



## Canterbury Housing Advice Centre Annual Report 2018-2019



Registered Charity 1006386

Registered Company 2642776

Thanks to Canterbury City Council who provided core funding to Canterbury Housing Advice Centre during the financial year.

Thanks to the following organisations that also funded Canterbury Housing Advice Centre during the year:

- Access to Justice Foundation
- Canterbury City Council
- Clarke Family Fund
- London Legal Support Trust
- National Lottery Awards for All
- R.G.Hills Charitable Trust
- Whitehead Monckton Charitable Foundation

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## Management Committee Members 2018-2019

<b><u>OFFICERS</u></b>	
<b>Chair</b>	Nick Piška
<b>Vice-Chair</b>	Vacant until 26.11.2018. Helen Bowerbank from 26.11.2018
<b>Treasurer</b>	Jon King
<b>Secretary</b>	Viv Gambling
<b><u>MEMBERS</u></b>	
<b>Peter Ash</b>	Appointed 4 June 2018
<b>Helen Bowerbank</b>	Appointed 24 September 2018
<b>Joe Howes*</b>	Canterbury City Council representative
<b>Nick Jackson</b>	
<b>Tessa O'Sullivan</b>	
<b>Sarah Slowe</b>	Appointed 25 March 2019
<b>Marta Taranda</b>	
<b>Jill White</b>	Resigned 22 May 2018
<b>Paul Wilkinson*</b>	Staff representative

Unless otherwise indicated, all members of the Management Committee are company directors and trustees with voting rights.

\* Non-voting member of the Management Committee

## **Staff & Volunteers 2018-2019**

### **STAFF**

**Paul Wilkinson**                      Manager & Casework Supervisor

**Geoff Castle**                         Caseworker

**Jocelyn Dorza**                      Triage Worker

### **VOLUNTEERS**

**Barbara Hobbs**                      Administration & Reception Volunteer

**Jasmine Lecomber**                   Administration & Reception Volunteer

**Sarah Scrase**                        Administration & Reception Volunteer and Housing Support  
Volunteer

**Naomi Woods**                        Administration & Reception Volunteer and Housing Support  
Volunteer

\* Housing Support Volunteer work focuses on helping clients to complete a range of often-complex specialist housing-related forms and other documentation

## Chair's Report

I'm pleased to say that 2018/19 was another successful year for Canterbury Housing Advice Centre, as we continue to offer an excellent service in Canterbury District. That financial year saw the start of a new arrangement whereby we deliver housing advice to Canterbury City Council under a contract with Canterbury Citizens Advice, although this arrangement has not affected how we deliver our service. We're very happy to have received the KM Charity Mark for the second year running and that we remain a London Legal Support Trust Centre of Excellence. We have also continued our long-term relationship with Canterbury Homeless Outreach, a student society at the University of Kent, and are grateful for their ongoing support.

Modernising CHAC's online presence and reaching as many people in the Canterbury District as possible remains a focus of the management committee. During 2018/19 we launched a new website with a contemporary design, including information about our services for our clients as well as further information about the trustees and a series of case studies. We thank Kent IT Consultancy for their pro bono consultancy in developing this new website. We also re-launched our presence on Twitter (having been dormant for many years) to update the public on our service, our fundraising events and to provide general information about housing and homelessness issues locally and nationally.

As noted in last year's annual report, longstanding committee member Jill White stood down during 2018/19, and Peter Ash and Helen Bowerbank were appointed. In March 2019 Sarah Slowe was also appointed to the management committee, and will bring a wealth of experience in drafting grant applications.

As ever, the continuing work of CHAC could not have happened without the hard work and dedication of our volunteers and trustees, but above all, the dedication of the staff.

Nick Piška  
Chair

25 November 2019

## Manager's Report

2018/2019 was another very positive year for Canterbury Housing Advice Centre.

Our paid staff group remained myself as manager and Casework Supervisor and Geoff Castle and Joce Dorza continued as our Caseworker and Triage Worker respectively. Without their dedication and hard work, under constant pressure throughout this year, we would have achieved much less for our service users and my job would have been even harder.

Apart from the above three paid staff, our core staff group consisted of four volunteers: Barbara Hobbs, Jasmine Lecomber, Sarah Scrase and Naomi Woods who worked during our opening hours on at least one day every week.

Barbara and Jasmine did Administration and Reception work for CHAC providing essential support to the paid staff through greeting service users on the phone and in person, entering statistics onto our database and doing a wide range of clerical work including photocopying and filing.

Sarah and Naomi were our Housing Support Volunteers (HSV) and helped vulnerable people to access and/or maintain stable accommodation. HSV work focuses on helping clients to complete a range of often-complex specialist housing-related forms and other documentation. This gives clients really useful support and assistance. Our HSVs help with both online and paper applications including, for example, a wide variety of applications for housing benefit and council tax support and to accommodation projects for housing as well as to the Council's Housing Needs Register (waiting list).

I would like to give special thanks to past and present volunteers whose valuable and unpaid hard work and commitment has been of enormous help to us and to our service users.

In 2018/2019 Canterbury Housing Advice Centre's important and valuable work continued to focus on preventing homelessness, reducing poverty and social exclusion, tackling disadvantage and increasing the well-being of our service users.

