



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 at the back of this leaflet.

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



101 High Street
Fort William
PH33 6DG
Telephone: 01397 702530

Useful Contacts

**Housing Benefit, Council Tax Benefit
and Council Tax enquiries:**
Freephone: 0800 393 811

Lochaber Citizens Advice Bureau:
Dudley Road
Fort William
PH33 6JB
Telephone: 01397 705311

Shelterline:
Free, impartial and independent housing advice
Freephone: 0808 800 4444

Welfare Support Team:
Can help you apply for benefits
Freephone: 0800 090 1004



Your Voice
approved

Notice of Proceedings for Recovery of Possession

(Formal Notice when you
have breached a tenancy
condition, which can lead
to eviction)



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 gives you 28 days before the Association can start legal proceedings, which is 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.



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, or that you stop disturbing neighbours. 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 of

28 days

before it becomes valid. The Notice is then effective for

6 months

after that date, which means that 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.