

# Rent Repayment Orders

## A guide for private tenants in

# Camden



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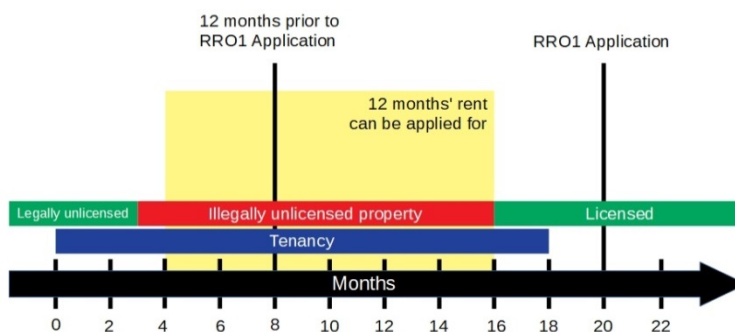
# INTRODUCTION

A Rent Repayment Order (RRO) can be awarded by the First-tier Tribunal (FtT) for the repayment of rent paid by tenants in the Private Rented Sector (PRS) for the following offences:

1. Licensing:
  - 1.1. an unlicensed house in a selective scheme area ('house' is any self-contained property, including flats and studios)
  - 1.2. or a House of Multiple Occupation (HMO) covered by the mandatory scheme or an Additional scheme
2. Violence for securing entry
3. Eviction or harassment of occupiers
4. Failure to comply with an Improvement Notice
5. Failure to comply with a Prohibition Notice
6. Breaching (disobeying) a banning order

## Main Limitations

1. Other regulations apply in Scotland & Wales: this guide covers only England and the special situation in Camden
2. The following properties are exempted from HMO qualification, so RROs are not possible for licensing offences:
  - 2.1. Student accommodation run by universities or specialist student property companies that adhere to recognised codes of conduct
  - 2.2. Social housing: so Council & Housing Association properties
  - 2.3. Properties let by public bodies such the NHS or Services (army etc., police, fire authority etc.)
3. Timing: you have to apply within 12 months of the offence you allege. So long as you are inside this "statute of limitations" you can apply for a full 12 months' rent to be repaid. The diagram below shows the timing considerations more clearly for a licensing offence:



4. For a licensing offence, any 12 month period of rental payment can be applied for, so, in the above graphic, this could have been from the start of the offence (month 3). See the tips & tricks section for more on this.

5. For eviction and harassment and violent entry offences the period that can be applied for is only the 12 months prior to the offence.
6. If you received Housing Benefit (HB) or Universal Credit (UC) that covered rent during the period you apply, then the RRO will award the related amount to the council, not you. You can only receive an award for rent that you paid for (hence the point at 5. above)
7. As the above graphic on timing shows, the offence of licensing ends when an effective application is made to Camden. An effective application in Camden is made when the landlord has:
  - 7.1. Completed the application form
  - 7.2. Paid for the licence
8. Other limitations are where a property has a Temporary Exemption Notice or Management Order in place. These are relatively rare: check with Camden

### Unlimited

RROs can be applied for by

- Occupants. You simply should have occupied the property as your main home. Assured Shorthold Tenancy occupants or Licensees (licence-to-occupy agreements). Note: many “licensee” agreements are shams- you are most likely to be an AST occupant if there is no resident landlord. RROs can also be made by tenants that only have “basic protection”, e.g. tenants of a self-contained flat in a converted house in which the landlord also lives in a self-contained flat
- Anyone can make a RRO application including non-uk citizens. You can even be living abroad and make a RRO application if you have a UK representative to deal with correspondence
- Tenants who paid in cash: although more tricky, it is perfectly possible to apply to Get Rent Back that you paid in cash. You’ll need to show cash withdrawals, or source of cash, at around the time you paid.
- “Guardians”: guardians occupy disused premises, sometimes disused offices or even industrial buildings and can make a RRO application just as any other residential occupant. The [first RRO case win by a guardian](#), in December 2019, awarded 90% of the rent to be repaid.

