

Harassment & Illegal Eviction

HS04 Harassment & Illegal Eviction
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Introduction

The law protects people living in a residential property against harassment and illegal eviction by making it a criminal offence under the Protection from Eviction Act 1977.

What is harassment?

Harassment can be from anyone including landlords, or any other people, which interfere with your legal rights in your accommodation.

Some examples might be:

- cutting off electricity, gas or water supply
- threatening to make you leave
- forcing you to sign an agreement which reduces your rights
- entering your home without your permission
- demanding rent money in a threatening manner
- moving into part of your home without permission
- sending builders in without notice or during unsocial hours
- harassment because of your race, gender or sexuality
- cutting off or restricting services such as hot water or heating
- stopping you having guests

What can you do about harassment?

There are various ways you can deal with harassment from a landlord or another person. You can:

- Ask your landlord to stop the behavior. If he/she does not stop, then write to the landlord stating that if the harassment continues, then you will take legal action
- Ask your landlord to put all communication with you in writing
- Try to make sure you always have a friend / family member with you whenever you see your landlord. You may need the support and it is helpful to have a witness
- Keep a diary, notes and photographs of what happens
- Report any incidents of assault or threatening behavior to the police
- Get advice from an advice centre such as the Citizens Advice Bureau (a contact list is at the end of this leaflet) or a solicitor

- Get together with other tenants who have the same landlord. You may find you are all suffering from the same forms of harassment and it may be easier to try and approach your landlord as a group or to take further action as a group
- Contact Hart District Council. We run a duty housing advice service. If you would like advice on how to deal with harassment, please contact the Duty Engagement and Support Officer at the Civic Offices.

If you feel that it is unsafe for you to stay in your home or you have been locked out, you will need to seek advice from the Duty Engagement and Support Officer at the Civic Offices.

During office hours, you should telephone **01252 774420** or call into the Civic Office (address is given at the end of this leaflet).

If you feel that it is unsafe to remain in your own home or are illegally evicted outside of office hours, you can call our out of hours service on **0845 677 0678**.

The Duty Engagement and Support Officer may be able to arrange

temporary accommodation, if you meet the criteria set out under the Homeless legislation.

What is illegal eviction?

This happens when your landlord, or any other person, forces or attempts to force you to leave your accommodation without following correct legal procedure.

You might be illegally evicted if:

- Your landlord changes the locks while you are out or stops you from getting into your home;
- Your landlord makes life so uncomfortable for you that you are forced to leave your home;
- You are physically removed from the property by a person who is not a bailiff employed by the county court.

How can a landlord evict an occupier lawfully?

Normally, if you rent a house, flat or a room, your landlord will have to give you a valid written notice. This notice will vary depending on what tenancy you have. Your landlord then needs to obtain a Possession Order from the County Court before you vacate. You may be able to defend the proceedings in court so that you can stay in your home.

What can I do about illegal eviction?

Illegal eviction is a serious civil and criminal offence. The courts may be able to force your landlord to allow you back into your home. The courts can also impose fines and award compensation in extreme cases. If you are illegally evicted, you may be able to:

- Contact the Council's Duty Engagement and Support Officer for help in negotiating with your landlord;
- Force re-entry (as long as it is safe and legal to do so);
- Get an injunction from the county court allowing you back home;
- Claim compensation for the losses you have suffered.

Negotiate with your landlord

If your landlord has illegally evicted you, or is attempting this, you should inform them (in writing if necessary) that this action is illegal. Many landlords are not aware of the law and may not realise they are acting illegally. You could ask your landlord to:

- Allow you back into the property;
- Stop trying to evict you illegally;
- Stop harassing you;
- Return your belongings

Tell your landlord that if this doesn't happen, you will take further action. Get help from an advice centre such as your local Citizens Advice Bureau (contact details at the end of this leaflet) or the Duty Engagement and Support Officer at the Civic Offices. It is often useful to have an independent witness (such as an adviser or friend) in case you need evidence later. Keep copies of any letters you send to or receive from your landlord.

Taking court action

If negotiation with your landlord fails you may be able to take action in the county court to get back into your accommodation. The court has the power to give you an emergency injunction, which will force the landlord to let you back into your home.

The court may also award compensation. If you require further assistance with this, Hart District Council may be able to help. Please contact the Duty Engagement and Support Officer at the Civic Offices.

“ Our Engagement and Support Team can provide you with information, assistance and advice to help you deal with harassment and illegal eviction and resolve your housing situation. ”

Useful contacts

Organisation	Contact details
Fleet & District Citizens Advice Bureau, Civic Offices, Harlington Way, Fleet, GU51 4AE	01252 617922 www.citizensadvice.org.uk
Farnborough Citizens Advice Bureau, Elles Hall, Meuden Avenue, Farnborough, GU14 7LE	03444 111306 www.citizensadvice.org.uk
Yateley and District Citizens Advice Bureau, Royal Oak Close, Yateley, GU46 7UD	01252 878410 www.citizensadvice.org.uk
Police - emergency contact Police – non emergency	999 101
Aldershot Police Station Wellington Avenue, Aldershot, GU11 1NZ	0845 045 45 45
Basingstoke Police Station London Road, Basingstoke, RG21 4AD	0845 045 45 45
Shelter Advice Line (24 hour)	0808 800 44 44 www.shelter.org.uk

How can I contact the Engagement and Support team within the Housing Service at Hart District Council?

The Engagement and Support Service operates a Duty Housing Advice service. Our Duty Engagement and Support Officer can be contacted as below:

- Telephoning our Engagement and Support Service on **01252 774420**
- Calling into the Civic Offices between Monday and Thursday, 8.30am – 4:30pm, Friday 8.30am – 4:00pm for an interview with the Duty Engagement and Support Officer.

All Housing Advice Leaflets are available in the Hart District Council Reception or via our website at **www.hart.gov.uk**

- Emailing **housing@hart.gov.uk**
- In writing – address overleaf
- If you are in immediate need of emergency accommodation and you have nowhere else to stay, you should call outside of office hours **0845 677 0678**

Contact Details:

Address: Hart District Council,
Harlington Way,
Fleet, Hampshire,
GU51 4AE

Tel: 01252 774420

Email: housing@hart.gov.uk

Web: www.hart.gov.uk

Facebook: [/HartDistrictCouncil](https://www.facebook.com/HartDistrictCouncil)

Twitter: [@HartCouncil](https://twitter.com/HartCouncil)

Instagram: [@HartCouncil](https://www.instagram.com/HartCouncil)

All Housing Advice Leaflets are available via our website at
www.hart.gov.uk/housing