In this year we helped and advised 2322 people to resolve their housing problems including finding new accommodation: 35% were families; 41% were disabled (of which 43% said that they had mental health problems); 24% were unemployed and 21% were employed. 1609 people were new users of our service and 713 were returning individuals.

Of these 2322 people we did homelessness prevention work with 1888 people. 52% of this work was preventing service users from losing their existing accommodation or helping them with problems where they lived. Where it was not possible to help people to keep their accommodation, we advised and helped them to move into alternative accommodation in the private rented, voluntary or social housing sectors.

The estimated annualised financial gains to our 2322 service users totalled £415,938.

The estimated annualised savings to Canterbury City Council and, consequently the tax payer, were £300,305 through reduced rent arrears, increased council tax revenue and monies saved through not having to accommodate homeless people in Bed & Breakfast or other temporary accommodation.

Finally, and in conclusion, I would also like to thank our Management Committee members, who although trustees of our charity, are also unpaid volunteers. Without their support none of the above would have been possible.

Paul Wilkinson  
Manager

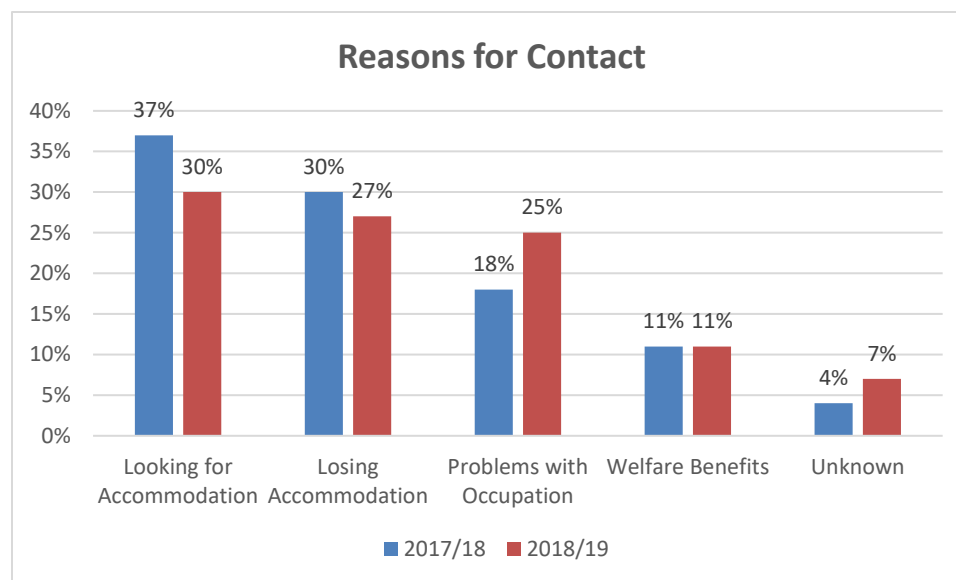


# Statistics and Outcomes\*

## 1 April 2018 – 31 March 2019

### Reasons for contact

2018/19 was an even busier year for CHAC. We helped and advised 2322 people. 1609 of these were different individuals. We undertook work preventing homelessness with 1888 people.



Looking for accommodation remains the most common reason for people contacting us, although this had fallen by a small percentage while problems with occupation has risen compared to last year.

A large number of people (30%) were looking for accommodation, mainly private rented but also Council, Housing Association or supported accommodation. This category includes service users seeking advice on, or help, with deposits and rent in advance.

Unfortunately, we still deal with many individuals who are actually homeless or at imminent risk of becoming homeless including clients who have received notices to quit, possession summons, possession orders, bailiffs' warrants and also illegal evictions. Losing accommodation (27%) was the next most common reason for contacting us.

The reasons for homelessness remain very varied including rent or mortgage arrears, relationship breakdown, domestic violence, being thrown out by family or friends, end of tenancy, landlord selling, affordability, leaving care or prison, leaving the armed forces and losing tied accommodation where the work and accommodation are linked.

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\* All statistics are expressed as a percentage of the 2322 service users we saw.

25% had problems with occupation including rent arrears, rent increases and advice on tenancy issues.

The category of welfare benefits (11%) is mainly housing benefit, local housing allowance, council tax support or universal credit problems.

