

Eviction

Your Questions Answered

Why is Spire Homes evicting me?

Spire Homes is asking the Court to evict you because you have not paid your rent. We have already served you with notice and taken you to Court, but your arrears are not reducing in line with the court order. We need rent from tenants to pay for things such as repairs, and improvements. We cannot afford to allow people to live rent free.

If I make an agreement to pay my arrears now, will Spire Homes cancel my eviction?

No. When we took you to Court, the District Judge decided how much you should pay towards your arrears each week, but you did not keep to the Court Order. We have also warned you that we would apply to evict you if you did not pay your arrears, but you have still failed to pay the correct amount. We do not believe that you will keep to any agreement that you make.

Can I do anything to stop the eviction?

There are two ways in which you can stop the eviction:

- If you pay your debt in full, we can cancel the eviction. If you want to stop the eviction in this way, you must make sure that we receive your money **at least one working day** before the date of the eviction. If you intend to pay by cheque, you must allow time for the cheque to clear. To be sure we get your money in time, contact the Income Recovery Team to arrange a cash payment.
- You can also apply to the Court for a hearing to ask the Judge to suspend the eviction. You will have to go to the Court in person to arrange this, and there will be a charge of around £35.00. **Please note that you can only apply for this hearing when you have received a letter from the Court confirming the time and date of the eviction.**

If I apply for a hearing to ask for the eviction to be suspended, what will happen?

The Court will arrange a date and time for the hearing. Spire Homes will also attend. At the hearing, the Judge will ask you why you think the eviction should be suspended. Spire Homes will be able to put our point of view across. The Judge will then decide whether the eviction should go ahead or not. If the Judge decides to suspend the eviction, he will normally make a new Court Order setting out how you must pay the arrears.

If I apply for a hearing, should I go to Court myself?

Yes. If you apply for a hearing to ask the Judge to suspend the eviction, but do not turn up, the Judge will usually allow the eviction to go ahead.

If the eviction goes ahead, what will happen?

The Court Bailiff will come to your home at the time of the eviction with your Housing Officer. You will have a few minutes to gather together the things you need for the next few days and will then have to leave. The locks of the property will be changed.

If you cannot remove your possessions from your home before the eviction, you are strongly advised to think in advance about what things you will need to take with you. Make sure you take any medication with you, as well as documents such as benefit claim information, bank information and your driving licence. You will need clothes for a few days. If you have children, think about what toys they will want.

When will I be able to collect the rest of my belongings?

You can collect the remainder of your things by making an appointment with your Housing Officer. We can allow you up to 28 days to remove your belongings. **You will need to remove everything from the property as we will dispose of anything left behind and you will be charged for this.**

I have children. Will I be rehoused when I am evicted?

Anyone who is homeless can apply to their local Council for help.

However, if you are “intentionally homeless” – **if it is your fault that you are homeless - the Council will not have to rehouse you.** It is likely that people evicted for rent arrears will have to find their own alternative housing.

Where can I get advice?

We strongly advise you to take independent legal advice on your situation immediately. Free advice can be obtained from:

The Community Law Service

3 – 7 Hazelwood Road
Northampton

Tel: 01604 621038

Nene Valley Citizens Advice Bureau

2B High Street
Wellingborough

Tel: 01933 229781

Corby Citizens Advice Bureau

Deene House
New Post Office Square
Corby

Tel: 01536 265501

Stamford Citizens Advice Bureau

39 High Street
Stamford

Tel: 08444 994199

Rutland Citizens Advice Bureau

56 High Street
Oakham

Tel: 0845 1203705

Contact the Income Recovery Team at:

Spire Homes
1 Crown Court
Crown Way
Rushden
NN10 6BS

Tel: **0300 123 66 11**

Email: **spirehomes@longhurst-group.org.uk**

www.spirehomes.org.uk

Spire Homes (LG) Ltd is a registered charity in England and Wales (1140935).



SH0057