

LANDLORD AND TENANTS - PROVISION OF DEBT ADVICE

1 Purpose

- 1.1 This report has been written following a Notice of Motion that was presented to Council in May 2014. Council was asked to resolve:
- Investigate what improvements can be made to the process of getting debt and homelessness advice to tenants as early as possible in Aylesbury Vale
 - Engage with the public and landlords and any other relevant others in Aylesbury Vale, to inform, advise and guide a better understanding and implementation, of best practice in getting debt and homelessness advice to tenants as early as possible.
 - Consider, having provided early information about debt and homelessness, how AVDC can persuade those experiencing initial problems, to engage with AVDC as early as possible.

2 Recommendations

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| 2.1 | To continue to provide an efficient and effective Housing Debt advice service |
| 2.2 | Improve access to our Housing Debt Advice self help pack |
| 2.3 | Continue to increase AVDC's active engagement with the public, landlords and any relevant others |
| 2.4 | Continue close working with both social and private sector landlords |

3 Supporting information

- 3.1 We are pleased that the impact of the Housing Advice team is recognised and support the desire for ensuring that it operates at its most efficient level in preventing homelessness. It is possible to make a clear link between preventing homelessness and cost-saving to the local authority and therefore having an effective homeless prevention team is essential, including a dedicated and proactive Housing Debt Advice team.
- 3.2 Within the notice of motion it was stated that housing landlords do not normally provide debt or homelessness advice. However, we should make it clear that there are differences between private and social landlords. Many social landlords will provide a low level of debt advice in order to manage their arrears and there are some who employ a dedicated resource.
- 3.3 AVDC currently employs 3 full time Housing Debt Advisors and 4 Housing Advisors. In 2013/14 the Housing Debt Advice team received 867 referrals and overall the Housing Advice team received 1827 referrals. Having a dedicated Housing Debt Advice team helps support the view that AVDC is committed to providing the most effective homeless prevention service. This team helped prevent 327 out of a total of 359 cases from becoming homeless in the same financial year and ensured that we did not have to make use of any Bed and Breakfast accommodation.

- 3.4 Our Housing Debt Advisors were also one of the highest performing teams nationally in referring clients to the Government's Mortgage Rescue Scheme and our performance was recognised by the Department for Communities and Local Government. This success would not have been possible without the work of this team. This supports the view that AVDC is providing a level of service above the statutory minimum as not all local authorities have a specialised Housing Debt Advice team.
- 3.5 We believe that tenants can access both housing debt and homelessness advice as early as required within the district. This is achieved via self-referrals and the fact that social landlords have a duty to adopt the Pre-action Protocol for Possession Claims based on rent arrears (http://www.justice.gov.uk/courts/procedure-rules/civil/protocol/prot_rent). Within this protocol it states that 'Bearing in mind that rent arrears may be part of a general debt problem, the landlord should advise the tenant to seek assistance from CAB, debt advice agencies or other appropriate agencies as soon as possible.' As AVDC employs 'Institute of Money Advice'-qualified debt advisors, the majority of the social landlords operating within the district do refer cases threatened with homelessness to our team.
- 3.6 However, it is not only landlords who refer cases to AVDC. Mortgage lenders also have a duty to inform local authorities of cases where they are seeking repossession of a property on the grounds of arrears.
- 3.7 In addition to this our housing debt advisors attend the local County Court where we run a pro-active Court Desk advice service in order to help advise any clients who are threatened with repossession or eviction due to rent arrears and who have not been seen before, to increase our chances of preventing homelessness.
- 3.8 Tenants can also find information on our website, including a self help pack, although we recognise that we could improve the ease in accessing this information.
- 3.9 The Housing Service already engages with a wide range of organisations, both voluntary and statutory, informing them of the services that AVDC can provide. Some examples of where we lead on this include meetings such as the quarterly Landlords' Forum, the Homeless Prevention Group meeting and the Registered Providers Management Forum. We are also well regarded for our active partnership working with other agencies and some examples of this include:
- Aylesbury Homeless Action Group (AHAG), which complements the work our Housing Department undertakes. AHAG are able to concentrate their resources in providing advice and assistance to those classed as being a 'non priority', allowing AVDC's Housing Service to provide more time assisting those we have a statutory duty to help. We also provide funding to AHAG to help enable the annual Winter Warmth shelter.
 - Aylesbury Youth Concern's 'Nightstop' project is part-funded by AVDC, which helps to provide temporary accommodation for young people, whilst both Youth Concern and AVDC work to prevent the client from becoming homeless.
 - The Connections Outreach Service provide a dedicated resource, part-funded by AVDC, to verify those who are actually rough sleeping and then working with these clients where possible to help them engage in support.

- We also attend a wide variety of partner agency meeting and these include, Multi-Agency Public Protection Arrangements (MAPPA), Multi-Agency Risk Assessment Conference (MARAC), Bucks Floating Support Steering Group, the Buckinghamshire Money Advice Service and the fortnightly 'Street Drinkers' case conference.

3.10 The Housing Service will also look to provide housing advice, housing debt and homelessness advice as soon as a tenant is served notice, in order to provide the tenant/home owner with the best possible chance of remaining in the property or accessing a suitable alternative. This is often at least two months before the notice will expire, when officially we are not required to do so until the client is threatened with homelessness within 28 days.

3.11 As has been mentioned above we are working to ensure that we have the most efficient and effective team possible, and in order to achieve this we do often have to prioritise some cases over others. With the current financial climate and the savings that the Housing Department is required to find, it would be very difficult for either our Housing Advisors or Housing Debt Advisors to encourage interventions at an earlier point than is currently provided.

Contact Officer
Background Documents

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Names of Background documents