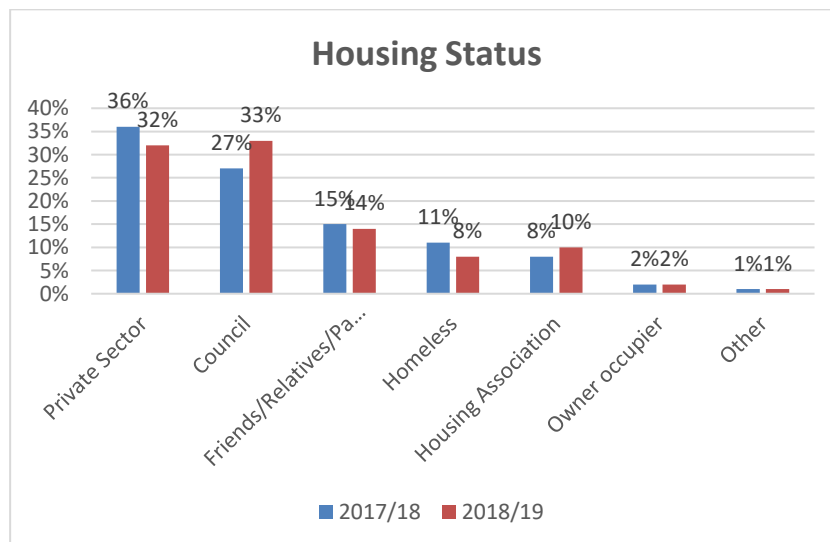
### Sources of referrals

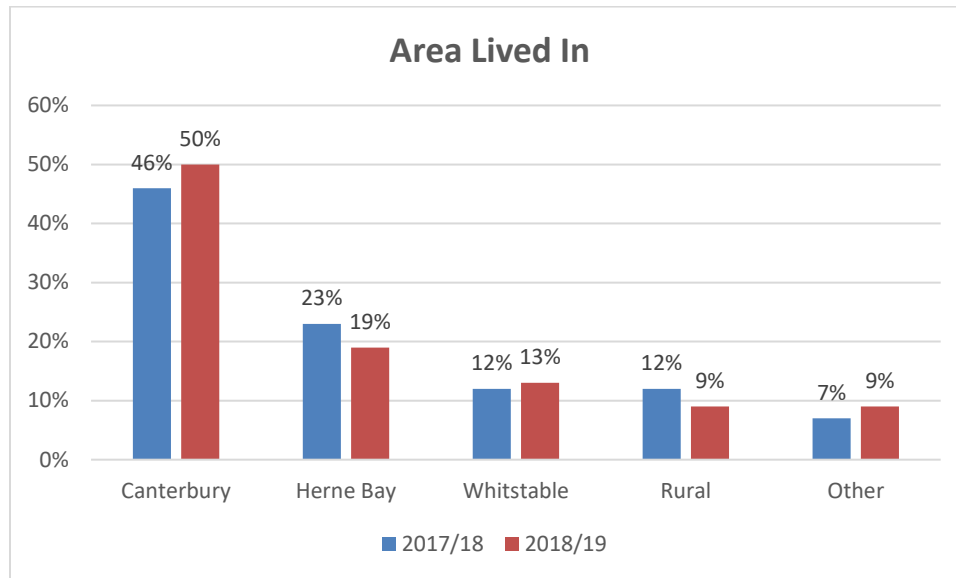
We continue to have good working relationships with voluntary and statutory organisations. Canterbury City Council refers many service users to us. We also get referrals from Social Services, Housing Associations, Catching Lives, Canterbury District Citizens Advice and Porchlight. However, the vast majority of service users hear about us from relatives or friends or have been clients of CHAC in the past.

Sources of Referrals	2017/18	2018/19
Self/Friend/Relatives	88%	90%
Canterbury City Council	4%	4%
Voluntary Sector	1%	1%
Social Services	1%	1%
Citizens Advice	1%	1%
Solicitor	2%	0%
Other	3%	3%

### Housing status and location of service users

The majority of our service users are vulnerably housed in insecure accommodation with just under one third having tenancies in the private rented sector. Another third were Council tenants. Just under one quarter of households were actually homeless or staying with friends or relatives at the point they approached CHAC.

