



What you need to know about renting from a private landlord



This is a step-by-step guide that takes you through the whole process, from looking for somewhere to live; to moving in; to knowing what your responsibilities and rights are, as well as those of the landlord; to who to contact if things go wrong.

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Lettings agents

Tenants should look out for lettings agents that are part of the Association of Residential Lettings Agents (ARLA), National Approved Lettings Scheme (NALS), or the Mayor of London's London Rental Standard, all of which adhere to codes of practice, ensure client money protection, and related insurance.

For more information see www.arla.co.uk and www.nalscheme.co.uk and www.london.gov.uk

Always check for letting agency fees

If you rent a property through a letting agent (rather than directly with the landlord), ensure you check for any extra fees or charges first, and factor these in.

These can add a huge amount to the cost of renting, and vary between agencies. Sadly, there's little regulation over these charges in England – so always ask to see them upfront.

There's nothing stopping you from discussing the fees with the letting agent to see if you can negotiate a lower rate, though there are no guarantees. Ensure you always get any fee reductions in writing.

You should not pay any fees before you have an offer of a property.

Essential steps for before you move in

Never sign a contract you aren't happy with

Once you get the contract, read it carefully before signing. Check it includes how much the deposit and rent are, when it's due, and what it covers (eg, Council Tax, utility bills, and other dos and don'ts, such as whether you're allowed to smoke or sublet).

Discuss points you disagree on, or don't understand, with the landlord or letting agent. If they agree to change it, don't just take their word. Ensure the contract's changed too so you've got proof. Don't forget to ask:

- How long is the contract, and are there scheduled rent increases?
- How long has it been up for rent?
- Can you see electrical, and gas installation checks / reports and the property's Energy Performance Certificate: The government requires landlords to make this document available, which explains how much energy the property uses and typical energy costs.
- Is the deposit in a deposit protection scheme, and, if so, which one?
- Is maintenance of communal areas expected, eg the garden?
- Is it furnished, part-furnished or unfurnished? Which items are included?
- Who lives upstairs / next door? Have there been any disputes?
- How long were the previous renters living there?
- Is a parking space included, or is a parking permit needed?
- What is the Council Tax band for the property? And how much is this, as well as for the area?

- What kind of occupancy status do you have, eg a tenancy or an excluded licence
- If the property is a House in Multiple Occupation (HMO - see page eight for explanation), is it licensed?
- Will there be a fee to check out or renew the tenancy?
- Who is managing the property: the letting agent or the landlord? If it's the landlord make sure you have their name, address and contact information

Condition of the property

Once you've found the place you want, don't think you always have to pay the asking price for the rent. Ask if they're open to reasonable offers, and put in a lower price that you think is reasonable. Don't forget, it's a negotiation – they don't have to accept, but it's worth asking, particularly if you think it's overpriced.

A good way to help you get leverage here is to note down any flaws. For example, the carpets may be worn in patches, or the bathroom ceiling could do with repainting. Point this out, and ask if they'll take a lower price because of it. If not, make it clear that you want these defects put right – and always get this in writing with the contract.

While small issues like a dripping tap or squeaky floorboard needn't be a deal-breaker, the following defects can be a clue to future problems as well as an indication of how well the landlord is maintaining the property.

- **Look for dampness:** are there wet spots, mould, peeling wallpaper and condensation. Does it smell musty?
- **Look up at ceilings:** look for cracks, brown stains, slow drips and leaks
- **Check the electrics:** turn lights on and off, look at the condition of socket outlets. Has the property got an electrical safety report less than five years old?
- **Inspect the plumbing:** flush toilets and turn taps on. Check cupboards underneath sinks are dry. Check water pressure and that it gets hot, and that the central heating's working properly
- **Door locks:** make sure they are up to your insurance standards. Some policies insist that front and back doors be fitted with a five lever mortice deadlock. Check windows for locks and the front door for break-in signs
- **Turn on your phone:** check for a signal to see it's not a mobile dead zone
- **In the kitchen:** imagine preparing a meal. Is there enough room? If white goods are included, check they're working
- **Look next door:** if renting a flat or terrace, look if neighbours' properties are run down. Their problems can quickly become yours. Listen for noise from neighbours and roads. If you can, try to get a second viewing at a different time of day
- **Can you get TV reception?** Is there an aerial point? Will the landlord and planning authority allow you to put up a satellite dish on the building? Is cable TV available in the area? Can you get access to the internet?
- If you fail a credit reference check you may lose your deposit – make sure you are familiar with the criteria for passing the check and have this in writing first

