

Citizens Advice Bureau

Longsight

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384 Dickinson Road, Longsight

Central Manchester

Tel: 08701 264626

Swan Buildings, 20 Swan St,
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Bolton

Tel: 08701 264038

26-28 Mawdsley St, Bolton BL11 1LF

Rochdale

Tel: 01706 666676

46 Market St, Heywood OL10 4LY

Bury

Tel: 0845 1203757

The Business Centre, Kay St, Bury

Macclesfield

Tel: 01625 426303

Sunderland House, Sunderland St,
SK11 6JF

Sale

Tel: 0870 1264094

73 Chapel Road, Sale M33 1EG

Stretford

Tel: 0870 1264094

55 Bennett St, Stretford

Eccles

Tel: 0161 787 7840

40-44 Church St, M30 0DF

Stockport

Tel: 0870 1204040

39 Greek St, Stockport SK3 8AX

Possession Proceedings for Rent Arrears

Information for Tenants,

[Leaflet No. 8B](#)

(Issue April 05)

This leaflet aims only to give a brief outline of possession procedures. It is not intended to be a substitute for professional advice and assistance.

Tenants are urged to seek independent legal advice as soon as they are informed that the Association intends to start proceedings.

Notice of Seeking Possession

The Association cannot go to Court until a Notice of Seeking Possession has been served. This Notice gives formal legal warning that after 14 days, in the case of Assured tenants and 28 days for Regulated Tenancies, an application may be made for a Court Hearing. At any time within those 14/28 days you may contact your Housing Officer to make new arrangements to clear your arrears. If you make such an arrangement and pay as agreed, no further action will be taken. If no agreement is made or you break the terms of the Agreement, the Association will apply for a Court Hearing.

Summons to Appear in Court

Once an application has been made the Court will send you a Summons. There are three parts to the Summons. The first gives the address of the Court and the date and time your case will be heard. The second sets out the Association's case against you. This is called the Particulars of Claim. The third is the Form of Reply. This is where you write down your own arguments in defence of the claim. Your defence should be returned to the Court within 14 days of receiving the documents.

Suspended Possession Order

In Court, the Association will usually ask for a Possession Order suspended on condition that you pay your weekly rent plus an agreed amount off the arrears. The Order will state that if you do not keep to the agreed terms, your tenancy comes to an end and the Association is entitled to repossess your home. The Order may also state that the costs the Association has incurred in bringing the case should be added to your arrears.

Eviction

If you do not keep to the conditions stated in the Order, the Association will ask the Court bailiffs to evict you. You will be given warning by the Association before application to the bailiffs is made. The bailiffs themselves inform you of the time and date they will be arriving to carry out the eviction.

Arcon will take legal action against tenants in arrears only if all other methods have failed. Information for Tenants Leaflet No. 7B on the control of rent arrears outlines the steps a tenant should take if they owe rent or are in danger of falling into arrears.

Where to go to for advice

Law Centres

Manchester North Law Centre:

Unit A
Harpurhey District Centre
M9 49H

Tel: 0161 205 5040

Wythenshawe Law Centre

260 Brownlee Rd
M22 5EB

Tel: 0161 498 0905/6