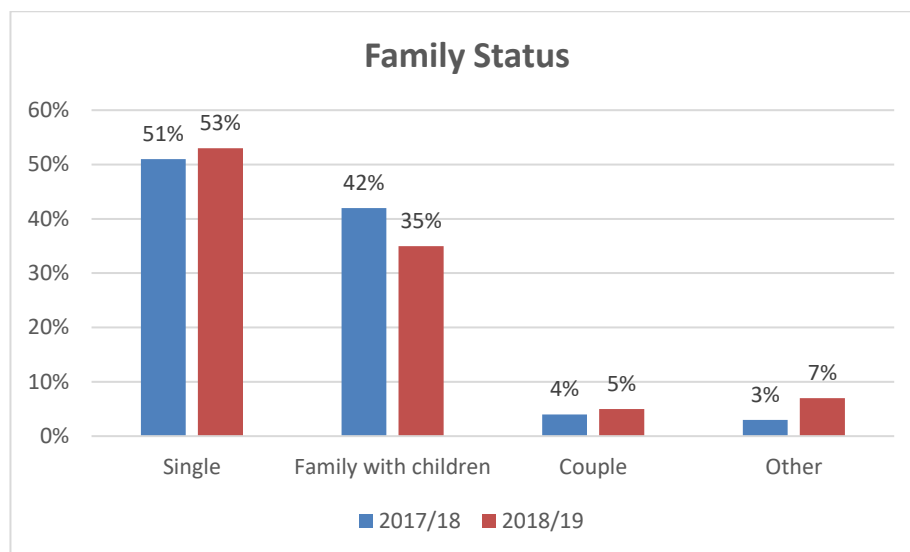




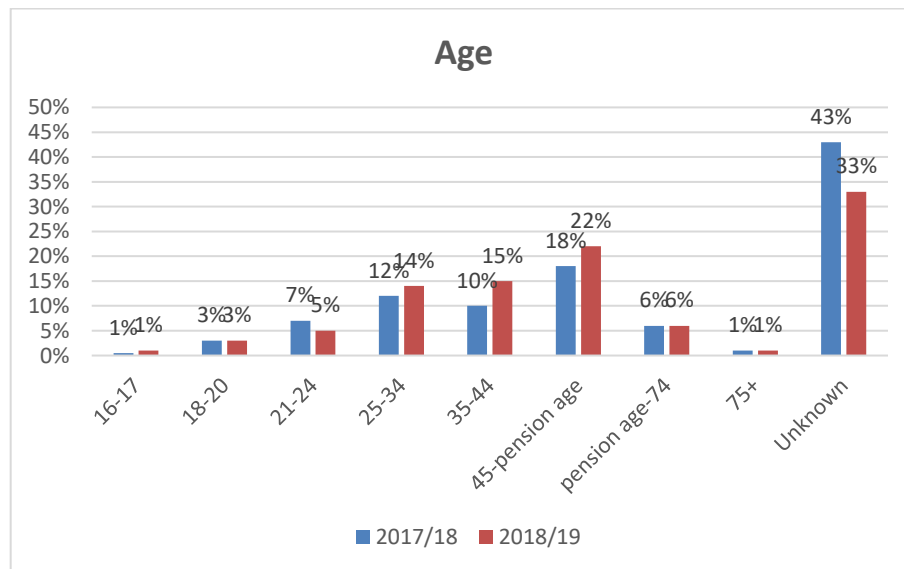
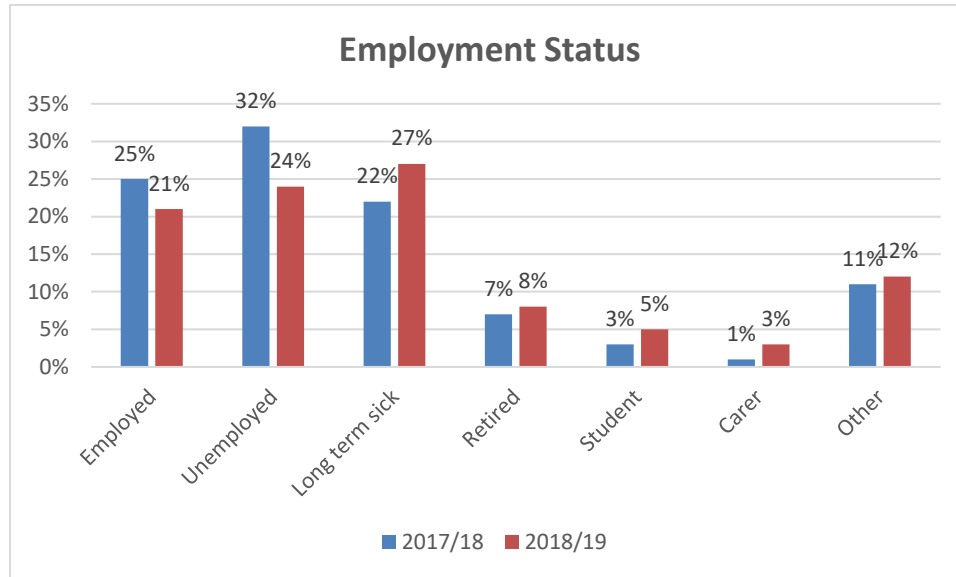
Our Outreach Project continues to run from 10 am to 12 noon every Wednesday at the Herne Bay Citizens Advice office in Herne Bay and from 1 pm to 3 pm at the Whitstable Umbrella Centre in Whitstable. This Project makes it easier and cheaper for residents of both of these towns to access our service. In 2018/19 we saw 105 clients at our Whitstable drop-in and 144 clients at our Herne Bay drop-in, a large number in both locations given we are only at each for 2 hours per week.

### Family and employment status

A majority of our service users are 'single', although many of our clients are families with children. Sometimes people will not disclose their personal status which explains the category 'other'.



In 2018/19 we opened 342 cases and did 1980 less complex pieces of advice, a massive rise from 2017/18 (193 and 1651 respectively). In total we supported 2322 service users to help resolve their housing problems including finding new accommodation: 35% were families; 41% were disabled (of which 43% said that they had mental health problems); 24% were unemployed and 27% had long term health needs. 1609 people were new users of our service and 713 were returning users.



We referred service users to other voluntary and statutory organisations including Canterbury Local Link, Shepway Citizens Advice who have a legal aid contract in housing, Kent Law Clinic and Canterbury Citizens Advice with whom we have an exceptionally strong and positive working relationship.

## Outcomes

Our advice work achieved the following outcomes: preventing homelessness, reducing poverty and social exclusion, tackling disadvantage and increasing the well-being of Canterbury City Council residents.

During 2018/2019:

- we helped and advised a total of 2322 people
- 1609 of these were different individuals
- we did homelessness prevention work with 1888 service users

Our work resulted in demonstrable financial gains for both our service users and for Canterbury City Council.

During 2018/2019 we made the following estimated annualised financial gains:

- £415,938 for our service users
- £197,955 was the saving to Canterbury City Council through the housing benefit paid to Council tenants, which reduced rent arrears, and through the council tax support we got paid to our residents, which increased the Local Authority's council tax receipts
- Additionally, estimated cost savings to the Council were £102,350 through the Council not having to house homeless households in Bed & Breakfast/temporary accommodation
- In total the estimated annualised savings to Canterbury City Council, and consequently to the taxpayer, were £300,305.