Gas safety and carbon monoxide

This is a poisonous gas that has no colour, taste or smell. Typically it results from poorly-maintained gas boilers and fires, often where flues (pipes conducting gases from boilers or fireplaces to outside) are obstructed.

Always ask for a copy of the gas safety record. By law, your landlord must provide you with this before you move in. If your landlord refuses, complain to the Health and Safety Executive here: <https://extranet.hse.gov.uk/lfservlet/external/lgsr1>

Failure to follow gas safety requirements is a criminal offence.

Under the Gas Safety (Installation and Use) Regulations 1998, landlords must do a gas safety check every 12 months to ensure gas appliances and fittings are safe, and keep these maintained. All checks must also be done by a qualified engineer that's on the Gas Safe Register, the official gas registration body for the UK.

If you think the property is right for you

Once you've found your new home, use these tips to help:

- **Know your budget:** don't be pushed past it – letting agents are experts at doing this
- **Make a good impression:** don't forget, you're being checked out too. They're more likely to want a tenant that's professional, prompt and polite
- **Get your references lined up:** if your landlord will need references, eg from your employer, ensure you ask your referees in good time
- **Be prepared to be quick:** good rentals are often snapped up swiftly, especially in sought-after city areas. Once you've decided, move quickly with your offer. Yet don't be irrational – stick to your budget and don't be pressured
- **Go through the contract ASAP:** raise any issues as soon as you can with the landlord, so there's time to get them changed before you move in. Also check who's managing the property, eg the landlord or a letting agent
- **Have the rent and deposit ready:** make sure you have enough cash set aside for the first month's rent and deposit, which is usually about six weeks' rent. This can be a lot more than you think, so work it out early. For example, £200 per week rent could mean you'd need to put down about £2,000 to cover these.

Types of tenancy

Always research which type of tenancy you will be agreeing to before signing any contracts with a landlord.

Tenants should be aware that at any time, in the periodical phase (see below) of their tenancy, they can be evicted by landlords - tenants should bear this in mind when standing up for their rights.

Joint tenancies

If it's a joint tenancy, each tenant will be responsible for the actions of the others. So be careful who you sign up to these with – if one person doesn't pay their share of the rent, the others will be liable to make up the shortfall.

Joint liability clauses in shared tenancies mean you're responsible for the actions of your co-tenants in certain areas, as stated in the contract. So read it carefully to check exactly which areas you're jointly responsible for.

Fixed-term Assured Shorthold Tenancies (ASTs)

Fixed-term tenancies run for a set amount of time, and landlords must give notice in a certain way for tenants with fixed-term tenancies. If tenants refuse to leave at the end of the notice period, the rules depend on whether the fixed term has ended or not.

During the fixed term, landlords can only evict tenants for certain reasons, such as not paying rent or anti-social behaviour, or there's a 'break clause' in the contract, allowing a landlord to take back the property before the end of the fixed term.

Tenants with a fixed-term agreement (eg for 12 months) do not necessarily have to move out when that period ends. If a new agreement is not signed, the tenancy automatically becomes a periodic tenancy, meaning it continues on a rolling basis as per however long rental payments cover (eg monthly), while landlords can only evict by serving notice and then getting a possession order.

