Quercus Housing - Eviction Protocol

NOTICE SERVED

Type of notice (Section 21 or Section 8 Notice Seeking Possession) will be dependent upon the type of tenancy (to be amended once Renters Rights Act enacted)



LANDLORD COURT PROCEDURE CHECKLIST

Has the pre-action protocol process been completed?

Possession Claim submitted online by the landlord, ro landlord's representative, tenant notified in person or by letter

Contact with the tenant continued through the process to ascertain if an agreement can be reached prior to a court hearing

HOUSING REFERRAL

Duty to Refer or Commitment to Refer trigged at this point

Landlord should notify the appropriate Housing Options and Solutions Team, completing referral form

(Refer to protocol text regarding consent and sharing information)



PRE-COURT CONTACT

Housing Options and Solutions Teams to discuss with the Landlord the reason for the Notice being served and signpost to teams who may be able to assist with prevention or further action as appropriate eg Housing Benefit, Early Help notification

Update if date for hearing has been set or if proceedings no longer being pursued. Provide details, and copy of, claim for possession made to the Court



COURT HEARING

Landlord to seek order based upon internal policies/procedures and engagement/agreement with the tenant. Outcome of the Court hearing to be shared with the Council's Housing Options and Solution Team

Terms of the Court Order issued to be monitored by the landlord

Prevention Workflow commences – the landlord has had to service Notice



SEVENOAKS DISTRICT COUNCIL HOUSNG OPTIONS AND SOLUTIONS

The Council's Housing Options and Solutions Team will work with the tenant and communicate with the landlord about what actions are agreed if the eviction can be prevented

This will include a Personal Housing Plan or sign posting to relevant support provision for tenancy sustainment

It may include arranging joint meetings with the landlord and tenant

Options for assisting with rent arrears will be explored if this will prevent the eviction

OUTRIGHT POSSESSION ORDER GRANTED

A Warrant will be applied for by as per the terms of the Possession Order (usually 28 days) ASB OR NON-ARREARS POSSESSION ORDER

BREACH OF THE ORDER.

Prior to Warrant application landlord must visit or make contact with the tenant

Tenant to be advised that they can apply for a suspension of a Warrant once it has been applied for

HOUSING OPTIONS AND SOLUTIONS REFERRAL / POSSESSION WARRANT APPLICATION IS MADE BY THE LANDLORD

The landlord should complete and send the referral form to notify the Council's Housing Options and Solutions Team, along with other relevant agencies, such as Specialist Children's Services/Social Services

There should be continued contact/attempts to contact the tenant regarding the breach of terms and next steps

EVICTION DATE SET - LANDLORD WILL

Confirm the eviction date to the tenant in person where possible and in writing and provide relevant sign posting to agencies

Notify the Council's Housing Options and Solutions Team of the date/time of the eviction

LOCAL AUTHORITY HOMELESSNESS RELIEF ACTIVITIES

The Council's Housing Options and Solutions Team is likely to progress application to the Relief stage

This may include updates or devising a Personal Housing Plan and/or sign posting to relevant support

It may include arranging joint meetings with the landlord and tenant.

Options for assisting with rent arrears will be explored if this will prevent the eviction