Not only is our service much needed by the local community but it is excellent value for money to the Council and to the taxpayer and a Canterbury City Council report in June 2015 calculated the Social Return on the Council's Investment in us at £9.41 for every £1 of their current funding of £57,862 pa to us. This report also estimated that we made potential cost savings of £68,385 to the NHS.<sup>1</sup>

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<sup>1</sup> M. Bailey, *Customer Insight and Impact Report: Canterbury Housing Advice Centre* (June 2015).

## **Treasurer's Report**

### **Financial year April 2018 to March 2019**

This information is provided on behalf of the trustees and is taken from our full financial statements for the year 1 April 2018 to 31 March 2019 which have been independently examined by our appointed auditors, Wilkins Kennedy (Canterbury branch). These financial statements are available on our website and on the Charity Commission's website.

#### **Bank Accounts**

CHAC holds the following accounts:

- Deposit account with the Charities Official Investment Fund (COIF)
- A CAF bank CafCash account

#### **Income**

CHAC are extremely grateful to have received the following sources of income for the financial year 2018-19:

- £17,500      Access to Justice Foundation
- £57,862     Canterbury City Council
- £10,000     London Legal Support Trust
- £ 7,287     National Lottery Awards for All
- £ 2,500     R.G.Hills Charitable Trust
- £ 1,234     Whitehead Monckton Charitable Foundation

Our total income for the year was £111,819, which included grants, donations and bank interest.

#### **Expenditure**

Total expenditure during the year was £114,810, which included staff, facilities, operational and administrative costs.

#### **Reserves and cash**

We had total reserves of £49,738 as at 31 March 2019.

Our restricted reserves totalled £7,278.

Of our unrestricted reserves, £39,222 was designated towards closure costs (the cost of redundancy payments and dilapidations and making good of the premises).

## **Treasurer Notes**

During the past 12 months, we have made some pro-active alterations to our financial processes to both streamline and reduce administrative duties. This has mainly included the introduction of a new income and expenditure spreadsheet that automatically populates a summary of CHAC's financial information on an ongoing basis. CHAC's HSBC account was closed due to its inactivity and the balance transferred to our CAF account, again, to streamline our administrative processes.

Jon King  
Treasurer

## Case Studies

The following Case Studies, from the financial year 2018/19, are a small sample of cases which illustrate the range and variety of housing and homelessness issues that CHAC advises on, often with success. They show the vital importance for people to be able to access timely expert advice and help when faced with housing problems including the risk of losing their home.

All are real cases, but some details have been left out or slightly changed and all names have been changed to protect the anonymity of our clients.

### CASE STUDY 1

#### ***CHAC helps prevent eviction of family in rent arrears***

Sophie came to CHAC's office one lunchtime. Sophie had received a notice of eviction from the court stating that she would be evicted the following day at 11am. Sophie was a tenant of a council property where she lived along with her daughter and one year old granddaughter. Sophie had got into rent arrears of £1,200, which had led to possession proceedings brought by Canterbury City Council, and the recent eviction notice.

Paul (CHAC Manager and Housing Caseworker) spoke with Sophie straight away and advised her on steps that could be taken to try to prevent the imminent eviction.

Paul made an urgent application to the court to request the Judge to stop the eviction. This involved preparing a written application and asking the court to schedule an urgent court hearing. In addition Paul completed a **Discretionary Housing Payment (DHP)** application with Sophie to ask for a financial payment to clear all of her rent arrears. Paul negotiated with Canterbury City Council, seeking the Council's agreement that the eviction be put on hold and the court hearing be adjourned for four weeks while awaiting the outcome of Sophie's DHP application. The Council agreed on condition that Sophie would maintain rent payments and pay £10 off her rent arrears every week.

***Discretionary Housing Payments (DHPs) can provide extra money when the council decides that extra help is needed to meet housing costs, including rent shortfall. It is only available to those already on Housing Benefit or Universal Credit with housing costs towards rent.***

The DHP application was partially successful; Sophie was awarded £300 which was used to reduce her rent arrears.

Unfortunately, Sophie, who was on a very low income, did not keep up payments of rent every week as ordered at the first court hearing. Consequently, at the next hearing four weeks later, the Council was at first not willing to agree to stop her eviction. Fortunately CHAC was able to show that just before the hearing Sophie had brought her rent



payments up to date, in line with the earlier court order. The Council agreed to stop her eviction indefinitely on condition that Sophie continued to pay £10 off her rent arrears every week.

## **CASE STUDY 2**

### ***CHAC prevents homelessness of vulnerable single parent with five children***

Archibald was a single parent with five dependent children. He was a tenant of a four bedroom house owned by a private landlord. He had mental health problems including bipolar affective disorder and depression. He had periods when he was on a high and periods when he felt very low. The low periods could last for a couple of months. He was unemployed. He got into rent arrears because of problems with his housing benefit. His landlord was threatening to evict him and his five children.