Periodic Assured Shorthold Tenancies (ASTs)

Periodic tenancies run on a week-by-week or month-by-month basis with no fixed end date.

A landlord must usually give 'notice to quit' to a tenant, and must do this in a certain way depending on the type of tenancy agreement and its terms. If tenants don't leave at the end of the notice period, landlords must apply to the court for a possession order, which gives them the right to evict tenants and take possession of the property.

If the court grants a possession order and tenants still don't leave, landlords must apply for a warrant for eviction – meaning bailiffs can remove tenants from the property. A possession order won't take effect until tenants have been living in the property for at least six months.

Rules for excluded tenancies or licenses

For an excluded tenancy or licence which normally means tenants who share their accommodation with their landlord, landlords don't have to go to court to evict tenants, but only to give 'reasonable notice' to quit. The notice doesn't have to be in writing.

There are no set rules about what's reasonable. It depends on:

- how long tenants have been living there
- how often tenants pay the rent
- whether tenants get on with their landlord
- how quickly the landlord needs another person to move in

Landlords can then change the locks on tenants' rooms, even if they have left their belongings there. However, landlords must give these belongings back to tenants.

If tenants feel they were not given enough warning to leave, contact the Council (details on the right hand side of this page) for advice, which can take action if landlords evict tenants illegally. Shelter also has information about eviction of excluded occupiers here: http://england.shelter.org.uk/get_advice/eviction/eviction_of_private_tenants/eviction_of_excluded_occupiers

Rules for assured and regulated tenancies

A tenancy which started before 27 February 1997 might well be an assured or regulated tenancy, and landlords must follow different rules to evict tenants, while tenants also have increased protection from eviction. Shelter has more information about assured tenancies here: http://england.shelter.org.uk/get_advice/renting_and_leasehold/private_tenancies/assured_tenancies and regulated tenancies here: http://england.shelter.org.uk/get_advice/renting_and_leasehold/private_tenancies/regulated_tenancies

Essential steps for when you move in

Is your deposit protected?

Under the law in England and Wales, if you have an assured shorthold tenancy (the most common type of private tenancy agreement) that started on or after 6 April 2007, your landlord must put your deposit in a Government-backed protection scheme within 30 days of getting it. These are:

My Deposits: www.mydeposits.co.uk

The Deposit Protection Service: www.depositprotection.com

The Tenancy Deposit Scheme: www.tds.gb.com

The landlord must tell you:

which tenancy deposit scheme is being used and the contact details for the scheme

- what tenants can do if there is a dispute about the deposit
- information about the purpose of a tenancy deposit
- how money will be returned at the end of the tenancy

If the landlord or agent does not protect the deposit or provide tenants with all the information above, a court can order the landlord to pay tenants compensation, plus the deposit itself. For more advice visit: <https://www.gov.uk/tenancy-deposit-protection>

Tips to help ensure you get your deposit back

Remember, get a signed inventory and take photos of any damage in the property before you move in. Check your contract, repair any damage, and ensure nothing's missing or broken. Take photos as proof you've left it in good order, and if your tenancy agreement states you must get the property professionally cleaned, you may have to provide receipts to prove you've done it. But if it states you need to have it cleaned to a professional standard, you could do this carefully yourself and take photos as proof.

Does the property need a licence?

If the property has three or more storeys, and is home to five or more people who are not related, it is a House in Multiple Occupation (HMO) and the landlord must obtain a licence from the Council. For more information, contact us on 020 8356 4866.

If the landlord fails to get a licence he can be taken to court and, on conviction, fined up to £20,000. Following conviction, tenants can apply for a Rent Repayment Order from the courts to reimburse them for some of the rent, if they apply within a fixed time.

Council Tax

If the privately-rented property is the tenant's sole or main residence and they are over 18 years of age, the tenant must pay Council Tax. See below for a list of people in Hackney who must pay Council Tax:

- a resident with a lease
- a resident with a tenancy agreement
- a resident with a licence agreement

If the property is a House in Multiple Occupation (HMO), where the residents have separate leases or licences, and only occupy or pay rent for part of the property (eg bedsit with shared facilities), the property's owner is liable for Council Tax, and must pay the bill.

