

How to deal with rent arrears

The principal thing to remember with rent and arrears is to stay on top of the situation. So often we hear on our help-line members who have allowed the situation to drift and are owed substantial amounts of money.

The things to remember:-

- Keep a record of everything – many landlords keep a ‘tenant log’ of communications between them.
- Be conscious of any extenuating circumstances that might affect their response. If you are aware they have just lost their job/had a disaster in their life – tread carefully.
- Always offer the tenant the opportunity to discuss, and possibly work out a re-payment schedule if they are short of monies.
- Be prepared to negotiate. You might be prepared to take less rent for a time if they are a good tenant.
- Any letters should be sent by first class post, and get proof of postage (not registered post).

The main things to do are:-

- The day after the rent was due – make a polite phone call to the tenant explaining that the rent hasn’t been paid.
You would be amazed how many times this nips the problem in the bud.
- A couple of days later a slightly less polite phone call, confirmed by text/email.
Inform them the rent still hasn’t been paid, and you need a discussion with them very soon as to what they intend to do – especially if they are suffering a problem.
- 1 week later send them a letter to state that you still don’t have a satisfactory explanation why the rent hasn’t been paid.
- 2 weeks later, a letter to inform them they are laying themselves open to legal action if they don’t respond.
- 3 weeks later, a letter stating legal action will be taken if they are still in arrears at the next rent due time.
- 4 weeks later, a letter before action stating that a Notice to Quit (a Section 8, grounds 8; 10 and 11) will be issued at the commencement of the next rent period.
- At the start of the next rent due date serve a Section 8 notice.

Note that there are fact sheets on all the notices to quit. Don’t forget you can use the iHowz Eviction Service. Email notices@iHowz.uk for more information.

There are pro-forma letters in the Documents section of the web site.