We explored Archibald's housing benefit problems. In the past he had been overpaid housing benefit of £1,100 and this overpayment (a debt) was being recovered by the Council making deductions from his ongoing housing benefit payments. The resulting gap between the amount of his rent and the lower amount of housing benefit he received led to the rent arrears which were increasing.

The Council has discretion whether to require repayment in this situation. We helped Archibald to apply to the Council to have this housing benefit overpayment written off. It had occurred during a period when Archibald was not coping, due to the death of his partner – the mother of their five children – and due to his mental health difficulties.

Archibald's request was successful; the Council wrote-off his housing benefit overpayment of £1,100. Archibald received extra housing benefit which cleared all his rent arrears and covered the whole of his weekly rent going forward. As a result of this his landlord was very happy and so did not apply to court to evict him. Archibald and his five children were able to stay in their home.

## **CASE STUDY 3**

### ***CHAC helps grieving father move into new accommodation and start rebuilding his life***

Aiden was living with his wife and their five children. Sadly his wife died. Aiden became very depressed and started to drink uncontrollably. Over time all of his children left to live with other family members. This left Aiden alone in a four bedroom property, and he was now saddled with the bedroom tax amounting to 25% of the rent, which he was unable to pay. This led to rent arrears of £850, so the landlord, a Housing Association, served him with a Notice of Proceedings for Possession. This is a necessary step before a landlord applies to the court for a possession order. Aiden stopped drinking. He contacted CHAC for help.

Aiden needed to move to a smaller property so that he would not have to pay a bedroom tax. We advised Aiden to apply to the Council's Housing Needs Register (the system which deals with the allocation of Council and housing association properties) in order to downsize; also, to apply to do a mutual exchange (in effect, swap properties) with another tenant. We helped him to make a successful application for a Discretionary Housing Payment (DHP) to pay his bedroom tax of £43 every week until he could move, and to pay off all of his rent arrears.

We also negotiated with the Housing Association, Aiden's landlord, who agreed not to apply to court for a possession order.

Aiden found a tenant willing to do a mutual exchange, which would allow Aiden to move to a smaller property close to his parents. Although having rent arrears and having received a Notice of Proceedings for Possession could normally be barriers to being allowed to move to other Council or housing association housing, CHAC persuaded the Housing Association to allow Aiden to move, by doing the mutual exchange, after his rent arrears were cleared.

Aiden moved to a two bedroom property close to his parents. He has no bedroom tax to pay. Once he had moved his youngest daughter, who was living with Aiden's parents, went to live with him again (previously she had not wished to return to live with him in the house where her mother died).

#### **CASE STUDY 4**

##### ***CHAC helps single mother subject to threats and harassment from a neighbour to move property***

Jo was a single parent with one dependent child; she had recently been granted an introductory tenancy by the Council. (An introductory tenancy, sometimes described as a 'probationary tenancy', is usually granted for 1 year; if not ended during this period, a longer secure tenancy will then follow). Jo was subjected to alarming threats and harassment from a neighbour. The Council were aware of this and had agreed to arrange for Jo to move to other accommodation (away from the threats and harassment), as long as she cleared her rent arrears of £540.

Jo was due to sign up for her new tenancy on Friday and came to see us on the afternoon of the Wednesday before this. She was very anxious that she might lose the chance to move from a very stressful situation because she was unable to pay the rent arrears. She was on a low income; she received Universal credit (UC). With the limited time in which to help her we decided to make an urgent application for a Discretionary Housing Payment (DHP) for £540 to enable her to pay her rent arrears and move. We submitted this DHP application that Wednesday afternoon and contacted a senior DHP officer to discuss the case. The Council granted the application the following day, enabling Jo to go ahead with her move on the Friday.

## CASE STUDY 5

### ***CHAC helps family subject to claim for overpayment of housing benefit claim Disability Living Allowance***

Peter and Grace were tenants of a local housing association. They had two dependent children. Peter had been working until recently but he had had to give up work due to illness. He was now claiming benefit (**Employment Support Allowance**) and his wife was claiming a benefit called **Carer's Allowance**; she was the main carer for their daughter who was disabled.

They came to see us because they had been notified by the Council that they owed the Council £1,250 because they had been overpaid housing benefit. When we looked into this we found that on the face of it the Council was entitled to require repayment of this amount, as while he was working Peter had not informed the Council when his wages had increased.

However, on looking into the detail we realised that there had been an error by the Council when calculating their housing benefit, so that overall they had received less than they should have received. Their daughter had been in receipt of a disability benefit (**Disability Living Allowance**) since 2014 and this should have resulted in an increased amount of housing benefit from 2014 onwards (due to the 'disabled child premium').

We helped Peter and Grace to request that the Council reconsider their case and to ask the Council to recalculate their housing benefit to include the disabled child premium. The Council agreed to do this. The recalculation resulted in the debt from their housing benefit overpayment being removed, and the best news was that they were also entitled to further housing benefit of £5,900 from 2014 up to the present and their ongoing housing benefit entitlement was increased to cover the full weekly rent.

#### **Benefits outlined**

***Employment & Support Allowance (ESA)*** is a benefit for people who have 'limited capability for work' (ie they are unable to work because of illness or disability) and who are not entitled to statutory sick pay. Entitlement to ESA is assessed by a test called the work capability assessment.