If two or more people are joint tenants, or are married or in a civil partnership or are living together as though they are, then they are held jointly and severally liable to pay Council Tax, meaning if one person can't pay, then the other(s) must make up for it.

For more information, contact the Council Tax service on **020 8356 3154** or email **council.tax@hackney.gov.uk**

You have a right to switch and save on energy bills

You do not have to stay with a previous tenant's gas or electricity supplier. If you are on energy providers' standard tariffs you could save money by switching to an alternative supplier.

A way to keep bills down is to seek advice on keeping warm and dry in the home. Hackney Council is part of the Seasonal Health Interventions Network (SHINE) which offers ideas about how to heat your home, as well as offering other finance and health checks. SHINE can be contacted on **0800 281 768** or at **<http://www.hackney.gov.uk/shine>**

Take meter readings

Take meter readings for your gas and electricity when you move in. This way, you can pass them on to the suppliers to ensure you aren't charged for the previous occupants' usage.

Does every renter need their own TV licence?

If you rent, whether an entire property or a room in a shared property, you must be covered by a valid TV licence to watch or record television programmes as they're being shown on TV.

Usually you'll have to organise this yourself (or between yourselves if in a shared house). But speak to the landlord first, as they may already have a licence for the property. If you live in self-contained accommodation, such as a separate flat or annex, you'll need your own separate licence.

If you're a lodger and have a relationship with the homeowner (a family member, partner, nanny, au pair, housekeeper, etc), you'll be covered by the homeowner's TV licence, provided you live in the same building.

But if you're a lodger and you have a separate tenancy agreement for your room, you'll need your own TV licence.

Ensure you have contents cover as soon as you move in

If you rent, your landlord is responsible for buildings insurance, so you should only be getting contents cover. Make sure your insurance company know you are renting and ask them if there are any special conditions you must meet.

Do you know where your stopcock is?

Your mains water tap, or stopcock, is the off-switch for all the water in your home. Hopefully you'll never need to use it. But if you don't know where it is and a pipe bursts, you'll be powerless to stop it flooding your home.

The stopcock can look like a tap, and can often be found under the kitchen sink, or by the boiler, or in an airing cupboard. If you don't know where yours is, check NOW. If you don't know where it is, ask your landlord to show you.

Remember to redirect your mail

When you move, as well as updating your address with all your accounts, it's a good idea to get your post redirected to your new address. This can be very helpful if an unexpected bill is sent to your old address.

Otherwise, if you miss it, the worst case scenario could see a debt collection process started that you know nothing about, causing huge damage to your credit rating. See the Royal Mail website for how to redirect your mail, plus current rates.

Vetting tenants and landlords

If you have a problem with your rented home you may need to contact the Council if the landlord or agent do nothing to resolve it. Make sure that you have all the details to hand. That includes the landlord's / agent's full name, address and telephone number.

It is likely that your landlord will take steps to check whether you are creditworthy and seek references and even guarantees before renting you a home.

Increasingly, landlords are using the internet and social media to vet their potential tenants; reasons for doing so include making sure that tenants are responsible, and that they're not covering up any information.

All landlords should remember, though, that potential tenants can just as easily vet them by using rating sites and reviews: Consumer Focus was recently involved in setting up a rental review service, while sites like AllAgents.co.uk can be searched by tenants.

In this context, remember that any malicious reviews or disputes with tenants could get uncomfortably personal if not handled properly. If unsure, always get legal advice if you're concerned about putting the wrong things online, or about breaching privacy laws. If possible, ask other tenants in the house if the landlord or managing agent is responsive and responsible.

However, tenants should be aware that at any time, in the periodical phase of their tenancy, they can be evicted by landlords - tenants should bear this in mind when standing up for their rights.