### Why you might not make a RRO application

- If you are still living in the property and you share with a resident landlord, then you have little protection from eviction. It is highly likely that your landlord will evict you if you make a RRO application.
- A similar situation exists for “Non Housing Act” tenancies. A common example would be where you live in a self-contained flat in a converted house in which your landlord also lives. Although you are not sharing amenities, such arrangements mean that you are most likely not an Assured Shorthold Tenant and can be evicted at short notice.
- If you do not have enough evidence for your occupancy, or the occupancy of sharers in a HMO property, or any other vital evidence then you should also carefully consider your options. You will need to prove your case to the criminal level of evidence or “beyond reasonable doubt”. A weak case may fail at the Tribunal so wasting everyone’s time.

## Why you should make a RRO application

- RRO applications nearly always result in the landlord applying for a licence. This means that they have to engage with Camden and provide proof that the property complies with the regulations in force. We find that many unlicensed properties have a number failings, often ones that are major hazards to tenants and these all need to be corrected before a licence can be issued
- By applying for a RRO, you will not only help to make your property safer but also encourage your landlord to licence any other properties they may own
- Other landlords are also encouraged to licence and improve their properties through the wider use of RROs.

## Good to know:

- Landlords cannot evict AST tenants of an illegally unlicensed HMO using section 21. However, they can issue other eviction notices, such as s8 for unpaid rent (only when over 2 months' rent unpaid). If the landlord applies for a licence or makes a Temporary Exemption Notice (TEN) application then the ban on a s21 eviction is lifted and they may evict you using this method if your tenancy is outside any fixed term.
- RROs are made under The Housing and Planning Act 2016 (HaPA)
- Your landlord does not need to have had a prior related conviction: this was the case under The Housing Act 2004 (HA)

## RRO PROCESS

Normally, from application to hearing takes at least 3 months. A Decision, the judgment, is issued from 1 to 6 weeks afterwards, but typically about 2 weeks. If you win, this specifies the amount of the award and orders the Respondent to pay. If you lose, you will have 28 days to appeal: see [HOW TO APPEAL](#) below.

The following is a compact summary of the normal process for a RRO application:

1. Submit RRO1 form to the FtT with evidence of rental payments, AST agreements, evidence from the borough about licensing status, occupancy table (HMOs only), rental payment proof & registered property title. Don't forget: your cheque or P.O. for £100
2. FtT sends application copy to landlord within about a week
3. Case Management Conference (CMC) may be called by FtT at this stage to clarify matters such as who is the Respondent etc. This can delay matters by a number of weeks
4. FtT issues directions with dates for evidence bundle submissions and a listing questionnaire with possible dates for hearing
5. Applicant bundle submitted (sometimes it's the Respondent first)
6. Respondent bundle submitted 1 month later
7. Applicant reply to Respondent bundle 1 or 2 weeks later
8. Hearing
9. Decision (a few days to 6 weeks)
10. Appeal deadline (4 weeks after decision)
11. R pays award before or after appeal deadline
12. If no payment made then conversion of judgment to CCJ & [enforcement](#)

# **THE OFFENCES**

You can apply for a RRO for several different offences, as listed in the introduction. You can apply on the grounds of 1 or any number of these offences. The most common by far are Licensing, Eviction, Harassment and Failure to Comply with an Improvement Notice. We deal with the details of these offences below:

## **Licensing**

This is the most common offence. The landlord of a property that should be licensed but is not commits an offence. There are 3 main licensing schemes, all of which have equal weight in law.

### 1. HMOs

1.1. Mandatory: This is the national scheme for England. All HMOs in England, whatever their Local Authority (LA), must be licensed when:

1.1.1. They have 5 or more occupants from more than 1 household

1.1.2. Before 1/10/2018: property has at least 3 floors

1.1.3. After 1/10/2018: the 3 floors restriction is removed but the property must not be a purpose-built flat in a block of 3 or more similar flats

1.2. Additional: An Additional licensing scheme is one that has been introduced by a LA and covers licensing of smaller HMOs than the mandatory scheme. Usually they include s257 HMOs: these are self-contained flats within a converted building (so not "purpose-built") where at least a third of the flats not owner-occupied. For an Additional scheme properties, it does not matter if it is a purpose-built flat

### 2. Houses: Selective schemes

Camden currently only has an Additional scheme and no Selective scheme although this is being considered. A Selective scheme includes any self-contained flat or house, with any number of occupants, so including single occupancy studios and is only in certain parts of the borough.