***Carer's Allowance (CA)*** is a benefit paid to people who care for someone who is severely disabled. CA is a non means tested benefit and you don't have to have paid NI contributions to get it. You qualify for CA whether you are in or out of work but you can't get it if you earn more than £123 a week.

***Disability Living Allowance (DLA)*** is a benefit for adults with disabilities who need help getting around and/or with supervision or attention needs. New claims for DLA can only be made for children under 16. Adults can no longer claim DLA but must claim PIP instead.

## CASE STUDY 6

### ***CHAC helps prevent homelessness of couple being evicted from private rented property***

Bob and Clare were joint **assured shorthold tenants** of a private landlord in a two bedroom property. Their tenancy started in 2006 and was originally for a period of one year. Bob was Clare's carer due to her chronic and serious mental health problems.

As time went on, some problems with the condition of the property became apparent and got worse over time. After Bob reported the problems to the landlord and asked him to carry out repairs, their landlord served them with a **section 21 Notice Requiring Possession** in May 2017 giving them notice that he required possession of the property. CHAC advised them to make a homelessness application to Canterbury City Council (as Clare was in 'priority need' for housing due to her health issues) as well as to keep looking for alternative private rented accommodation. However, CHAC advised Bob and Clare that the Council would most likely decide that they were not homeless as the 'section 21 Notice' was not a valid notice.

***Paul explains:***  
*'The main problem for a tenant with an assured shorthold tenancy, is that the landlord can recover possession of the property by serving a valid notice and applying to the court. The landlord does not have to give a reason for doing so and does not need to prove that the tenant has done anything wrong.'*

Bob and Clare were left not knowing what was going to happen. The landlord did nothing for a while; then in February 2018 he applied to the court for a possession order. CHAC provided their defence, which requested that the court should dismiss the landlord's application to evict them, as the landlord was relying on a notice that was invalid.

The notice was invalid because the landlord was in breach of rules which require landlords to protect the deposit paid by Bob and Clare at the start of the tenancy. The landlord is required to use an official tenancy deposit protection scheme and to give written information to the tenants. Although these legal requirements did not apply when Bob and Clare first moved in, later on the law required that their deposit be protected. Due to the landlord's breaches of these legal requirements, Bob and Clare could bring a court claim for the return of the deposit and the court could impose a penalty (in effect, giving compensation to the tenants).

Following receipt of the defence document prepared by CHAC the landlord withdrew the possession proceedings and gave up his substantial claim for legal costs of £2,500.

The landlord had to return their deposit to Bob and Clare. He was then able to serve a new Notice of Seeking Possession. As this Notice was valid CHAC advised Bob and Clare to go back to the Council to make a new application for housing as they were now at real risk of becoming homeless. In due course the landlord applied again to the court for a possession order. This time there was no longer any basis for stopping this. The Judge made a possession order.

Stopping the landlord's first application to court to evict them saved Bob and Clare some money and gave them an extra four months or so to try to find other private rented accommodation. Unfortunately, like so many other people on benefits, they were not able to find alternative accommodation. They had to rely on the Council housing them as a result of their homelessness application.

As expected, the Council accepted the duty to secure housing for them due to Clare's serious mental health problems. Unfortunately, most homeless people who the Council have to house are initially accommodated outside the Canterbury City Council district. In Bob and Clare's case this was a two bedroom temporary accommodation flat in Rainham. The Council considered this to be suitable accommodation. Although Bob and Clare wished to be in Canterbury, for medical and other support, they moved into this accommodation. They were later housed in other temporary accommodation in Herne Bay. They hope that they will eventually get longer term Council or housing association accommodation.

## **CASE STUDY 7**

### ***CHAC helps secure private rented accommodation for single woman***

Sonia came to see us. She had found an affordable flat to rent with a tenancy start date on the following Monday. The landlord was willing to rent this flat to her but wanted either £525 rent in advance or a deposit of £525. Sonia did not have the money for this. This landlord was known to us and had previously rented to tenants after getting a deposit bond from us.

Our Deposit Bond is for 6 months only and is a promise to pay for the cost of any repairs (if costs arise due to the tenant's fault), up to a maximum of one month's rent.

We contacted our Chair who approved the issue of a deposit bond of £550 to the landlord. The landlord then agreed to rent the flat to Sonia who moved in as planned on the following Monday.

After moving in we helped Sonia to claim housing benefit for her rent and this was put into payment at her full rent of £121 every week (£525 pcm).

## **CASE STUDY 8**

### ***CHAC helps client resist eviction proceedings and start paying rent arrears***

Denise was a secure Council tenant with two dependent children. She had rent arrears and Canterbury City Council had previously got a suspended possession order against her. She had breached this order and so her rent arrears were now £500 higher than at her possession hearing. Consequently, the Council had written to the court to get an eviction date and the Canterbury County Court bailiffs had now set a date to come and evict her.

Denise came to see us about this. She was working and got paid every four weeks. She was also getting working tax credit, child tax credit, child benefit and a small amount of housing benefit. She had not been paying her rent because she had been struggling to cope and not managing over the last year. She explained in tears how her ex-husband had been violent to her for many years. After they divorced he did not know where she was. Unfortunately, a year ago, he had found her. He broke into her home and attacked her and her children and tried to kill her. Due to this she had had alarms, sensors and a panic button installed in her home. Even as recently as two months previously he had returned to her home but, this time, he tried to kill himself.

