

HAVE RIGHTS

Your deposit is not their funny money

When you move to a new place you pay a deposit in case you damage anything or fall behind on the rent. Getting it back is a common problem, so remember to:

- ⇒ Get a receipt when you pay
- ⇒ Take photos when you move in and email them to someone. This will be a dated proof in case of a dispute.

Legally the landlord has to put your deposit into a government “tenancy deposit scheme” which holds on to the cash in case of a dispute until it’s sorted out. Details of the scheme are at gov.uk/tenancy-deposit-protection.

If your landlord wants to hang on to some or all of the deposit they have to provide an itemised invoice of what they paid for, including receipts. They can be fined for refusing to give your deposit back without good reason.

Evictions have rules

Your landlord has to give you formal written notice with a legal reason for your eviction (Housing Act 1988). These are usually if you are in arrears, they want to move back into the property or you have broken the terms of the lease.

You don’t have to leave at this point, they will first need a court order saying when you should go. You can explain your situation to the court in writing and by going to the hearing in person.

You can stay in your home until court officials (bailiffs) come to your house. You don’t have to let bailiffs in unless it’s to do with criminal fines or tax. They are banned from breaking in, but if you let them in they can take your things. Police officers are not allowed to break in for them unless they have a warrant.

If anyone tries to evict you without following the right procedure, they’re committing the criminal offence of illegal eviction. Police often wrongly think unlawful eviction is a civil matter, in fact it’s a criminal one and they have a duty to protect you.

You are legally allowed to change the locks to protect yourself from harassment, as long as you keep the original lock and put it back on when you leave.



About us

The Solidarity Federation (Solfed, for short) organises and supports collective working class action at work and in our communities. We are happy to support anyone facing problems with their boss or their landlord, so if you’re looking to get organised, get in touch!

solfed@solfed.org.uk
www.solfed.org.uk
84b Whitechapel High Street,
Angel Alley,
London E1 7QZ

Solfed members promote solidarity in workplaces and outside them, not relying on government, bosses and bureaucrats to do anything for us. Our three key mantras are:

- ⇒ **Solidarity.** Alone we are weak against bosses, landlords and the state, but when we act collectively the tables are turned.
- ⇒ **Direct action.** We organise to get the things we want for ourselves, without waiting for often rigged official systems.
- ⇒ **Self-organisation.** We control our own struggles through mass meetings and direct democracy, acting without bosses or leaders so we can’t be sold out or demobilised from above.



**STUFF
YOUR
LAND
LORD
doesn't want you
to know**

ALL TENANTS

There are different types of renting and the most common, assured tenancies, often have rights written in the contract. Some rights always apply as long as you can prove you've paid the landlord* — no matter what the landlord or contract says.

- ⇒ Your landlord must carry out basic repairs
- ⇒ Your landlord must keep the equipment which supplies hot and cold running water, gas, electricity, sanitation and heating in good working order.
- ⇒ You have the right to live without nuisance from your landlord (e.g. they must give you 24 hours' notice before any visit unless it's a clear emergency)
- ⇒ In most cases, your landlord must not discriminate against you. There may be some exceptions (e.g. if you live in their home).

Landlords have to formally apply to raise rents, and if your contract has a procedure for increasing rent then they must follow it. Otherwise they can't do it more than once a year, or a month's notice for rolling month-on-month/week-on-week tenancies. They can't touch the rates on fixed-term contracts until the agreed term runs out.

Harassment is illegal

If your landlord is harassing you it's potentially a criminal offence. Examples of harassment include:

- ⇒ Removing or restricting services like gas, electricity or water, or failing to pay bills so these services are cut off
- ⇒ Visiting your home regularly without warning, especially late at night
- ⇒ Interfering with your post
- ⇒ Threatening you
- ⇒ Sending builders round without notice
- ⇒ Entering your home when you are not there without your permission
- ⇒ Letting your home get into such a bad state that it's dangerous to stay there
- ⇒ Starting disruptive repair works and not finishing them
- ⇒ Harassing you because of your gender, race or sexuality

*Ask for rent receipts and ideally pay by bank transfer so you have proof



From the start you should:

- ⇒ Read your tenancy agreement to find out your contract's rights and responsibilities
- ⇒ Research your housing rights and get legal advice where possible
- ⇒ Record and copy all proofs of payment, correspondence, and photographic evidence sent to your landlord to create a paper trail

Where to get Advice

1 Housing rights

Citizens Advice
(0344) 4111-444 | citizensadvice.org.uk
Shelter
(0808) 8004-444 | england.shelter.org.uk
housing-rights.info/index.php

Councils often have someone dedicated to housing advice, but they can be difficult to find and have different names (e.g. Hackney has "Housing Options").

2 Homelessness

⇒ The Simon Community
(020) 7485-6639 | simoncommunity.org.uk
⇒ Streetlink
(0300) 5000-914
⇒ Barka (helps people from Central/Eastern Europe)
(0800) 1712-926 | barkauk.org
Shelter and Citizens Advice (see above) also offer advice

3 Squatting

Advisory Service for Squatters (Mon-Fri, 2-6pm)
(020) 3216-0099 | squatter.org.uk

QUICK NOTE

Squatting commercial buildings is legal, but not residential ones

STANDING UP FOR OURSELVES

Knowing the law is useful because landlords often don't follow it. But the law isn't on our side most of the time. We can't rely on it to make sure we're treated fairly.

Direct action and mutual aid

If you've rented, you've probably talked with other tenants about how to deal with a dodgy landlord and survive a market stacked in their favour. Maybe you've even gone with a fellow tenant to speak to your landlord about a problem. These conversations and actions are the basis of solidarity.

What next?

Courtroom disputes can be expensive, long, stressful and often need specialised skills. Direct action doesn't. Anyone can do it and win. Rather than relying on judges and lawyers, direct action is based on us organising ourselves and confronting landlords collectively.

It could be something straightforward, like lots of us going down as a group to demand our landlord finish repair jobs. It could mean setting up a tenants' union — and even all deciding to withhold rent until demands are met (a "rent strike"). And defending our rights is just the beginning — when we're strong we can take the initiative. Examples of direct action include:

- ⇒ Taking a demand letter to a landlord's home or work.
- ⇒ Publicly "outing" their bad behaviour to neighbours.
- ⇒ Bombarding their telephone or email inbox.
- ⇒ Occupying your local housing office.

NOTE OF CAUTION

Landlords often fold rather than deal with direct action, but occasionally get very nasty when they feel threatened. We've seen "harassment" accusations against perfectly reasonable people, heavies being called and even sneaky evictions when people are out. Direct action works, but be wary.

These are just examples, anything that gives you leverage over your landlord works, particularly by challenging their reputation or hitting them in the pocket. Friends, family and other tenants can give us the support we need to change things.