#### Good to know:

- Unsure which scheme applies to your property? Go through the above list: whichever matches first is the scheme under which your property should be licensed. If you are a Mandatory HMO in a selective or additional scheme area, be sure to list an offence both under Mandatory with Selective/Additional scheme offence as an alternative: if the tribunal finds mandatory conditions are not proved you still have the backup of the other offences
- You don't need to be an Assured Shorthold Tenant to make a RRO application- you only need to have "occupied" the property and paid rent
- Resident landlord & Occupancy level: For mandatory schemes the resident landlord counts as an occupant, so 4 tenants and 1 landlord makes it licensable. For Additional and Selective schemes the resident landlord does not count as an occupant
- A licensing offence ends when an effective application has been made to Camden. It

does not end when the application is issued, so when you enquire at Camden, make sure you ask not only whether the property has a licence but also if a licence has been applied for and when. The date of effective application cuts off the period for which you can Get Rent Back.

- Camden will give you the correct date of an effective licence application as you need this for legal proceedings and this data is therefore exempted under schedule 2 Part 1(5) of the Data Protection Act 2018.
- **In Camden a licence application is counted as being effective when an online application has been correctly completed and a licence fee fully paid.**

### **Eviction & Harassment**

Many tenants, unfortunately, feel they have been subjected to unreasonable, intrusive or even abusive behaviour by their landlords. However, the term “harassment” has a particular meaning in housing law and you need to make sure that the alleged offence fits this meaning for the purposes of a RRO application (other civil or criminal action may be appropriate nonetheless). Here’s a useful explanation at Shelter Legal:

[http://england.shelter.org.uk/legal/harassment\\_and\\_antisocial\\_behaviour/harassment\\_and\\_ill\\_legal\\_eviction/what\\_is\\_harassment](http://england.shelter.org.uk/legal/harassment_and_antisocial_behaviour/harassment_and_ill_legal_eviction/what_is_harassment)

In summary, to make a harassment allegation against your landlord or agent you will need to have good evidence that the harassment was carried out with knowledge, or reasonable cause to believe, that their action might make you leave or stop you exercising your legal rights.

A typical example might be that you complain to the landlord about a repair that needs doing (e.g. broken boiler). After no response, you threaten to complain to Camden. Subsequently the landlord starts harassing you to stop you exercising the right to contact Camden, asks you to leave or issues a notice to quit (eviction).

If you feel you have been harassed, or you are not sure if the harassment fits the description above, you should contact the Camden or one of the agencies listed in the Help section of this guide.

### **Improvement Notice offences**

For this offence your landlord needs to have been issued with an official Improvement Notice (IN) by Camden and a subsequent inspection by us shows they have not complied in time, at all or only partially.

IN offences allow you to apply for rent paid only during the time the offence was committed. Clearly, the offence doesn’t start until the expiry of the deadline in the IN. This means that tenants are often suffering the lack of repair for a long period before that date, all the time paying rent which cannot be recovered by a RRO application. This is an unfortunate aspect of the legislation for this offence and emphasises the need to contact Camden promptly should the landlord not carry out repairs in a timely manner.

### **Good to know:**

- You can sometimes add an offence after your application. For example, you submit an application based on licensing and your landlord issues you an illegal s21 notice



and cuts off your electricity: you can write to the Tribunal with the evidence of the above and request additional grounds of harassment and illegal eviction.

- For all the offences listed in the introduction, except licensing offences, a prior conviction of your landlord will mean that the Tribunal is required to make an award of 100% of your application (unless there are exceptional circumstances).
- The period for which you can make a RRO application is different depending on the alleged offence. For licensing offences, you can select any period, up to 12 months, from a period when the offence was occurring. For Harassment & Illegal Eviction, an award can only be made for the 12 months prior to the offences. So you cannot select an earlier period: this is important in case there is, for example, unpaid rent in the last couple of months before the offence. You can, of course, only apply to have rent repaid that you have actually paid.

