

## National Standards on Housing Information and Advice

### Sample Area of Law Questions and Scenarios

These are designed to explore the knowledge of staff providing advice and information to the public. The extent of the knowledge required will be measured against the type the agency has applied in each area of law.

The Auditor will decide what questions to use and seek further clarification if necessary. In type II and III applications this may be used as a supplement to the case reviews on site.

#### 2.1 Rent Arrears

Type	Question
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| i.   | A tenant came into your office stating that he could not pay his rent. What issues would you consider. |
| ii.  | A council tenant had £500 rent arrears, how would you advise   |
| iii. | A council tenant has an eviction notice, what would you do   |

#### 2.2 Mortgage

Type	Question
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| i.  | What advice would you give to a person struggling to pay mortgage  |
| ii. | Lender has raised an action to recovery property, what can be done |

#### 2.3 Housing Benefit and Council Tax

Type	Question
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| i.   | Council tenant has rent arrears, housing benefit was terminated due to failure to supply information, what can be done.  |
| ii.  | A client comes in, she is upset about a non-dependent deduction from her housing benefit, she wants to know whether this deduction should be made. What information do you need to advise her. |
| iii. | Explain how the tapers work for Housing and Council Tax benefit.   |

#### 2.4 Disrepair in Rented Housing

Type	Question
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| i.   | What is a qualifying repair in public sector housing  |
| ii.  | A private sector tenant cannot get his landlord to repair a washing machine provided with the tenancy, what can be done |
| iii. | What are a landlords duty in terms of gas central heating systems   |

## 2.5 Housing Options

### Type Question

- i. A young person aged 17 has been put out of the family home, explain the range of options; cover public rented, private rented and homelessness
- ii. A person can afford their mortgage, explain options to them, they want to stay in their home if possible.
- iii. A person has been sentenced to 2 years imprisonment, he is a council tenant, what can he do.

## 2.6 Discrimination in Housing

### Type Question

- i. A disabled person considers that they have been discriminated against due to not being offered a house, what would you do
- ii. A person from India had seen a house for let in the local paper and had went to see the house, they were told it was no longer vacant. The house was still being advertised 2 weeks later. What can be done.
- iii. Can you advise of your agencies policy in relation to discrimination.

## 2.7 Eviction

### Type Question

- i. A tenant has received a notice of intention to raise proceedings, what advice would you give.
- ii. Can you explain the purpose of an AT6 notice
- iii. What action if any can be taken following the extract of decree.

## 2.8 Anti-social Behaviour

### Type Question

- i. What is the potential impact of an anti-social behaviour order being granted against Scottish Secure Tenant.
- ii. Can you outline what issues could constitute anti-social behaviour
- iii. A tenant could be evicted due the behaviour of visitors, is this true.

## 2.9 Harassment and Illegal Eviction (including Race Discrimination)

### Type Question

- i. Can you outline what would constitute harassment
- ii. A tenant cannot gain entry to their home, the landlord has changed the locks because the tenant has not paid rent. What would you advise
- iii. A landlord is racially abusing his tenant what can be done.

## 2.10 Homelessness

### Type Question

- i. A Council can referred a homeless applicant to another Authority without excepting an application, is this statement true.

- ii. A person will be homeless intentionally if they do not pay their rent
- iii. A 18 year old makes application as homeless, what issues are relevant in terms of priority need.

### 2.11 Relationship Breakdown

#### Type Question

- i. A woman has come to you for some advice, she is separating from her partner who owns the house. They have 2 children and she wants to stay in house, what rights does she have.
- ii. A couple jointly own a house but are separating, the man has been violent and the woman wants him out, what can be done
- iii. Can you outline the procedure for transfer of tenancy under the Matrimonial Homes (Family Protection)(Scotland) Act 1981

### 2.12 Rent Private Rented Sector

#### Type Question

- i. A landlord wants to increase the rent, what issues need to be considered.
- ii. What is the role of the Private Sector Housing Panel
- iii. What is a rent review clause

### 2.13 Security of tenure

#### Type Question

- i. Explain security of tenure
- ii. How can a tenant's security of tenure be ended
- iii. Short Scottish Secure Tenancies enjoys limited security of tenure, is this true or false
- iii. What is abandonment

### 2.14 Statutory Tenancy Rights

#### Type Question

- i. Public sector tenants has a right to repair, outline how you would advise on this.
- ii. Explain succession rights for public sector tenants
- iii. Outline what a tenant can do if the Council has not dealt with dampness in their house

### 2.15 Repair and Improvement grants

#### Type Question

- i. Outline how you would advise on these grants
- ii. What is your understanding of disabled adaptations
- iii. Can a tenant seek a grant

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1<sup>st</sup> July 2008