

I have been served with a Notice of Proceedings – what does this mean?

A Notice is a legal document which tells you that we are taking legal action which could lead to your eviction. The Notice tells you which tenancy condition you are breaking.

Does it mean I'm going to be evicted?

Not necessarily. It is the first stage of the Association taking action against you and **the Notice will provide you with the earliest date before the Association can start legal proceedings**, which gives time for you to sort out the situation. The date from which it becomes valid is shown clearly on the Notice. You will be given every chance to put things right to avoid court action and possible eviction from your home. We ask you to read the guidance provided to you.

Why have I been served with a Notice?

You have been served with a Notice because you have broken the terms of your tenancy agreement. It could be that you have arrears of rent, or that you have been disturbing your neighbours. The Notice tells you what condition of your tenancy you have broken.

We will not serve a Notice as a first course of action. If there are problems with your tenancy, we will try to sort them out with you first. If the situation has not been resolved and we have to consider court action, only then will we serve you with a Notice of Proceedings.

What happens after I have been served with a Notice?

Your Housing Officer will contact you to discuss the problems with your tenancy and agree with you what you need to do to put things right and avoid court action.

This could mean that you come to an agreement to pay off your rent arrears in a way you can afford, stop disturbing neighbours, or take action to amend any breaches of your tenancy agreement. As long as you keep to the terms of the agreement, we will not take any court action against you.

How long will the Notice be in force for?

When a Notice is served, there is a period before it becomes valid. We will inform you of the date the notice is valid from.

The Notice is then effective for **6 months**.

After that date, we can take court action at any time during those 6 months.

At the end of the 6 months, the Notice expires which means that we could serve you with a new Notice if we are considering court action again.



I've been keeping to my repayment agreement and I've still been served with a notice – why?

When a tenant has serious rent arrears, the Association will ensure that there is a valid Notice in place so that if the repayment agreement is broken, we can take court action as quickly as possible.

If you are keeping to your repayment agreement, we will not take court action against you.

Should I get independent advice?

Yes. We would always encourage anyone who has been served with a Notice to seek independent advice. The contact details for organisations that may be able to help you are listed below.

Remember:

- ✓ Contact your Housing Officer straight away
- ✗ Do not ignore the problem
- ✓ If you keep to your agreement with us, we will not take court action against you
- ✓ Get independent advice

Useful Contacts

Lochaber Housing Association

101 High Street, Fort William, PH33 6DG

Telephone: 01397 702530

Email: housingmgmt@lochaberhousing.org.uk

My LHA self-service account: <https://www.lochaberhousing.org.uk/my-lha>

Allpay rent payments:

Telephone: 0844 557 8321 Online: www.allpayments.net

Housing Benefit, Council Tax Benefit and

Council Tax enquiries: Freephone: 0800 393811

Welfare Support Team: Freephone: 0800 090 1004

Lochaber Citizens Advice Bureau:

Dudley Road, Fort William, PH33 6JB

Telephone: 01397 705311

Freephone: 0808 800 4444

Shelterline:

Free, impartial and independent housing advice

Freephone: 0808 800 4444

