



LEGAL EAGLE

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WITH BETHANY SYMONDS

Changes ahead for tenants

Changes are ahead for tenants, both in privately rented accommodation and social housing.

The biggest change that I think will affect our clients is the new restrictions on backdated housing benefit payments.

Currently, if a tenant can show that they should have been entitled to housing benefit but haven't been receiving payments they can ask the council to consider giving a backdated payment.

This is often a lump sum payment directly to the rent account which can significantly reduce the arrears, and is therefore very beneficial to receive.

When possession proceedings have been issued,

or the client has a warrant of eviction, a backdated housing benefit payment can make a big difference to their case.

At the moment, the local authority can backdate payments as far as six months.

However, this is about to change and from April 2016 tenants will only be able to claim a backdated payment of four weeks.

This is a blow to tenants, and anyone who thinks they should be receiving more housing benefit than they are currently getting should take action before the rules change in April.

Another housing benefit change is the withdrawal of the family premium. Currently, tenants with children receive an additional



£17.45 in with their housing benefit payments.

From May 2016, the family premium payments will be abolished. This should only affect you if you are make a new claim or have a

child after May 2016.

Those who already in receipt of the payments shouldn't be affected, but further cuts to housing benefit are not good news for tenants.

With all of these changes ahead, many tenants are understandably worried about whether they can afford to sustain their homes in the long term.

If you're worried about homelessness, speak to a specialist housing solicitor who can talk you through the process and advise you of your options. Many people don't realise that legal aid is available for lots of housing related problems, which means that you might get help from a solicitor for free if you receive benefit or

you're on a low income.

If you are already struggling to afford your home, you should be aware that landlords usually always require a court order before they can force you to move out.

Private landlords, local authorities and housing associations have to give you notice of their intention to seek possession of your home. This is the first step your landlord needs to take when trying to get the property back from you.

If you have received a notice, get legal advice as a matter of urgency – your solicitor will try to negotiate with the landlord and try to avoid court proceedings.

If your landlord does take you to court and you

receive court papers, now is the time to get advice immediately.

Give your solicitor enough time to speak to the landlord to negotiate, or to advise you of any defences.

The sooner you see a solicitor, the more they can prepare and can represent you in court knowing all the facts about you and your case. My firm advice is not to turn up to court without having seen a solicitor first.

• Bethany Symonds is a trainee solicitor in David Gray Solicitors' Housing Team. You can contact Bethany on 0191 243 8147 for an appointment or Chat Live via the website. Legal Aid may be available if you are financially eligible.

WORRIED ABOUT RENT ARREARS? FACING REPOSSESSION?

WE CAN HELP YOU.

We know that rent arrears can be caused by Housing Benefit problems, benefit sanctions, bedroom tax or because you are having a difficult time.

Our specialist team provide support and advice, and can liaise with Housing Benefit on your behalf. We can also put you in touch with benefits advisers and other support services. Court proceedings can be scary but you're not alone, we're here to help and give you the best possible advice.

Legal Aid is also available if you are financially eligible, meaning you may be entitled to advice and representation free of charge.

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You're not alone, call our team today on **0191 243 8160**. Help & advice available at our South Shields & Newcastle offices.

www.davidgray.co.uk