



**South Hams
District Council**

HOUSING OPTIONS INFORMATION PACK

How can we help?

South Hams District Council is committed to assisting you to resolve your housing problems and secure accommodation that is right for you. The earlier you contact us about your housing problem, the more opportunity we will have to help you. We will ask for you to make every effort to work with us to assist you as we cannot work without your full co-operation. We will always try and prevent any potential homelessness. The Housing Options Officers offer free and confidential advice at our Follaton House Office in Totnes. You will need an appointment.

We can help with advice on:

- Notices to leave
- Possession action by landlords or lenders
- Repairing responsibilities
- Deposits
- Welfare benefits
- Illegal eviction and harassment
- Domestic abuse.

If you would like advice on your current situation, we ask that you visit us at Follaton House, Totnes where we can book an appointment for you or telephone the Housing Options Team on 01803 861260.

Once the appointment has been booked, you will be given an appointment sheet detailing all the documents you need to bring to the interview. Please take the time to read through the whole pack. You can discuss the contents and any questions at your interview.

Are you living with relatives or friends? Are they asking you to leave?

If you have problems in your current lodgings, we can negotiate for you to continue the arrangement, where this is appropriate. Where this is not going to work, we can advise you on the best course of action to resolve your situation.

Problems with Housing Benefit claims

Most people who pay rent can apply for Housing Benefit if they are on a low income. Problems with Housing Benefit claims may put you in rent arrears and cause problems with your landlord. In these situations, we may be able to help prevent you from losing your home by referring you to the dedicated Housing Options Benefit Assessor.

My landlord is harassing me; won't let me back in the property

Whatever type of tenancy you have, your landlord does not have the right to harass you. For example, they should not call round whenever they wish, or disconnect your fuel supplies, or take your belongings, or threaten to harm you. Your landlord cannot evict you without obtaining an eviction warrant from a court. Harassment and Illegal Eviction are criminal offences and if found guilty, your landlord could be fined, sent to jail, or both. Our Housing Options Team can intervene and mediate with your landlord to stop harassment or illegal eviction, and help get you back in your home.

Repairs

Your landlord has duties to undertake repairs if you have told them about the problem. Sometimes a landlord does not do the repairs; or disagrees that repairs need to be done; or disputes who is responsible. We can give you advice, and help you negotiate to get the repairs done, or take legal action to get them done.

Mortgage Problems

If you are worried about paying your mortgage, you should talk to your lender first as they may be able to help you find alternatives, such as cutting your monthly repayments. New rules introduced in November 2008 mean that repossession should always be a last resort, and lenders have agreed to look at all possible options to prevent it. Some of the main lenders are also working with the Government to develop a scheme that enables eligible borrowers to defer payment of a proportion of their interest payments for up to two years.

South Hams District Council is working with the local Citizens' Advice Bureau to offer free, independent, and confidential advice. **CAB's dedicated telephone helpline is 01803 862392** where you can get initial advice or make an appointment.

You may be eligible for help with your mortgage interest payments if you have been on certain benefits for 13 weeks or if you are on the lowest income and have limited savings. For more information, contact **Jobcentre Plus on 0800 055 6688** or www.jobcentreplus.gov.uk

If your lender has advised you that they intend to repossess your home, you may qualify for the Mortgage Rescue Scheme. You must meet certain eligibility criteria and, depending on your circumstances, you will be offered either:

- A shared equity option reducing monthly mortgage payments
or
- Mortgage to rent, where the property is purchased by a Registered Social Landlord and rented back to you at 80% of the open market rent

For more information, talk to the options officer at your interview.

Please **contact a Housing options officer immediately on 01803 861234** if a court hearing has been arranged. It is important that you turn up for any hearings or you will find that decisions may be made against you in your absence. Even at this late stage, repossession can be delayed or stopped altogether. Free legal advice is available at the Exeter and Plymouth County Courts on the day of the hearing.

Domestic Violence

If you are suffering domestic abuse, we can help by referring you to the Sanctuary scheme, which enables you to remain at home and feel safe. The scheme can provide you with a 'safe room' in your home, changes of locks, or an attack alarm. We can also refer you to the Police Domestic Violence Unit, who can help and advise with injunctions against your partner. We can also refer you to a place of safety, such as a refuge, if you have to leave your home because of the violence.

Relationship breakdown

If you are going through a relationship breakdown that is not violent, we can help and advise you on the best action to ensure a planned move to a new home. We can also make an appointment for you to speak to a solicitor, if needed.