## **LETTER BEFORE ACTION**

If you are not close to the “time limits” you may want to consider sending a letter before action. The purpose of this would be to warn the landlord that you are intending on making a claim, setting out how much rent you intend to apply for. The advantage of a “Letter Before Action” is that you may find out at an early stage if your landlord has any defence or “mitigating” factors for not having a licence that may amount to a “reasonable excuse”. Template is available [here](#).

## **APPLICATION**

You need form RRO1, available here: <https://www.gov.uk/government/publications/form-rro1-application-by-tenant-or-local-housing-authority-for-a-rent-repayment-order-housing-and-planning-act-2016>

In addition to the form you will need to supply:

- A cheque or postal order for £100 (a postal order can be bought at any post office)
- A copy of your tenancy/licence agreement, if you have one. If not, you should make a sworn statement about your occupancy agreement and attach that instead (for a template see [here](#)). There is now also a space on the form for this (January 2020)
- Proof of payment of rent
- Confirmation from Camden of the property’s licensing status, if a licensing offence

It’s also a good idea to add:

- A copy of the registered title of the property
- A cover letter to explain your choice of Respondent/landlord if there is any ambiguity

Be aware that a further hearing fee, of £200, is payable some weeks before the hearing.

If you are still living in the property it helps to gather as much evidence before you submit your application. For HMOs, you can invite Camden to an inspection of the property so that they can confirm it is used as a HMO. You may also request the issue of a s255 “HMO



Declaration". The evidence you require depends on the offence/s you allege in your application and we give more details below. However, whatever the offence, you need to consider these matters very carefully:

### **Who is the Respondent?**

This is the most important aspect of your application and needs careful consideration. A wrong choice here can mean all of your effort is wasted. Above all, you need to consider whether your Respondent will pay the award. If the landlord is a company without much in the way of assets, it is possible the company might be liquidated when they lose the case leaving you with little chance of payment of any award.

If you are still living in the property you can make a formal request to your agent for your landlord's details: mention your right to this information under s1 Landlord and Tenant Act 1985 - Disclosure of landlord's identity.

The Respondent is your landlord. But often tenancy agreements hide the identity of the real landlord. Following recent case law (see [Goldsbrough](#) in Case Law below), Applicants can now choose who their landlord is where this is ambiguous. The mantra "follow the money" is useful here in identifying the real landlord: who is eventually receiving your rent (or most of it)?

### Rent-to-Rent (R2R) situations

Sometimes agents make a contract with the property owner to rent the property for a number of years (typically 5) at a 'guaranteed rent' and the agent then sublets to the HMO tenants. The R2R contract (between agent and owner) is normally not sufficient to consider the R2R agent as a landlord that could obtain a HMO licence, as the contract usually excludes full repair and maintenance responsibility: HMO licence holders must have this responsibility. However, you cannot tell as you normally cannot see this contract at application. You should certainly put down the property owner as the Respondent but consider also naming the R2R agent as an additional landlord and Respondent: they have both kept parts of your rent. Choosing both will normally result in the contract being revealed along with the responsible landlord.

### Companies

If your Respondent is a company, be sure to check out their financial situation by downloading a copy of their accounts from <https://www.gov.uk/get-information-about-a-company>. Look for an entry under the tab "Filing History" and listed items that mention accounts. What you need to look for is the most recent "Net Assets" figure: this should be an amount well in excess of the rent you are applying for. Also look in fixed assets for property that belongs to the company: if the company owns significant property it is a safe candidate as a Respondent as they cannot transfer to another company without triggering significant Stamp Duty. Consider registering with Companies House and "watching" the company you are interested in for any new filings they might make

### **Property's Registered Title**

Always obtain a copy of the title for the property to add to your evidence and to help with the Respondent selection. It costs £3 from the Land Registry here (debit/credit card required): <https://www.gov.uk/search-property-information-land-registry>

Remember: your property may be a leasehold (especially flats) so you need details of the leaseholder (owner of the long lease) not the freeholder

Which offence should you apply for, if there have been several? Look through our [list of offences](#) to decide which is most appropriate bearing in mind the periods for which awards can be made varies according to the offence.

