could also make it much harder for you to get your deposit back, or to get a reference so you can rent a new place.

It's always worth talking to your landlord - it may be possible to negotiate a deal you're both happy with. Put anything that's been agreed in writing.

If your landlord won't agree to end your tenancy, you have to follow the correct procedure to end it.

If you have a joint tenancy or license, remember that the actions of each individual person will affect all of your rights. So be sure to discuss it properly before anyone contacts the landlord. Contact a local advice agency if you are unsure of your tenancy type.



6. I've got rent arrears - what do I do?

If you're behind with the rent, your landlord may have the right to evict you, and can ask for a court order to make you pay back what you owe.

But it's often possible to sort things out, and the sooner you take action the better. If you do nothing, the situation is likely to get worse, and you might end up having to pay court costs as well as the money you owe.

You may be able to negotiate a payment plan with your landlord so you can pay off the arrears gradually. And even if your landlord insists on taking you to court, you may not lose your home.

Contact Housing Rights Service or a local advice agency if you need help with your finances. They may be able to:

- represent you in court , or put you in touch with a solicitor who can
- help you deal with the Housing Executive about your housing benefit , if problems there have caused your arrears
- check exactly how much you owe

If your landlord tries to evict you without following the correct procedure, or tries to force you out by making life difficult for you, they may be guilty of harassment or illegal eviction, both of which are criminal offences.



7. Is my landlord responsible for all repairs?

Whatever the problem, report it to your landlord as soon as possible (ideally in writing) and don't use equipment that might be unsafe.

Your tenancy agreement should say which repairs your landlord is responsible for, and which are up to you. Tenants normally only have to repair minor problems, and your landlord is always responsible for certain things, no matter what the agreement says.

This includes all structural and exterior repairs, drains, pipes, gas and electrical equipment.

If a landlord tries to dodge their responsibilities, you may be able to:

- get help from the environmental help department of the local council if the problem is damaging your household's health.
- take your landlord to court to force them to do the work that's needed
- arrange the repairs yourself and pay for them out of the rent. Be very careful if you do this - you must follow the correct procedure.

Your landlord may try to evict you, rather than do the work that's needed. If you don't have a tenancy agreement this may be quite easy, although the landlord still has to follow the correct procedure.

Think carefully and talk to an adviser before you take action. If the problem is minor, you may prefer to live with it rather than risk losing your home.



8. My landlord's hassling me - what can I do?

Some landlords and letting agents make life difficult for their tenants.

They may be guilty of harassment, which is a criminal offence, if they:

- come round without warning, late at night, or when you're out
- cut off your gas, electricity or water supply
- interfere with your post
- threaten or intimidate you
- won't let you into parts of your home
- make you sign agreements that limit your rights.

If you're in this situation, there are practical steps you should take.

Gathering evidence of what is happening will be very helpful if you decide to take action. Keep a diary of incidents and always report them.

If your landlord is being unreasonable, your local council can help.

The environmental health department will remind landlords of their legal responsibilities and will prosecute them in extreme cases.

You can also take the landlord to court yourself - you can apply for an injunction and/or damages for the expense or distress you have suffered.



9. My landlord has kept my deposit

Your landlord can only keep your deposit in certain circumstances. Contact a local advice agency if you feel that your landlord has unfairly kept your deposit.

It is always best to negotiate first. Your landlord may simply not understand what fair wear and tear means. If negotiation doesn't work you can take your landlord to court .

You can go through the small claims court if you want to get less than £2,000 back from your landlord. It's quite straightforward to use the small claims court.

Even if you lose you won't have to pay your landlord's solicitors fees. You may find that your landlord will pay up as soon as realise you're serious rather than go to court. Don't get ripped off.



10. What can I do about the flatmate from hell?

Most problems in shared housing are to do with a clash of lifestyles or day-to-day issues. Whether you're living with an all-night DJ, a chain-smoker, a milk thief, or a slob, other people's habits can be a nightmare! Try to choose who you live with carefully and agree some ground rules.

If the problems have already started, your options will usually depend on what the problem is and whose name the agreement is in. If you have separate tenancies, you may be able to ask the landlord to sort things out.

But if you have a joint tenancy, each tenant's actions affect all of you. If one person isn't paying their rent, you could end up having to pay her/his share. And if they cause problems, the landlord may decide to evict all of you.

In some cases, the only options may be to put up with the situation or move out. If this is the case, be sure to end your tenancy properly before you go. In extreme cases (e.g. if your flatmate is violent or causes a serious nuisance) the council, or even the police, may be able to help you.