

## *Section 21 Notices: Homelessness Prevention*

This factsheet explains what your landlord is legally required to do if they want to ask you to leave using a Section 21 Notice to Quit.

It also tells you about the support we can offer to try to prevent you from becoming homeless.

### *Section 21 Notice to Quit*

Your landlord can serve you notice to end your tenancy:

- at the end of your fixed term or
- when your fixed term has expired and your agreement has become periodic

Your landlord doesn't need to give a reason for wanting you to leave.

If the notice is valid you are expected to leave on the date the notice ends.

If you don't leave your landlord must apply to the Court for a Possession Order as you can only be evicted by a Court appointed bailiff. You will, however, be responsible for any costs

### *For a Section 21 notice to be legal your landlord MUST:*

- give you at least two months' notice in writing
- have followed certain rules for protecting your tenancy deposit and given you required tenancy deposit information - see our factsheet "*Tenancy Deposit Protection Scheme*" for more information

### *In addition, if your tenancy began on or after 1 October 2015:*

- your landlord cannot serve a Section 21 Notice to Quit within the first four months of your tenancy - after that they MUST give you two full months' notice in writing using a specific form called "Form 6a"
- the Section 21 Notice to Quit will become invalid if your landlord does not start possession proceedings within six months of the date of the notice
- your landlord must have provided you with a valid gas safety certificate, a valid energy performance certificate and the 'How to Rent' guide.

### *As soon as you are served with a valid notice*

You should:

- contact the Homeless Prevention Service - we will arrange an appointment with you to look at how we can prevent you from becoming homeless.
- contact your landlord to ask why they are asking you to leave and if there is anything you can do to change their decision (we can help with this).

## *Your appointment with the Homeless Prevention Service*

You must bring:

- your Tenancy Agreement
- anything else you were given when you signed the tenancy such as the energy performance certificate and the gas safety certificate
- the Section 21 notice
- any paperwork that the landlord gave you about where they have protected your deposit (if you paid one), this is called prescribed information
- any emails/letters you sent to/received from your landlord or agent
- confirmation of your rent payments

## **Preventing Homelessness**

We will contact your landlord to find out why they have chosen to end your tenancy and try to negotiate steps to keep you in your home (we need to fully understand the situation to be effective with this).

We may explore one or more of the following:

- offering advice to help you with budgeting and looking at ways to maximising your income (including benefits advice) to support you in affording your rent if the rent has become unaffordable for you- this could also include debt advice
- applying for financial assistance such as a Discretionary Housing Payment (DHP)



*A DHP is used make up the shortfall between rent and Housing Benefit/the housing element of Universal Credit for people who are experiencing financial hardship. This may be a one-off payment or a series of payments. The main purpose of a DHP is to prevent homelessness.*

- clearing any rent arrears - on the understanding that you change the way you manage your money (we can support you with this).
- exploring mediation or an agreed behaviour contract between you and your landlord if there has been a breakdown in your relationship or your behaviour has led to notice being served
- providing a point of contact between you and your landlord to help maintain communication
- liaising with Environmental Health if there are concerns about the condition of the property
- referring you to support agencies that can help you maintain your current accommodation
- offering advice and support to help you find alternative private rented accommodation if we can't prevent you from becoming homeless - see our factsheet "*Finding Privately Rented Accommodation*" for more information

## *Contact the Homeless Prevention Service*

We are open Monday to Friday from 9am to 5pm. You will initially be seen by a Housing Advice Support Officer who will then allocate your case to either:

- a Homeless Prevention Officer if you are threatened with homelessness within 56 days or are immediately homeless
- or a Homeless Resolution and Enablement Officer if you are still in accommodation but you are worried about becoming homeless in the future

Call: 0118 937 2165 (office hours)

Email: [Housingadvice@reading.gov.uk](mailto:Housingadvice@reading.gov.uk)

Drop-in Civic Offices, Bridge Street, Reading RG1 2LU

This information can be provided in alternative formats (Braille, audio, large print) and other languages on request