



Advice for tenants affected by the Bedroom Tax

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If you are affected by the bedroom tax we advise you to read this carefully and contact us if you have any questions:

handsoffourhomes@gmail.com

0750 401 7322

General advice:

- **Don't Panic.** Keep calm and stay put! You should not have to move.
- **Don't** cut back on food, electric or other essential stuff – your health matters most
- **Do** try claiming a Discretionary Housing Payment (DHP) – especially if you are a parent, a carer or have a disability, or if you live in a high-rise flat. Call Leeds City Council on 0113 222 4404 or visit a One Stop Centre to make a claim.
- **1996 loophole:** If you, or someone you inherited the tenancy from, have claimed housing benefit continuously from the same address since 1st January 1996, you should be able to get back bedroom tax paid between 1st April 2013 and 3rd March 2014. This may also apply if you moved due to circumstances beyond your control. Contact us for more help.
- **Appeal:** If you do not use your 'spare' room as a bedroom, you should appeal your 'housing benefit decision'. You may be able to appeal on other grounds too, such as room size, or if you have a child access arrangement. Get in touch for more info.
- If you get money bedroom tax refunded following an appeal you should not have to pay back any Discretionary payments already used – so **we advise you to claim DHP and put in an appeal as well.**
- Talk to your friends and neighbours share this advice and support each other.

My housing provider is telling me I need to pay: what should I do?

- **Tell them** you can't pay and why, explain what you would have to do without if you paid (food, heating, etc.). Keep a note of what you and they said.
- **Keep a note** of your income and what you spend money on. We don't think you should have to justify how you spend your income – but it might come in handy later for any legal proceedings. Keep hold of bills and receipts.
- **If you don't mind moving** apply for a mutual swap and/or downsize but don't feel you need to take a property if you do not want it.
- **If you don't want to move** write to your landlord explaining why (links to family or community, close to school/doctors etc.) Keep a copy of this letter.

If you feel a housing officer or representative of you landlord is being offensive threatening or unreasonable you should write down what happened as soon as possible and contact us.

Am I going to lose my home?

You may have received letters, visits and phone calls saying that you are in rent arrears and you must pay or risk losing your home. **These do not mean you are going to be evicted.** It just means they are trying to make you pay.

We have worked with a large number of tenants in Leeds and can tell you that by following the advice set out here it is unlikely you will lose your home. The important thing is that you follow this advice and get in touch so we can help.

To have a chance of evicting you from your home, your housing provider must give you a 'Notice of Intent to Seek Possession'. This is a long (6 page+) legal document. It is a formal document that informs you that your landlord is intending to take you to Court for possession of their property.

This does not mean you will go to court. You should keep talking to your housing provider and noting down what you and they say. **If you have received a 'Notice of Intent to Seek Possession' you should contact a solicitor as soon as possible. Most people can still get legal aid for possession cases if they are on benefits.**

These are some solicitors we recommend:

- Lester Morrill, 0113 245 8549, (ask for Rhiannon or Amandeep), 27 Park Square West
- Switalskis, 0113 223 1400, St James House, 28 Park Place
- Henry Hyams, 0113 243 2288, 7 South Parade
- Zermanskys, 0113 245 9766, 10 Butts Court

What happens if I go to Court?

If you have to go to court to defend your home, you will receive a big envelope from Leeds County Court with a possession claim and notice of a hearing (court appearance).

- Keep talking to your housing provider explaining why you cannot pay your rent and keep a copy of any communications.
- Contact a lawyer if you have not already. They can help you.
- **Go to the court hearing** – don't ignore it. If you have no solicitor by then there will be Duty Solicitors at Court. You should arrive at least 30 min before the hearing time to get to them so they can advise and represent you in court.
- Get in touch with us – we want to help. We can arrange support in court for you, put pressure on your landlord and have a demo to support you.

Contact us:

Phone: 0750 401 7322

Email: handsoffourhomes@gmail.com

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