

## **If your landlord is asking you to leave**

If you have an assured shorthold tenancy it can be ended in one of three ways.

- By mutual agreement;
- The tenant hands in notice. This usually needs to be one month, in line with the rental payments and not expiring before the end of a fixed term.
- The landlord serves valid notice on the tenant. The form of the notice will depend on the reason the landlord is asking you to leave.

There are a number of grounds upon which a landlord can serve notice. The most common are:

- Rent Arrears of least 2 months or 8 weeks rent.
- Poor tenancy behaviour
- Persistently late rent payments.
- A landlord can serve a section 21 notice without having to give a reason to the tenant. The notice cannot end prior to the end of a fixed term and cannot take effect until at least six months after you move in. A valid notice requires that the landlord gives you at least two months' notice to leave.

You do not have to leave the property once a notice has expired. You have the right to remain in the property until the landlord applies to the court for a Possession Order and a Bailiffs Warrant. You need to be aware that there are costs involved with this and if the issues with the tenancy cannot be resolved, you should look to find alternative accommodation.

If your landlord lives with you and you share living accommodation, you are a licensee and you have very few rights against eviction. You would still be entitled to reasonable notice, usually 28 days but your landlord does not need to get a court order.

If you have been served a notice you should contact the Housing Options team and we can check to see if your notice is valid.

If the Notice is invalid we will contact the Landlord and explain the correct legal procedure of serving a valid Notice. We can speak to your landlord to see if there is any possibility that you can stay in the property and if there is anything that we can do to help resolve any problems.

If your landlord still wants you to leave we can work with you to help you try and find alternative accommodation.

If your landlord tries to evict you without applying to Court, or does things which make it difficult for you to remain there, such as harasses you, or withdraws essential services such as gas, water or electricity, they may be breaking the law. The council has a power to prosecute landlords who harass tenants. It is important that you

contact the Housing Options team if your landlord harasses you or threatens to illegally evict you. See **Harassment & Illegal Eviction**

## Are you in rent arrears?

If you are living in private rented accommodation and are having trouble paying your rent, you should contact your landlord, (or letting agent), immediately, before the situation gets worse. However, if this has not been successful then let Housing Options know and we can contact your landlord on your behalf. Often we can work with you and your landlord to sort things out. Also, if you are claiming Housing Benefit we can liaise with them to try to resolve any issues.

The Housing Options Team are available to prevent or resolve problem situations and avoid unnecessary evictions.

### Housing Options can:

- Work between you and your landlord to mediate successful tenancies and avoid unnecessary evictions
- Provide you with a list of available properties that are available to rent privately
- Keep you informed on housing law and tenancy regulation
- Refer you to the private sector team who can advise you on disrepair issues
- Provide guidance and support if you feel that your landlord has unfairly treated you, or if you have been harassed, threatened or illegally evicted
- Give you successful tips and advice on maintaining a good relationship with your landlord
- Assist you with a bond in certain circumstances
- Provide referrals for affordable furniture
- Refer you to the Credit Union who can assist you in saving money

### You should contact Housing Options as soon as possible if you:

- Are experiencing problems with your finances and have begun to accrue rent arrears
- Are unsure of your rights or responsibilities as a tenant
- Need advice on Housing Benefit
- Have received a Notice Requiring Possession/ eviction letter from your landlord
- Have doubts about your rights as a tenant
- Need support to remain in your home
- Need advice before signing a tenancy agreement
- Need assistance in finding privately rented accommodation
- Have problems with your landlord
- Need assistance in finding privately rented accommodation

The Housing Options Team can be contacted on 01204 335900 or you can email them on [housing.options@bolton.gov.uk](mailto:housing.options@bolton.gov.uk)