The court proceedings against her ex finished recently but he was not imprisoned due to his mental health problems. Instead an injunction was made ordering him not to go anywhere near her property.

We did a Financial Statement with Denise to establish that she could pay £105.12 off her rent arrears every four weeks when she got paid. We then helped Denise to do **an N244 application** to the court to get a hearing to stop her eviction. The court set a hearing one week before her eviction. Before this hearing we negotiated an agreement with the Council to accept the proposal in our N244 application to repay her rent arrears. A condition of this agreement was that Denise paid this amount of money off her rent arrears before the court hearing as she was going to be paid before this hearing.

**Paul explains:**

'The N244 form is used to make an application to (Canterbury) County Court. In the case studies it is an application to court to suspend the warrant of possession ie to get a judge to stop the court bailiffs from evicting the tenant(s).'

Denise agreed to do this and paid the required amount of rent before the hearing. We went to court with Denise and, consequently, the warrant for eviction was suspended by consent by the Judge on the terms that she paid £105.12 off her rent arrears every four weeks with her first payment on her next pay day.

## **CASE STUDY 9**

### ***CHAC helps extremely vulnerable single parent clear rent arrears preventing her becoming homeless and to secure suitable accommodation***

Karen is a single parent with two dependent children. She was a non-secure tenant following her successful homelessness application to Canterbury City Council. The Council had now applied to court to evict her as her rent arrears were over £2,000. She came to see us 5 days before her court hearing. As she was a non-secure tenant the Judge would have to make a possession (eviction) order if the Council continued to apply for her eviction. These rent arrears were also stopping her from getting a move to suitable, alternative Council accommodation.

Although she was now getting housing benefit there was a period of four and a half months from when she moved in when she had not got any housing benefit. Consequently her rent arrears were just under £2,500. Karen insisted that she had made two claims for housing benefit but the Council said that they had not received either of these.

Karen was a very vulnerable person who has serious mental health problems. She had been detained in a psychiatric hospital in the past due to her health problems. Due to her illness she was unable to deal with her day to day affairs both financial and otherwise. We agreed with Karen that we would represent her at court.

We tried to negotiate with the Council to get them to adjourn this hearing but they would not agree to this and insisted that they would still continue to seek an eviction order unless her rent arrears were cleared.

We went to court with Karen and represented her and got the Judge to agree to adjourn her case for four weeks, on the basis that Karen would maintain rent payments and would start paying £10 off her rent arrears every week. We would also help her to sort out the housing benefit issues and help Karen apply for a Discretionary Housing Payment (DHP). A DHP is a payment of extra housing benefit to help those in exceptional difficulty.

We helped Karen to successfully apply for her housing benefit to be backdated for the maximum time of one month and this reduced her rent arrears by £480. We also helped her to apply for a DHP to clear the rest of her rent arrears. This was also successful.

Further negotiations with East Kent Housing resulted in their agreement not to continue with the court case. Thus we prevented Karen from becoming homeless. Finally, shortly after her rent arrears were cleared, Karen was moved to alternative and more suitable accommodation.

## **CASE STUDY 10**

### ***CHAC helps disabled soldier resist possession and find new accommodation***

Greg and Emily were occupiers of Army accommodation who had been served with a notice terminating their licence to occupy the property following Greg's discharge from the army for medical reasons. He was disabled. The Army brought possession proceedings and at the initial court hearing we disputed the validity of the notice and raised further defences based on human rights law and the Equality Act 2010. The case was adjourned; the court set out requirements for Greg and Emily to provide a detailed defence and further evidence, and there would be a full court hearing in the future. After we submitted this detailed written defence the Army agreed to withdraw the claim for possession and withdrew their claim for legal costs.

The Army subsequently served a new notice on Greg and Emily terminating their licence to occupy but before the notice period ended Greg and Emily were offered a property by the Council following their homeless application. This was a property which was suitable

for them having regard to Greg's disabilities and they accepted the accommodation offered.

## CASE STUDY 11

### ***CHAC helps single mother with disabled child facing eviction from private rented accommodation secure Council property***

Magda was a single mother with three dependent children, one of whom was disabled. She was living in private rented accommodation in Canterbury and had an assured shorthold tenancy. The landlord had served her with a Housing Act 1988 section 21 notice. She wanted to find accommodation which was close to her eldest daughter's school and we liaised with her in connection with bidding on properties on the **Housing Needs Register** (waiting list). Before the section 21 notice was due to expire she successfully bid on a property but the tenant of the property did not move out with the result that this property could not be offered to Magda. We liaised with the Council and secured their agreement that she would be offered a property soon. We also liaised with the agents for the landlord and secured their agreement that they would not seek an order for possession through the courts in anticipation that the Council property would be offered to Magda in the very near future and she would then vacate her private rented accommodation. After a wait of approximately 3 months Magda was finally offered a Council property and was able to move in.

#### ***Paul explains:***

*The Council's Housing Needs Register is the waiting list for social housing (Council, Housing Association and Housing Co-operative properties). To qualify you must have housing need(s).*