Your landlord should ask before entering

When you rent a property, your landlord may well need to come in from time to time for repairs, as well as to inspect the property. They should give you notice and arrange a

time with you first. There isn't a standard amount of notice they have to give but 48 hours should be the minimum unless there is an emergency. Do not unreasonably refuse access.

Repairs

Landlords are responsible for repairs and maintenance to the following features (though may seek costs if damaged by tenants):

- the property's structure and exterior
- basins, sinks, baths and other sanitary fittings including pipes and drains
- heating and hot water
- gas appliances, pipes, flues and ventilation
- electrical wiring
- any damage caused by attempting repairs
- communal areas
- Tenants should only carry out repairs if the tenancy agreement permits this, and tenants can't be forced to do repairs that are the landlord's responsibility.

If a tenant damages another tenant's flat, eg if water leaks into another flat from an overflowing bath, the tenant is responsible for paying for the repairs, and also responsible for paying to put right any damage caused by family and friends.

If a property needs repairs, tenants should contact their landlord, and immediately for faults that could damage health, like faulty electrical wiring.

Rent should continue to be paid by tenants while waiting for repairs to be done, and landlords should inform tenants of when repairs will be carried out.

If landlords do not carry out repairs, Hackney Council can make them do so, particularly if the property contains health and safety hazards: Please contact the Council's Private Sector Housing service on **020 8356 4866** for more information. Shelter also has information about repairs: http://england.shelter.org.uk/get_advice/repairs_and_bad_conditions/disrepair_in_rented_accommodation including what to do if you're in dispute with your landlord.

Remember, tenants should be aware that at any time, in the periodical phase of their tenancy, they can be evicted by landlords - tenants should bear this in mind when standing up for their rights.

Tenants' responsibilities

When tenants live in a privately-rented home, they also have responsibilities towards it, including:

- taking care of the property – eg by turning off the water at the mains if you're away in cold weather
- paying the agreed rent, even if repairs are needed or tenants are in dispute with the landlord
- to pay other charges as agreed with the landlord, including Council Tax or utility bills
- to repair or pay for any damage caused by tenants, or family and friends
- to only sublet a property if the tenancy agreement, or landlord, allows it

Rent increases

Remember, tenants should be aware that at any time, in the periodical phase of their tenancy, they can be evicted by landlords - tenants should bear this in mind when resisting rent increases.

A tenancy agreement should include how and when rent will be reviewed. For a periodic tenancy, rolling on a week-by-week or month-by-month basis, landlords can't normally increase the rent more than once a year without tenants' agreement.

For a fixed-term tenancy, running for a set period, landlords can only increase the rent if tenants agree. If they don't agree, the rent can only be increased when the fixed term ends.

Landlords must get tenants' permission if they want to increase the rent by more than previously agreed, and the rent increase must be fair and realistic, ie in line with average local rents. If a tenancy agreement lays down a procedure for increasing rent, landlords must stick to this. Otherwise, landlords can:

- renew tenancy agreements at the end of the fixed term, but with an increased rent
- agree a rent increase with tenants and produce a written record of the agreement that for both parties to sign
- use a 'Landlord's notice proposing a new rent' form, which increases the rent after the fixed term has ended

Landlords must give a minimum of one month's notice, if tenants pay rent weekly or monthly.

For a yearly tenancy, landlords must give six months' notice.

Tenants who consider a rent increase to be unfair can apply to a rent assessment committee which will decide the rent amount.

However, tenants should be aware that at any time, in the periodical phase of their tenancy, they can be evicted by landlords - tenants should bear this in mind when standing up for their rights.

Always get your landlord's permission if planning home improvements

When you rent a property, you generally need to return it in the same condition as you found it, though some unavoidable wear and tear should be allowed.

