

Housing choices

Tackling landlord harassment



Problems with your landlord and what is harassment

If your landlord does something that interferes with you living in your home in peace and is trying to force you to leave your home they could be guilty of harassment.

The fact that your landlord owns your home does not give them the right to harass you.

Harassment can be very distressing and might make you feel as though you have no choice other than to move out. Harassment is a serious criminal offence for which your landlord could face prosecution under the Protection from Eviction Act 1977.

Examples of harassment

- Removing or restricting access to services such as gas, electricity or water, or failing to pay the bills so that these services are cut off
- Visiting your home regularly without warning, especially late at night
- Interfering with your post
- Threatening you
- Entering your home when you are not there, without your permission
- Failing to carry out repairs
- Forcing you to sign agreements that take away your legal rights.

Harassment or illegal eviction by an agent, or by anyone working on behalf of the landlord are also criminal offences.

What if my landlord is violent?

If your landlord is violent towards you or anyone in your household this is a criminal offence and you should contact the police. If your landlord is harassing you, keep a record of what has been happening. Keep copies of all correspondence including mobile phone text messages and any emails. The record will be useful if you have to take further action at a later date. Try to have someone with you when you see your landlord and put all communications with your landlord in writing and keep a copy.

Will the council take my landlord to court?

If your landlord is harassing you, you should contact our Environmental Services Department. It may be possible to seek an injunction which is a type of legal order that a court can make, instructing a person to do, or stop doing a certain thing. For example, in the case of harassment or illegal eviction, it may be possible to get an injunction instructing your landlord to allow you back into your home, or to stop harassing you. If a person breaks the terms of an injunction they may be liable for a fine, or in very serious circumstances, a prison sentence.

The council can prosecute landlords on your behalf so please contact us if you think your landlord is harassing you.

Can I get damages?

If you have been harassed or illegally evicted by your landlord you may be able to claim damages from the court for the distress and extra expense this has caused you. The type and amount of damages depends on the circumstances and type of tenancy you had. To get damages from your landlord, you will need to bring a civil case against them in the county court.

How can my landlord evict me legally?

The proper procedure for evicting you depends on the type of agreement you have with your landlord, and the reasons why they want you to leave.

You should keep all documentation, including text messages to support any case of illegal eviction.

I don't live with my landlord

Your landlord should begin by giving you notice that they want you to leave. This might be called either a notice to quit or a notice seeking possession. The notice period will depend on the type of tenancy agreement you have and the reason why your landlord wants you to leave.

After your notice period has finished, if your landlord would like you to go, they have to apply to the court for a possession order and give a valid reason why they want their property back. This might be, for example, because you owe rent or you have breached the terms of your tenancy. If you don't leave on the day the court says you should, your landlord must return to court and ask for a bailiff's warrant. If you remain in your home after the end of your notice period, you may be liable for the court costs that your landlord has to pay to get the possession order and bailiff's warrant.

However, in a small number of situations, people who don't live with their landlord can be evicted without following this procedure. This could be the case if:

- You live in the same building as your landlord and you share living accommodation with a member of their family
- You live in holiday accommodation
- You don't pay rent (and if your home comes with your job)
- You live in a hostel or other temporary accommodation.

I live with my landlord

If you live with your landlord in their home you are only entitled to reasonable notice before you have to leave. This notice can be given verbally, and should be equal to your rental period unless you have agreed to a different notice period in advance. It can be difficult to enforce your right to a minimum notice period but it is illegal for your landlord to use violence to get you to leave.

If you remain in the property after the notice period ends, you would be classed as a squatter and the landlord would need to apply to the court for a possession order and give a valid reason why they want their property back in exactly the same way as described above.

Advice

If you need some advice on all aspects of your tenancy including your rights then visit Homefinder website www.homefinder.uk.com/housing and click on the advice tab at the top of the page.

Contact details

For more information contact the Housing Choices Team at North West Leicestershire District Council.



Visit us Monday to Friday 8.45am - 5pm or write to us:

Housing Choices or Environmental Services
North West Leicestershire District Council
Council Offices,
Coalville
Leicestershire
LE67 3FJ



Telephone:

0800 952 0079 Monday to Friday 8.45am - 5pm
01530 454789 - Out of hours and weekends 24 hours
seven days a week **Emergency only**



Email:

housing.choices@nwleicestershire.gov.uk
ehealth@nwleicestershire.gov.uk



Website:

www.nwleics.gov.uk/housingadvice

This leaflet is available in other formats on request

Police



Telephone:

101
999 in an emergency

North West Leicestershire Citizens Advice Bureau



Visit or Write: Monday, Tuesday and Thursday 9.30am - 3.30pm

North West Leicestershire Citizens Advice Bureau
Council Offices
Coalville
Leicestershire
LE67 3FJ



Telephone:

0844 4171025 advice line open Monday to Friday 9am - 4pm



Website:

www.leicscab.org.uk

Shelter 24 hour National Housing Helpline



Telephone:

0808 800 444 (freephone)



Website:

www.shelter.org.uk/



Council vision

North West Leicestershire will be a place where people and businesses feel they belong and are proud to call home

North West Leicestershire District Council,
Council Offices, Whitwick Road, Coalville,
Leicestershire, LE67 3FJ.