Violence from outside the home

If you are at risk of violence from outside your home, we would normally expect you to have reported it to the Police (and to your landlord if you are a social housing tenant). You will need to prove you have done so. Often, your social landlord can help with a move, and we can also support you in this.

Moving here from out of Area

If you wish to relocate to this area you should be aware housing is in short supply. You should ensure you do not give up your current accommodation before securing a long term alternative. If you are a local authority or housing association tenant in a different area, we would advise you to remain in your current accommodation until you could secure a swap or mutual exchange via Homeswapper (www.homeswapper.co.uk). Secure tenancies are very difficult to come by and you would not usually be advised to give up a secure tenancy because they are so difficult to gain. If you have neighbour difficulties that are prompting you to leave you should contact your landlord directly. They will have a duty to listen to your concerns and help you to deal with the problem.

HOUSING OPTIONS

Staying with family or friends

Staying with family or friends could provide you with short term accommodation. If you ask to stay with family or friends, although they may not ask you outright, they will normally need to know how long you will want to stay with them. If you do stay with family or friends, you need to be looking for other accommodation as this is usually only a temporary measure.

Privately Renting

Lodgings

Lodgings are where homeowners rent out a room in their home. This option is usually significantly cheaper than renting a self contained property, so is often a more affordable option for young people or those on a limited income. You can find lodgings advertised in local papers and on the Internet. Which bills and other costs are covered by your rent varies for each landlord, as do 'house rules' so make sure you are clear about these before you agree to move in.

House Share

Usually you will have your own room but will often share the kitchen, lounge and bathroom. This option is also significantly cheaper than renting a self contained property, so is often a more affordable option for young people or those on a limited income. You can find house shares advertised in local papers and on the Internet. Which bills and other costs are covered by your rent varies for each landlord, as do 'house rules' so make sure you are clear about these before you agree to move in.

If you are currently privately renting and you have been given notice by your Landlord, you should ensure you have provided a copy of your notice with the housing options form. We will check it is legally correct.

If you do have to leave your rented accommodation and are threatened with homelessness it is most likely that your housing situation will be resolved by alternative accommodation in the private sector.

Therefore you should start looking for alternative accommodation in the private sector. Private sector accommodation gives **you** the choice of location and the opportunity to identify a property of your choosing.

Where do I start looking?

Try local newspapers, the Herald Express, Plymouth Herald, Totnes Times, and Kingsbridge Gazette. Copies of newspapers are often available at the library if you do not wish to buy them.

Local shop windows and notice boards sometimes advertise rooms or houses to let. You could consider placing an advert yourself, stating that you are seeking accommodation.

Local letting agents have properties available to rent. Enclosed is a **list of local agents**. We cannot recommend them or guarantee availability of properties and you should contact them directly. Most agents require a deposit and at least one month's rent in advance, together with work and personal references. There may also be an administration fee, and some also require a guarantor.

The internet is a great resource and letting agents often list their currently available properties. If you do not have access to the internet at home, the Council offices in Totnes can provide access to relevant sites or, for a small fee, the local library can provide access.

It is important to start your search early, in order to have the best choice of properties and an opportunity to secure the most suitable accommodation. When you identify a suitable property, make contact with the landlord or agent quickly - affordable properties are let quickly.

The next step

You should arrange to visit the property. For safety reasons try not to go alone, tell someone where you are going and when you expect to be back. Take references with you and write down any questions.

It may be useful to ask:

- The full address including postcode
- How many bedrooms?
- Will any facilities be shared?
- Will the landlord live at the same address?
- How much is the rent?
- Is the garden shared?
- How long would the tenancy be for?
- How much rent in advance is required?
- Is a deposit required?
- Is there a current gas safety certificate?
- Is there an electrical test certificate?
- Is the property furnished? Does the furniture conform to current safety standards?

If the property is shared, meet the other tenants before deciding whether to move in.

Affordability

If you are on a low income you may be entitled to housing benefit to help you pay the rent. You could be entitled to housing benefit if you are in receipt of Income support or Job Seekers Allowance or working but on a low income. There are certain restrictions on housing benefit for under 25's. Housing benefit will not cover any bills, such as water rates or council tax even if they are included in your rent. You should contact Revenues and Benefits directly who can advise you on your own entitlement - ask for a trial calculation. You will need to provide details of your income, savings, family make up and rent. You can see an advisor at Follaton House, Totnes. If you have access to the internet you could use the benefit calculator on the council's website www.southhams.gov.uk/sp-benefits-calculator.htm.

If you secure a property you should make your claim for housing benefit on the date you move in. If it is your first claim you must claim over the phone. Enclosed is a housing benefit claim leaflet detailing the information that will be required.