Bear this in mind if you want to redecorate, as any changes will need to be put back. It sounds obvious, but the key point to remember is the property isn't yours. So you can't just put up shelves, for example, without permission. If you want to make permanent changes, the best thing to do is get it written in the contract from the outset.

If you plan to repaint the walls a different colour or make any other changes, first get your landlord's permission in writing. Otherwise it's likely you'll need to paint them back to the original colour before you move.

Double-check the inventory and report any defects

If you're given an inventory when you arrive, ensure you fill it in and carefully check for any existing damage in the property or its contents. Don't worry about being too specific – note down anything you can see, be it a cracked tile, damaged paintwork or a chipped mirror. If you can, take photos as evidence too.

Even if they don't give you an inventory to fill in, list any defects in writing to the landlord as soon as you can; Shelter has a printable inventory template here:

http://england.shelter.org.uk/__data/assets/pdf_file/0004/23359/Inventory.pdf

Ensure it's signed and dated, and keep a copy so you can see what's on it when you move out.

This way, if the landlord tries to eat into your deposit for any of these when you leave, you'll have hard proof the damage was already there where you moved in. Similarly, take photos when you move out so you've proof it's in good order.

Who to contact if things go wrong

- The Council's **Hygiene Services** department can provide:
 - a low cost pest control service for rodents and some insect pests
 - clinical waste collection service for tenants on dialysis

For information or advice please contact this service on **020 8356 6688**.

The Council's **Trading Standards** department promotes and maintains fair trading, protects consumers and enables reputable businesses to thrive within Hackney. For privately-renting tenants, this includes:

- Energy Performance Certificates: a requirement for landlords to provide you with one when you take up a new tenancy
- Fire safety of upholstered furniture provided in furnished tenancies

For information or advice please contact this service on **020 8356 4929**.

If you think you might be at risk of being made homeless, and have been unable to resolve the matter with your landlord, the Council's **Housing Advice and Options** team should be your first point of contact, and will do all it can to prevent you from becoming homeless. For further detail on this service, including contact information, please see below under the heading Evictions.

The Council's **Benefits Service** is responsible for the payment of:

- Housing Benefit (for tenants of social-rented homes) and Local Housing Allowance (for privately-renting tenants)
- Council Tax Reduction (formerly Council Tax Benefit)
- Discretionary Housing Payments (DHPs)

Housing Benefit and Local Housing Allowance help you pay your rent if you are on a low income, whether you are working or not. If you pay Council Tax, you may be able to claim Council Tax Reduction to help your bill.

DHPs are short-term, emergency payments to help those already in receipt of Housing Benefit or Council Tax Reduction adjust to national housing or welfare reforms.

For information and advice on any of these benefits please contact **020 8356 3399** or email **benefits@hackney.gov.uk**

We can send you a claim form or arrange for an interview, and you can use the online Benefit Claim and Calculator to see how much you may or may not qualify for, at: **www.hackney.gov.uk/benefits-calculator.htm**

The Council's **Private Sector Housing** service is responsible for ensuring that people who live in accommodation not owned by the Council have a safe and healthy home.

It enforces minimum legal standards and provides advice to ensure that both tenants and landlords know what is required of them and what they should expect from each other. The service can assist with:

- national minimum standards for privately rented homes
- disrepair
- drainage and sewerage defects
- some pest control issues
- disconnection of gas or electricity by your landlord
- fire, gas and electrical safety
- sharing of amenities

If you are a privately-renting tenant or a housing association tenant and you have a problem, contact your landlord or their agent first. If this does not resolve the issue, please contact us on **020 8356 4866** or email **private.sector.housing@hackney.gov.uk**

Crisis is the national charity for single homeless people, which funds organisations that help single homeless people find and then keep a private rented home. Its main office is at 66 Commercial Street, London E1 6LT, and general enquiry phone number is **0300 636 1967**; you can find out more about the very broad range of services available at **www.crisis.org.uk** or email **enquiries@crisis.org.uk**

Digs campaigns for a better deal for people renting locally; a private tenant information and support group, run by Hackney renters, for Hackney renters. Digs's activities include:

- Providing information workshops for Hackney renters
- Offering mutual support to tenants like us
- Training for 'tenant champions' across Hackney
- Hosting an online platform for support
- Campaigning for a better deal for tenants

Digs support anyone who is renting privately in Hackney or who is homeless or insecurely housed and trying to find a home in Hackney's private rented sector.

