

How to deal with rent arrears if you've fallen behind

I'm in rent arrears. What can I do?

If you're in arrears with your rent, the first step is to check that what you're being asked to pay is correct.

Next, have a look at your bank statements and receipts. If you're on a weekly tenancy, your landlord should have given you a rent book or other record of your payments.

Once you've confirmed what you owe, you should contact your landlord and explain your situation to see if you can come to an agreement.

Complete an income and expenditure form sheet to show your income and what essential household expenses you have like rent, utilities, transport and food.

By doing this, you'll be able to see how much surplus (or spare) income you have, which can then be used towards repaying your rent arrears. Remember, your rent is a priority debt compared to repayments needed for things like unsecured loans, credit cards and catalogues.

My landlord has threatened eviction. What can I do?

Going to court will be a last resort for the landlord as it takes time and money.

Before this happens, you should try to come to an agreement to repay the money you owe them.

I'm in rent arrears. What can I do?

Whether you rent your house privately, through a housing association or through the local authority, if you're struggling to pay your rent, you risk losing the roof over your head.

While there's a process your landlord needs to go through if they're seeking to evict you, it's better to try and sort an arrangement to avoid any kind of legal action.

Even if the eviction date is a matter of days away, it's never too late to try to negotiate with your landlord if you haven't already.

If you can get your landlord to agree to let you stay in your home by increasing your repayments to them over a period of time, it's going to be a much better outcome than trying to find somewhere new to live.

Try to keep your arrears under eight weeks if you pay weekly, or two months if you pay monthly. If your arrears go for longer than this, your landlord has the right to issue you with a Section 8 notice.

What's a Section 8 notice?

Also known as a Notice to Quit, this gives your landlord grounds for possession.

While it doesn't mean that you'll have to leave your home straight away, it does mean that your landlord has started the process of eviction and you'll be given a date that you need to leave.

If you don't leave by the stated date, your landlord will need to go to court to get an eviction warrant.

I've received a Section 21 notice. How is that different?

A Section 8 is issued when the tenant has done something wrong or breached their terms, but your landlord doesn't need a reason to issue a Section 21.

However, if your landlord gives you a Section 21 and you're not on an Assured Shorthold Tenancy, the notice won't be valid, and you'll be able to challenge it.

If it gets to a point where you haven't paid your rent arrears, your landlord may apply to have you evicted. For this to happen, they'll have to go through the courts and get a possession order against you.

What will happen if it goes to court?

Firstly, ensure that you attend the hearing. You'll receive a letter that outlines the details of the day and if you want to stay in your home – you'll need to be there.

Depending on your individual circumstances and what you can afford to pay in the future, the judge might decide to let you stay in your home.

If your landlord gets an outright possession order, you will be given a date that you need to leave.

These are usually granted if:

- The judge doesn't think that you'll be able to keep up your rent payments or pay off the arrears.
- Your landlord has already given you a Section 21 notice.
- You haven't paid enough of your arrears off after your landlord gave you a Section 8 notice.

Can I get help with paying my rent arrears?

If you're on certain benefits, including Universal Credit and Income Support, you can ask for a 'third party deduction'. This is where you can request up to 20% to be taken from your benefit payments and paid directly to your landlord.

This will see your rent arrears paid automatically and means there won't be any need to make additional payments to the landlord yourself.

If you're already claiming housing benefit, you could also apply for a [Discretionary Housing Payment \(DHP\)](#) from the council.

Use our [benefits calculator](#) to see if you're eligible to claim.

Can I set up a repayment plan for my arrears?

Regardless of whether you rent privately or through the council or housing association, you can ask your landlord if you can make extra payments on top of your usual monthly or weekly payments until the arrears are paid off.

If your landlord agrees to a repayment plan, you should do everything you can to stick to it, otherwise you may end up being taken to court and facing eviction.

Remember, if you're unable to keep up with repayments, our team are here and ready to help.