**South Dublin County Council Debt Management Policy – Housing Rents**

All Council tenants are legally obliged to pay a weekly differential rent (DR) to the Council in respect of their Council property. The weekly DR is an economic rent calculated on annually on basis of 10% of household income. Failure to pay the weekly DR can result in legal proceedings for repossession of the property by the Council.

Where a tenant fails to pay the DR and is, or is at risk of falling into arrears because of change in household income/other circumstances, the tenant is obliged to make contact with the Council’s Housing Rents Team to discuss their individual household circumstances.

Where the tenant engages proactively with the Housing Rents Team, a Debt Management Plan (DMP) will be agreed in consultation with the tenant.

**How Could You Benefit From Debt Management Plan?**

* Your weekly rent payment will be set at an affordable figure.
* A DMP could prevent the loss of your tenancy and enables you to prioritise rent payments.
* It could give you the additional time that you need to repay your rent arrears.
* Sufficient provision should be made for you to cover your important bills and other vital regular expenditure.
* A debt management plan might reduce the stress and pressure that you are experiencing and manage your rent and arrears.

You could avoid the formality and restrictions associated with Debt Relief Notices, Debt Settlement Arrangements, a Personal Insolvency Arrangement or bankruptcy. Repayment of arrears will be calculated on basis of 50% of the weekly DR in addition to the weekly DR payment (15% of net household income). In cases where the minimum DR applies, a weekly DR payment of €10 off the arrears will apply.

**The following payment methods will apply in relation to Debt Management for Rent:**

* Lump Sum
* House Hold Budget if applicable
* Standing Order

Where a tenant fails to contact the Council and does not enter into a DMP the following legal procedure in accordance with the provisions of the Housing (Miscellaneous Provision) Act 2014 will apply

* Arrears Notice 1
* Arrears Notice 2
* Pre Tenancy Warning Letter
* Tenancy Warning
* Notice Before Proceedings
* Possession Order

The Possession Order will specify the commencement date for the period during which the housing authority has the right to recover possession of the dwelling and the length of that period, which shall not be not less than 2 months or more than 9 months.

**The tenancy is terminated on the date that the housing authority recovers possession of the dwelling in pursuance of the order.**

\*Tenant may be contacted at all times either electronically, by post, in person or by telephone.

**NB – Where a party to a tenancy surrenders his/her interest in the tenancy and there are arrears of rent attaching to the account at date of surrender, the value of the arrears outstanding will be apportioned equally between all parties to the tenancy. A DMP will be discussed with all parties.**