Contact Digs at by emailing **hello@hackneyrenters.org** and on Twitter at **twitter.com/Hackney_renters** and keep in touch through the Facebook page at **facebook.com/digs.hackneyrenters**

Digs membership is free and open to all Hackney renters: email **hello@hackneyrenters.org** to become a member.

Noise Living in a busy city area means that there will always be a certain level of noise. This doesn't mean that you should have to put up with excessive noise (especially through the night), as this can often be stressful. If you do not feel confident discussing the cause of noise with your neighbours, the Council provides an out of hours service to investigate and address the issue where appropriate.

Everyone's perception of noise nuisance is different. It's not just about sound levels in decibels but of what is acceptable to the average person. Noise is generally considered to be unwanted sound, but what one person considers unwanted sound may seem unreasonable to someone else. The Council can help residents who are experiencing problems with:

- barking dogs
- building and construction site noise (noisy work is allowed Monday-Friday 8am-6pm and Saturdays 8am-1pm)
- DIY noise during anti-social hours
- burglar / car alarms
- deliveries at unreasonable hours
- nightclubs and pubs
- parties
- loud music / television / computer games
- industrial processes (dry cleaners, factories etc)
- kitchen extract / air conditioning units
- places of worship
- open-air events
- street performers

Call the Council's Pollution service on 020 8356 4455 to report serious noise problems:

- Monday-Wednesday, 8am-8pm
- Thursday 8am-2am
- Friday 8am-5am
- Saturday 9pm-5am
- Sunday 6.30pm-2am

Please note that the Council has no jurisdiction in respect of noise from aircraft or trains. For train and railway noise, contact the Network Rail Helpline on 0845 711414.

If you are experiencing noise from any aircraft please contact the Civil Aviation Authority (CAA), contact the CAA on 020 7453 6525. The Council is also unable to assist in respect of banging noise, slamming doors and heavy footsteps as a result of poor sound insulation. If you believe that the noise is being made on purpose and you are able to provide evidence in the form of completing diary sheets that can be sent to you, your information will be assessed as to how best you can be helped.

Hackney Citizens Advice Bureau (CAB) provides free, independent, confidential and impartial advice to people on their rights and responsibilities.

Based in Mare Street, the bureau also offers advice at a very wide range of venues including GP surgeries and children's centres across the borough, and for more information see this link here:

<http://www.eastendcab.org.uk/hackneyfaq.html>

Hackney CAB is based at 300 Mare Street, Hackney E8 1HE; and its main telephone line is **020 8525 6350**. Advice sessions are held on Monday, Tuesday, Wednesday and Thursday.

Doors open at 8.30am when tickets for the day are allocated - please arrive early enough before 8.30am to be sure of a ticket as on average the CAB sees the first 20 people in the queue.

Information (but not advice) also available from reception Monday to Friday 9.30am to 5pm. You can also phone **0844 499 1195** and speak to a CAB adviser on Tuesday and Wednesday, 1-3pm.

Hackney Community Law Centre is a charity employing solicitors and paralegals to provide free and independent legal advice and representation to people living, working or studying in Hackney and neighbouring boroughs.

The law centre provides legal advice and representation in the following areas:

- Debt problems
- Housing problems
- Immigration and asylum
- Employment rights
- Discrimination
- Welfare benefits

Opening hours are Monday to Friday, 10am to 5pm, and is based at 8 Lower Clapton Road, Hackney E8 OPD - please contact **020 8985 5236** or visit **www.hclc.org.uk**

Shelter is a national charity that works to alleviate distress caused by homelessness and bad housing, through provision of free, confidential advice, information and advocacy. The charity's website at www.shelter.org.uk offers a wealth of information on a wide range related subjects.

