



How to avoid a bad tenant

A presentation by Paul Shamplina,
co-founder and director of
LANDLORD ACTION



Paul's background:



17 years working in property litigation law



Certified bailiff



Private investigator



Johnathan Chippeck

Co-founder and
director of
LANDLORD ACTION



LANDLORD ACTION:

The market leader and longest serving fixed fee tenant eviction service in England and Wales.



LANDLORD ACTION:

Recommended by:

The National Landlords Association

The National Federation of Residential Landlords

The Southern Private Landlords Association

The Residential Landlords Association

LANDLORD ACTION

- Landlord Action appears regularly in the national, regional and local press.
- National newspaper coverage includes *The Times*, *The Sunday Times*, *The Daily Mail* and *The Mail on Sunday*.

LANDLORD ACTION ON TELEVISION

Landlord Action co-founder and director Paul Shamplina appears regularly on television.

He appeared in BBC's *War on the Door* series in 2005; and ITV's *Tenants From Hell* in 2006.



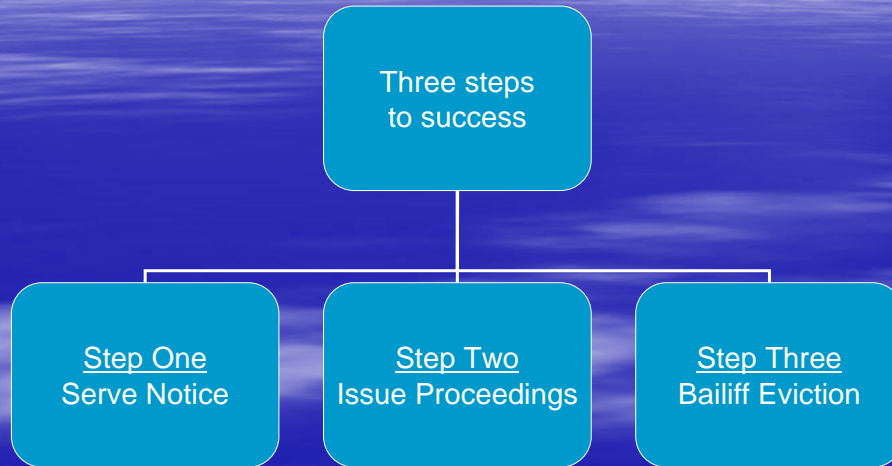
LANDLORD ACTION

- No hidden charges
- No appointments
- Speak directly to the experts
- Phone, fax, email or visit us

LANDLORD ACTION

- **SIMPLE**
- **COST EFFECTIVE**
- **FAST**

LANDLORD ACTION



STEP ONE

- We arrange for a legal notice to be served on the bad tenant.
- The tenant has 14 days to act.

STEP TWO

- We arrange for solicitors to issue proceedings.
- Court hearing date set and barrister instructed.
- Possession order sought from court.

STEP THREE

- We arrange for court bailiffs to remove bad tenant.

Landlord gets property back.



What should a landlord do to avoid a bad tenant?



The image shows two men in black jackets standing outdoors. The man on the right is smiling and looking towards the man on the left. The man on the left has 'www.landlordaction.co.uk' printed on the back of his jacket. The background shows a brick building and some trees.

Obtain references

- Bank – ask tenant for at least three month's statements
- Employer – how long has tenant worked there?
- Tenant check - Paragon

Seek information

- Speak with previous landlords
- Does the tenant have any assets?
- Obtain copy of passport
- Obtain National Insurance number
- Secure guarantor (i.e. parent)

Management Agents

- Find out about the company
- Do they have a large management department?
- Obtain references from their landlords

SECTION 8 NOTICE

- A Section 8 Notice is served under the Housing Act 1988 for rent arrears.
- Ground 8 Two months or more rent arrears. Mandatory possession order must be made by judge.
- Grounds 10/11 Persistently delaying rental payment for less than two months. Judge can make an order-judges discretion.

SECTION 21 NOTICE

- A Section 21 Notice ends the tenancy.
- Rent arrears cannot be claimed under this notice.
- Under fixed term or periodic tenancy, at least two months notice must be given.
- Can take judge up to six weeks to grant possession order.
- Many tenants encourage landlords to issue proceedings so they can be re-housed by council.



What type of
tenant do
**LANDLORD
ACTION**
evict?



Rent arrears

- Tenant has fallen on hard times
- Loss of job
- Couples splitting up



Tenant abusing system

- Ignores landlord's telephone calls
- Ignores all court papers
- Vacates the property just before eviction date



Nuisance tenants

- Noise
- Breach of tenancy
- Pets
- Drug dealing
- Prostitution
- Extreme cases
- Professional bad tenants



THE COURTS

- Six to 10 weeks for a court hearing
- Block listings
- Hearing lasts just five minutes in court
- Tenant can defend his/her case
- State of Property
- Arrears paid
- Awaiting housing benefit
- Harassment



BAILIFFS

- Four to six weeks for an eviction date
- Tenant can apply to suspend eviction date
- Arrive early for eviction
- Organise change of locks
- Secure the property



Tracing tenants

- Information gathering
- Tracing agent
- Private investigator
- Budget for costs

ENFORCING A JUDGEMENT!
ATTACHMENT OF EARNINGS!
GARNISHEE ORDER!
CHARGING ORDER!
**BANKRUPTCY
PROCEEDINGS!**