Local Housing Allowance (LHA) is the new way housing benefit will be calculated and the amount of local housing allowance will change monthly. To find out the current local housing allowance for your address or proposed address you can visit the South Hams District Council Offices or look on the South Hams District Council website.

Deposit Money

Most landlords will ask for some monies in advance before letting their property. Often landlords require one month's rent in advance and a deposit. In certain circumstances the Council may be able to assist you with the deposit, by way of the deposit guarantee bond and rent in advance by way of a repayable loan. In order to gain assistance you will need to meet the criteria and your application be approved by the Housing Advice Manger or Team Leader.

Generally you will need to be:

- Imminently threatened with losing current accommodation
- Have a local connection with the South Hams area
- Be considered to be in priority need – for example
 - a) A pregnant women or person with whom a pregnant woman might reasonable be expected to reside
 - b) A person with whom dependent children reside
 - c) A person who is vulnerable as a result of old age, mental illness, handicap or physical disability or some other special reason. You would be asked for medical evidence.
 - d) A person who is homeless or threatened with homelessness as a result of an emergency such as fire, flood or other disaster.

In addition you will need to demonstrate that you do not have access to any alternatives funds. Documentation such as bank statement and proof of income will be required.

Deposit loans will only be issued if the property is appropriate for your needs and you can provide written details of the deposit required, rent charges and rent in advance requirements. A personal budget (enclosed) will also need to be completed to show that the property is affordable.

Rent Deposit Protection

All private landlords and letting agents taking deposits after 6 April 2007 for assured shorthold tenancies must safeguard them with a Government –authorised tenancy protection scheme. Any assured shorthold tenancy agreement renewed by way of a new agreement after 6 April 2007 where a deposit was originally paid must also be protected.

Within 14 days of the tenancy beginning, the landlord must safeguard the deposit. The tenant must receive the prescribed information of how the deposit is protected.

If you pay a deposit to your landlord, you should receive notification of which tenancy protection scheme the landlord or agent has used so that you know where your money is. If your landlord does not safeguard your money you may be entitled to compensation and it may be more difficult for your landlord to evict you from the property. If you are unsure seek further advice www.direct.gov.uk/en/tenancydeposit. The scheme is intended to reduce disputes relating to the return of deposit. In event of a dispute at the end of the tenancy the Alternative Dispute Resolution will decide how it should be divided.

Guarantors

Some landlords and letting agents require guarantors. Guarantors are expected to pay the rent if the tenant does not. Each agency will have its own requirements but often guarantors are required to;

- Be an owner occupier
- Have a regular income
- Provide bank references
- Have an income of 3, 4, or 5 times the rent!

The council cannot act as a guarantor.

Tenancy Agreement

Tenancy agreements may be written or verbal. Verbal agreements are as legally binding as written ones. It is advisable to get written agreements so each party knows their rights and responsibilities. Tenancy Agreements cannot take away any of your statutory rights.

Before you sign any agreement check:

- Exclusive occupation or shared facilities?
- The amount of rent
- The length of the tenancy
- What date you have to pay and how often
- Is there a break clause
- Who you should contact if there is a problem

As a private tenant you have the following rights:

- To know the landlords name and address
- To have a rent book
- To get repairs carried out
- To reside in safe accommodation
- Not to be subjected to harassment or illegal eviction
- To quiet enjoyment of the property

Private Renting Checklist

Deposit - Have you got one, have you applied for one?

References – Have you got your references prepared?

Housing Benefit – Have you had a benefit calculation?

Have you made a claim?

Tenancy Details – Length of tenancy, shared facilities

Negotiations – Try to negotiate with the landlord - maybe there is some flexibility with the rent.

Social Housing

The Council does not own any housing and we are asked by the housing association who owns the property to nominate applicants from the housing register for any vacancies that they may have. The Council's housing register is available to most people who wish to be considered for permanent housing. South Hams District Council currently operates a points based allocations policy, with properties normally being offered to those with the highest points.

There is a high demand and a shortage of social rented properties and there are about 200 vacancies a year and therefore very few applicants will be successful in gaining permanent housing through this means. In view of the fact there is a very limited chance of applicants being offered housing by a housing association, South Hams District Council has identified some alternative housing options for you to explore

Shared ownership/Key Worker Living Programme

If you have a regular income you may be eligible to access the shared ownership scheme. Key workers, such as teachers, NHS, health workers and others may be eligible for additional schemes. You will need to contact South West Homes on 0300 100 0021 or www.southwesthomes.org.uk and ask for a leaflet.

