

# Housing Guide



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# Understanding Your Tenancy Agreement

If you rent from a private landlord, your rights depend on the type of rental agreement you have. This includes things like your right to get repairs done, stay in your home and get your deposit back.

The date your agreement started might be in your written contract if you have one. If not, it will be the date you agreed the rental agreement – this could be earlier than the day you agreed to move in. Even if you have a written contract that says you have a certain type of agreement, you should still check what type of agreement you have. It might be different to what your written contract says – this means you might have more rights.



TENANT

# Eviction Notices



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If you get a section 21 notice, it's the first step your landlord has to take to make you leave your home. You won't have to leave your home straight away.

If your section 21 notice is valid, your landlord will need to go to court to evict you. You might be able to challenge your eviction and stay longer in your home. You might have to pay court costs if you decide to challenge your eviction. You should make sure you have a good case before you decide to go to court.

Your landlord doesn't need a reason for giving you a section 21 notice – for example, they might just want to move back into the property. You can only get a section 21 notice if you have an assured shorthold tenancy. If you're not sure what type of tenancy you have, use Shelter's tenancy checker to find out. If your landlord gives you a section 21 notice and you don't have an assured shorthold tenancy, your notice won't be valid. You'll be able to challenge your eviction and stay in your home.

You don't have to sign a section 21 notice to prove you've received it – even if your landlord asks you to.





# If Your Eviction Notice Is Valid



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Your landlord can't make you leave your home unless they've gone to court to get a possession order and a warrant for eviction – this means they can use court bailiffs to evict you. If they try to force you to leave before this, it's an illegal eviction – you can talk to an adviser for help to challenge it.

Your landlord can only go to court after the date the section 21 notice says you have to leave.

If you've got a good relationship with your landlord, it might be worth asking them if you can stay in your home for longer. Send a letter to your landlord explaining your situation and keep a copy of any reply you get.

When your landlord goes to court, you might be able to ask the court to let you stay in your home for longer. You'll need to get papers from the court before you can ask to stay in your home for longer.







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# Eviction

## What Help Can You Get?

Don't leave your home before the date on your section 21 notice if you haven't found somewhere else to live.

You can ask your local council for help as soon as you get a section 21 notice – they might be able to:

- Help you stay in your home
- Find somewhere else for you to live

Check if you can apply for help as someone who's homeless or will soon be homeless.

You can also find out what other help you can get if you're being evicted.





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# If You're Homeless

You can apply to the council to get somewhere to live if you're homeless or you'll become homeless within 8 weeks.

You don't have to be sleeping on the streets to be considered homeless. You can apply for help even if you have somewhere to live but it's not suitable. For example, if you're staying on a friend's sofa or your home is overcrowded.

You can also apply for help if you've been given a valid section 21 eviction notice which ends within 8 weeks. How much help you get depends on your circumstances. It's worth applying for help even if you're not sure you'll get it – councils have to make decisions on a case by case basis.

If you're aged 16 or 17, it's usually worth applying to social services instead. Social services are more likely to help you, and they'll usually give you more help. If you've recently been living in care, you usually have to apply to social services. Check how to get homeless help from social services.





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# If You Have Nowhere Safe to Sleep

If you can't stay in your home because of violence, threats or any other abuse you can apply for homeless help. You can also get help from:

Refuge or Women's Aid on 0808 2000 247 at any time

Men's Advice Line on 0808 801 0327 Monday to Friday from 9am to 5pm

Calls to these numbers are free.

You can get council help if you're eligible and you're legally homeless or have been threatened with homelessness.







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# Check If You're Legally Homeless

You're legally homeless if:

- You have nowhere to live in the UK or abroad
- You have a home but you can't access it – for example, if your landlord has unlawfully evicted you by changing the locks
- It wouldn't be reasonable for you to stay in your home – for example, because of abuse or other violence, poor conditions or you can't afford it
- You have nowhere you can keep your home if it's moveable – for example, if it's a caravan or house boat

You're classed as being threatened with homelessness if:

- You have to leave your home within 8 weeks – for example, if you're asked to leave somewhere temporary
- You're given a valid section 21 notice to leave your home and the notice ends within 8 weeks





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# If You're Homeless

## What Help Can You Get?

If you qualify for help the council will first check if they can help you find a new home if you're already homeless. If you're threatened with homelessness they'll see if they can help you stay in your home.