To get in touch with Shelter, contact its national telephone advice line, staffed by trained housing advisers, on 0808 800 4444, Monday-Friday 8am-8pm, and 8am-5pm Saturday and Sunday. Calls are free from UK landlines and main mobile networks (Vodafone, O2, EE and Virgin Mobile).

Evictions

The Protection from Eviction Act 1977 is legislation ensuring privately renting tenants cannot be evicted from their homes without a court order.

At the end of a fixed term tenancy, landlords don't need a reason to evict tenants – as long as they've given tenants the correct notice, they can apply to a court for a possession order.

If the court grants a possession order and tenants still don't leave, landlords must apply for a warrant for eviction – meaning bailiffs can remove tenants from the property.

Under the Protection from Eviction Act 1977, landlords can only evict tenants with a court order, and even then tenants have the right to stay until the landlord gets a bailiff's warrant.

Landlords must follow strict procedures if they want tenants to leave their property, depending on the type of tenancy agreement in place and its terms.

If they don't, they may be guilty of illegally evicting or harassing tenants.

The Council will assess whether it has a duty to house someone by using statutory tests including proof of a local connection to the area, and residency of up to three years. If

the Council concludes it does not have a duty to house someone, the following takes place:

- where the applicant is not capable of independent living they are referred to the Council's Adult Social Care services
- where the applicant has children but is ineligible for housing due to immigration status, they are referred to the Council's Children and Young People's services

Please bear in mind that all councils in London have long waiting lists made up of thousands of households, many in high housing need.

All other housing options are also explored, including London-wide and east London sub-regional schemes. This can involve applying to the Council's housing register waiting list and bidding for properties through the east London sub-regional Choice-Based Lettings system, and similar schemes, based upon the unique circumstances of each individual.

However, tenants should be aware that if they decide to stay in the property they may be liable to be charged court costs.

Housing advice and homelessness

The Council's Housing Advice and Options team is the first stop for Hackney residents with a housing problem.

Because of the shortage of housing in Hackney, we cannot offer a house to everyone who has a housing problem but we can work with you to see if we can find you an alternative solution.

If you think you will become homeless we will try everything to help to stop this happening.

Everyone with a housing need will be offered a housing options interview where we will explore a range of housing solutions to assist you.

We can offer:

- advice and assistance to people looking for somewhere to live
- realistic, up-to-date advice on housing and how to pay for it
- a full housing option service covering:
 - ◊ Private renting
 - ◊ Low cost home ownership
 - ◊ Mobility options
 - ◊ Supported housing
- assistance with keeping your home
- online up-to-date information on emergency accommodation that may be available for single people
- personalised referrals to other sections if we cannot help you

How you can help us to help you:

At busy times we may only be able to give you brief initial advice when you first contact us. If your problem is urgent please try and contact us early in the morning.

We cannot usually give detailed advice to Hackney Council tenants as this is provided by Neighbourhood Housing Offices.

We can give you advice about Council and Housing Association rented accommodation but there is a severe shortage of these types of housing. This means that we also give advice about finding private accommodation, or about improving conditions in your present home.

Once you have had your application registered, depending on your circumstances you may be eligible to bid for vacant Council or Housing Association properties.

Many people lose their homes, or rights to be re-housed by the Council, because they wait too long before getting advice. The more information you give us, the quicker we are able to give you proper advice.

Please let us see any useful documents as soon as you can. The first tenancy agreement your landlord gave you, any letters from a landlord, friend or relative who wants you to leave, proof of your income, including any benefits you are getting, rent book or other record of rent paid, proof of your previous and present addresses etc. may all help process your application.

Contact us at **housingadvice@hackney.gov.uk** or on **020 8356 2929**