Homelessness Applications

If you have nowhere to stay, it is your right to make a homeless application to any local authority. If you do so the authority will have a duty to assess you under the homelessness legislation. An investigation will take place and a decision would be made as to the duty owed. If the authority has reason to believe that you are eligible for assistance, homeless and in priority need, you may be, if necessary, placed into temporary accommodation. In an emergency this may be bed and breakfast establishments usually in Plymouth or Torbay. We have our temporary accommodation and would look to move you into one of these properties as soon as possible.

Before the authority makes a decision on the extent of the housing duty it owes to you, the homeless investigation would consider:

- Are you eligible for assistance?
- Are you homeless or threatened with homelessness?
- Are you in priority need?
- Are you homeless intentionally?
- Do you have local connection?

Even if accepted as homeless this authority may still assist you by securing a property in the private sector. If you wish to make a homeless application you should advise the Housing Options Officer at your meeting.

Please use this space to jot down any questions you may want to ask at your appointment.

Check List re information required for Options Application Form

Tick box

Tenancy Agreement	
Proof or copy of notice	
Proof of ID includes: Passport, Driving Licence, Birth Certificate (for all persons	
Proof of Benefits included: Child Benefit, Child Tax Credit, Working Tax Credit, Incapacity, DLA	
Proof of income includes: Last wage slip and proof of any benefit paid via employer	
Last 2 months Bank or Building Society statements	
NI number card of proof of number	
Proof of pregnancy	
Medical reports for any health issues	
Any documents relevant to your housing situation	
Property information if applying for Rent Deposit: <ul style="list-style-type: none"> a) Information from the Landlord of Letting Agents on headed paper including their name and address b) Address of property c) How much is the Rent d) How much is the Rent Deposit e) How much is the Rent in Advance 	

SOUTH HAMS LETTING AGENTS

<p>DARTMOUTH</p> <p>Singer & Singer 5-6 Fairfax Place Dartmouth TQ6 9AD Tel: 01803 833681</p>	<p>Freeborns 1-3 Hauley Road Dartmouth TQ6 9AA Tel: 01803 832045</p>
<p>Charles Head 5-7 Hauley Road Dartmouth TQ6 9AA Tel: 01803 835600</p>	<p>Fulfords 9 South Embankment Dartmouth TQ6 9BH Tel: 01803 832223</p>
<p>TOTNES</p> <p>Stags The Granary Totnes TQ9 5GN Tel: 01803 865454</p>	<p>Primrose Properties 1a Dartmouth Close Ticklemore Street Totnes TQ9 5EJ Tel: 01803 863360</p>
<p>Michelmore Hughes 26 Fore Street Totnes TQ9 5DX Tel: 01803 865116</p>	<p>Luscombe Maye 59 Fore Street Totnes TQ9 5NJ Tel: 01803 869920</p>
<p>Marchand Petit Waterside The Plains Totnes TQ9 5YS Tel: 01803 847979</p>	<p>Rendells 57 Fore Street Totnes TQ9 5NL Tel: 01803 863888</p>

<p>KINGSBRIDGE</p> <p>Luscombe Maye 62 Fore Street Kingsbridge TQ7 1PP Tel: 01548 857414</p>	<p>Marchand Petit 94 Fore Street Kingsbridge TQ7 1PP Tel: 01548 857588</p>
<p>Charles Head 113 Fore Street Kingsbridge TQ7 1BG Tel: 01548 852352</p>	<p>Ireland Weller The Promenade Kingsbridge TQ7 1JD Tel:01548 857879</p>
<p>Stags 83 Fore Street Kingsbridge TQ7 1AB Tel: 01548 853131</p>	<p>Fulfords 7 Fore Street Kingsbridge TQ7 1PG Tel: 01548 853747</p>
<p>IVYBRIDGE</p> <p>Moorhaven Rental The Pottery Moorhaven Village Ivybridge PL21 0HB 01752 892411</p>	<p>Maitlands 8 Glanvilles Mill Ivybridge PL21 9PS Tel: 01752 895379</p>
<p>Miller 59 Fore Street Ivybridge PL21 9AE Tel: 01752 892818</p>	<p>MODBURY</p> <p>Luscombe Maye 3 Church Street Modbury PL21 0QW Tel: 01548 830831</p>
<p>SOUTH BRENT</p> <p>Richard Everett 5 Station Road South Brent TQ10 9BE Tel: 01364 73400</p>	<p>Marchand Petit 4 Broad Street Modbury PL21 0PS Tel: 01548 831163</p>