You'll usually be given help for 8 weeks. If you're threatened with homelessness and have been given a valid section 21 notice you must be given help for longer.

If you're threatened with homelessness and your situation changes so you become legally homeless you'll get help for another 8 weeks. You'll be given help to find a new home. The council has to work with you to put together a written housing plan, saying exactly how they'll help you stay in your home or find a new one.

For example, if you're threatened with homelessness they might be able to negotiate with your landlord so you can stay in your home. If you're already homeless they might be able to give you a deposit to get private rented housing.

[Find out more about getting a housing plan.](#)





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# Emergency Housing

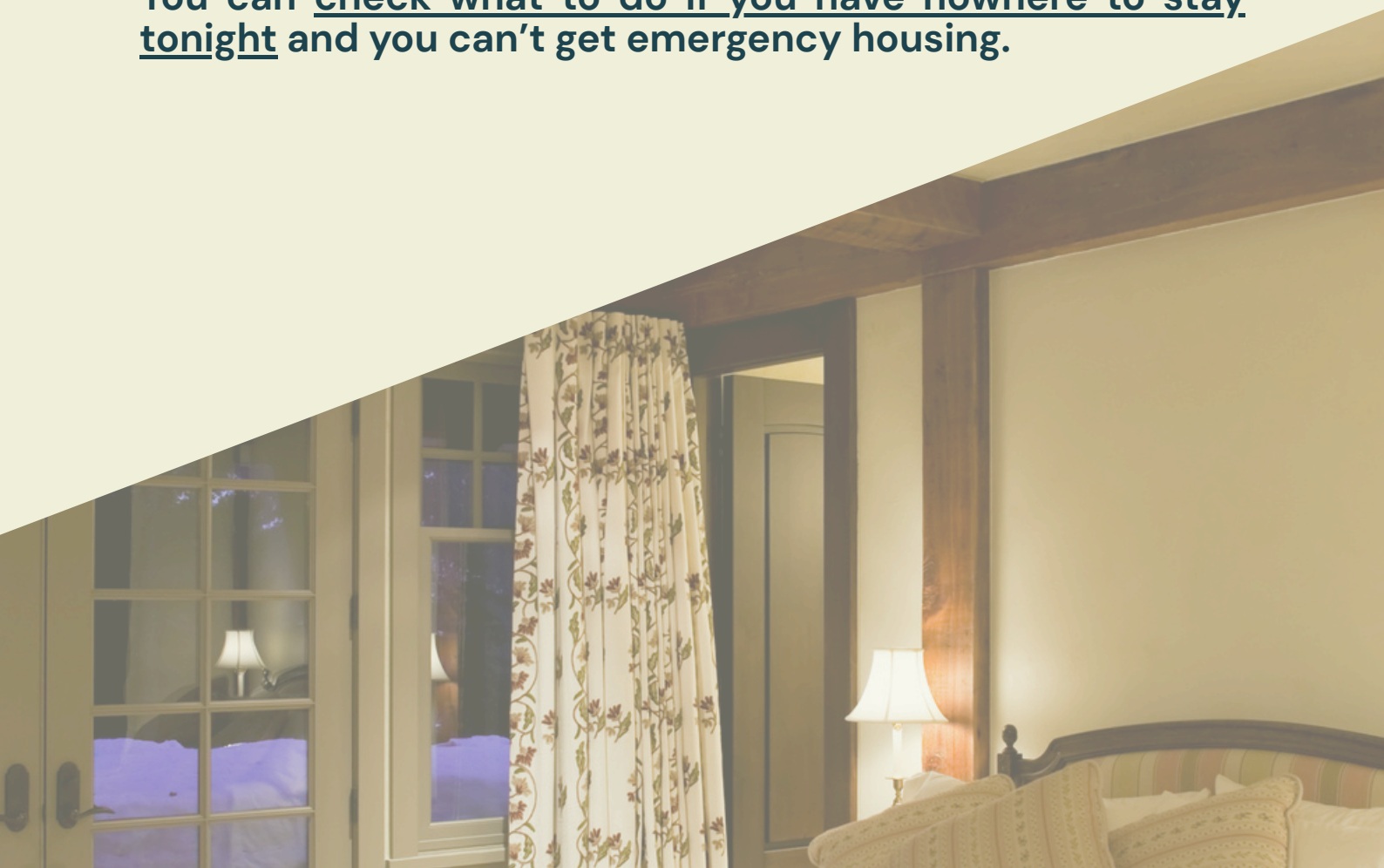
You can get short-term emergency housing straight away if the council think all these things might apply:

- You're eligible for help
- You're legally homeless
- You're in priority need

If you're threatened with homelessness you can't get emergency housing, but if you later become legally homeless you might be able to get it.

If you're offered emergency housing you could be placed in a bed and breakfast or hostel while the council decides if you qualify for longer-term housing. Find out more about getting emergency housing.

You can check what to do if you have nowhere to stay tonight and you can't get emergency housing.







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# Priority Housing Need

You'll be in priority need if you're:

- Living with a child – this will usually include a child aged 16 to 18 if they're in full-time education or training
- Pregnant or living with someone who is
- Homeless because of domestic abuse
- Homeless because of an emergency – for example a fire or flood
- 16 or 17 and you're not living with your family and social services can't help you – check when you can get help from social services
- 18 to 20 and you were living in care

You're also in priority need if it would be more difficult for you to cope with being homeless because of your needs. This is known as being 'vulnerable'. You might be vulnerable for example because of a disability or old age.

High Priority



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# Information Regarding Bailiffs

Get advice if you get an eviction notice from the bailiffs  
Sometimes the court can stop or delay an eviction.

You can:

- Contact a Shelter adviser
- Find other organisations offering free advice

Bailiffs must give you 2 weeks' notice of an eviction date. It comes in a sealed transparent envelope and should be posted through your letterbox or attached to the door. The notice of eviction from the bailiffs should confirm the date and time. If you're still at the property when the bailiffs arrive, they will ask you to leave. Ask to see their identification. They must have this with them.

Bailiffs must not use violence or offensive language. You should be ready to leave and hand the keys back. They may allow you a short time to move your belongings out but it's best to do this in advance. If you leave belongings in the property Bailiffs do not have to give you extra time to pack your things.

Your landlord must keep your belongings safe for a reasonable time. You could be charged for storage or removal if you do not collect them. You may be able to claim money from your landlord if they dispose of your belongings without your permission. If you'll be homeless after eviction. You can ask the council for help as soon as you're at risk of eviction. You do not have to wait until the eviction date.

You may qualify for emergency or long term housing if you meet certain conditions. The council may also help you find a new home.

BAILIFF



# Useful Contacts



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National Domestic Abuse Helpline	On 0808 2000 247 at any time
Men's Advice Line	On 0808 801 0327 Monday to Friday from 10am to 5pm
Streetlink. They'll help you get help from your local council or charities. You'll need to	<u>Tell Streetlink where you're sleeping on their website.</u> They'll find you and help you find somewhere to stay.
You might be able to get a place to stay in a hostel, night shelter, refuge or bed and breakfast.	You can ask your local council for contact details of places to stay. Find your local council on GOV.UK.
You should talk to your GP if your housing problems are affecting your mental health.	You can find other ways to get help with your mental health on the Mind website
Samaritans provides to anyone in emotional distress, struggling to cope, or at risk of suicide throughout the United Kingdom and Ireland.	Helpline: 116 123 (Monday to Sunday at any time)
Shout is a free, confidential, 24/7 text support service for anyone in the UK who is struggling to cope	Text 'SHOUT' to 85258 to start a conversation with a trained Shout volunteer. Texts are free, anonymous and confidential from anywhere in the UK
If you live in England (apart from London)	You can find out about Rent to Buy on GOV.UK.
Shelter – advice and support services offer one-to-one, personalised help with housing issues and homelessness.	<a href="https://www.shelter.org.uk">https://www.shelter.org.uk</a>





# Contact Us



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