



Most landlords/ ladies are considerate and approachable and will be helpful with any problems or difficulties you may have. However, if this is not the case, there are certain steps and approaches you can take to resolve matters. It is always a good idea to seek advice on how to go about things and the FXU Advice Service can help you.

What are your rights?

Housing law sets out your basic rights as a tenant and additionally you may have rights as stated in your contract. Your contract consists not only of what's in writing but also what may have been agreed verbally. So the first step if there's a problem is to look at what the law says then check your contract to see if you have any other solutions. Your contract cannot remove your basic legal rights, but it can give you extra rights.

Generally, the landlord/lady:

- Should allow you to live in peace and quiet. Not to do so may be harassment, which is a criminal as well as a civil offence.
- Should give you a receipt if you ask for one. Only if you pay rent weekly is your landlord/lady legally obliged to provide you with a rent book.
- Should only enter your home during reasonable hours, with reasonable notice (at least 24 hours, except in an emergency) and with your agreement, if possible, which you should not unreasonably withhold. To do otherwise may be harassment.
- Should not try to evict you without following the correct legal procedure according to your type of tenancy agreement. If they do evict you without the correct procedure this may be illegal eviction.
- Should do repairs for which they are responsible – generally structural and basic services. If they don't they may be in breach of contract and/or guilty of harassment.
- Should not increase your rent without following the correct procedure according to your contract. If they do they may be in breach of contract.

What is harassment?

Harassment can involve all sorts of difficulties but the major definition is any acts by any person which disturb your 'peace and comfort' and which the person has reasonable cause to believe will lead you to leave or not exercise your rights (S29 Housing Act 1988).

Are you being harassed?

It's very difficult to specify exactly what actions amount to harassment but if you are experiencing any treatment which is making you want to move out or afraid to approach your landlord/lady this may constitute harassment.

Examples include:

- i) Causing unreasonable interruptions to your electricity or gas supply;
- ii) Entering your home without your permission;
- iii) Persistently delaying doing requested repairs;

It may be that these things are happening purely accidentally but if you feel that persuading you to leave may be the motive behind them then get in touch with us **immediately**.

What can you do about it?

It is usually advisable to take any action one step at a time with these things. If you were to go straight ahead with legal action you may find you've got the situation totally wrong and this could lead to expense and embarrassment plus you could lose your home and your reputation as a tenant.

Before you do anything try to find out how much security you have – if your landlord/lady has the right to evict you with minimal notice and without a court order you need to act very carefully. We can advise you on the type of tenancy you have.

Firstly Try to talk to your landlord/lady.

Secondly Think about whether you have any witnesses or whether you can prove that these problems exist.

Thirdly Write to him/her explaining that if the problem isn't resolved it may constitute harassment and that you will be taking advice on the matter. Keep a copy of the letter!

Fourthly Take advice on the matter. You may be able to sue and/or prosecute and gain damages and/or compensation. Sources of advice include the FXU Advice Service or a solicitor.

We would usually advise you to come to see us as soon as any problems arise, but come to see us at any stage in the process if you feel you need any help whatsoever. If you have left as a consequence of the harassment come to see us immediately as you could get your home back and/or some compensation and/or damages.

Always seek advice before taking action.

Remember also, that if you deal with an agent rather than a landlord, the agent is bound by the same obligations as a landlord.

FXU Advice Service

Help with: Money, Hardship Fund (Access to Learning Fund), Benefits, Childcare, Housing, Tenancy Agreements, Academic problems, student life!

We are here to help you!

FXU Advice Service Available (Term time only):

Tremough Find us in the Annex (opposite the Refectory/Bar)
Ring: 01326 370447 for an appointment

Woodlane Find us in the Library Building, Woodlane
Ring: 01326 213742 for an appointment

Email advice@fxu.org.uk