### **Occupancy**

You will need to provide proof that you lived at the property and, in the case of a HMO, that others lived there at the same time. The best forms of evidence for occupancy, in order of priority, are the following:

1. Written tenancy/licensee/lodger agreements
2. Proof of rent payments to the landlord by the occupants
3. Sworn statements from other occupants which confirm their period of occupancy
4. Correspondence from the landlord or agent which shows clearly they were aware of the occupants

In addition, you should provide proof that your occupation was as your only or main residence and that there was more than 1 household in the HMO. This might be:

- Included in your sworn witness statement a declaration to this effect
- Proof of a full-time course of study
- Proof that your address was used in official correspondence over the period of your occupation: bank statements, council, employer, university, HMRC etc.
- Evidence of council tax payments or benefit receipts during your occupancy
- TV licence payments

### **Proof of rental payment**

You need to provide proof that you have paid rent at the property. Please don't send a big pile of bank statements and expect the Tribunal to sort through them: best is an online banking search for your rental payments (or relevant cash withdrawals if you paid in cash) which you then "print" as a pdf. (Under Windows systems there should be an option to choose the printer as "Microsoft print to pdf": choose this to print or save as pdf. If there isn't a print option then press CTRL +P. On a Mac: look for the PDF button in the lower left corner, click on that pull-down menu, and select Save as PDF). Some banks, e.g. HSBC/First Direct, don't allow you to search transactions older than 3 months: in this case we recommend you "snip" or screenshot the individual transactions and compile them in date order on a Word document or similar, putting the bank letterhead at the top.

For multiple Applicants it is often a good idea to make up a spreadsheet showing who paid what when, with any adjustments and the relevant totals. Attach this to the application and add to your evidence bundle.

### **No Proof**

If you have paid rent in cash and have no receipts or a copy of the rent book then you will need to make a witness statement to this effect to include with your application. Specify all dates and amounts as best you can and support the statement with evidence of cash-

withdrawals or sources of cash income and any correspondence with the R regarding payments.

### Multiple Applicants

It's possible to make one application for several occupants of the same property and pay only one application fee. It helps to have multiple Applicants as they will be an important source of supporting evidence and will help make a much stronger case.

You can:

- Apply all together on a single RRO1 form. You should all sign this form. You can use [electronic signing](#) which is a lot more convenient.
- Apply separately using different RRO1 forms. You should identify in this case a "lead tenant" or other representative with whom the FtT can correspond in the section provided under section 1 of the RRO1 form. You must identify at s5 of RRO1 the other Applicants and the subject property, along with any case number (if issued yet)
- It is possible to add later applications. It will be up to the FtT to decide whether they allow this and whether an additional application fee is due.
- Add further allegations to your application at a later date, on application to the FtT

When applying together, indicate the 'lead Applicant' at section 1 of RRO1 and give their address for correspondence. Then, at 5. Write: "The following co-Applicant/s, *list Applicant/s*, give their authority for the lead Applicant, *name lead Applicant*, to act on their behalf for their RRO application in respect of *name subject property*."

### Paper Hearing Option

The application form gives you an option, at 6, for a Paper Hearing. Most Applicants tick this but in reality most RROs go to an oral hearing due to the need to prove the offence "beyond reasonable doubt". Nevertheless some Tribunals do now make decisions on RRO cases by paper, e.g., recently: MAN/00CB/HMG/2019/0008 in the Northern Tribunal.

### Grounds & Amount

At 9. in the current RRO1 form is a section to explain the grounds for the application. Here you should list the reason/s for the application, listing the alleged offence/s.

Here is a summary for the grounds for the main offences:

- Illegal Eviction: The Housing and Planning Act 2016 (HaPA) s40(3) line 2, an offence under the Protection from Eviction Act 1977 (PEA) s1(2) or s1(3)
- Harassment: The Housing and Planning Act 2016 (HaPA) s40(3) line 2, an offence under the Protection from Eviction Act 1977 (PEA) s1(3A)
- Mandatory or Additional Licensing offences: The Housing and Planning Act 2016 (HaPA) s(40)(3) line 5, an offence under The Housing Act 2004 (HA) s72(1)
- Selective Licensing offences: The Housing and Planning Act 2016 (HaPA) s(40)(3) line 5, an offence under The Housing Act 2004 (HA) s95(1)
- Improvement Notice offence: The Housing and Planning Act 2016 (HaPA) s(40)(3) line 3, an offence under The Housing Act 2004 (HA) s30(1)

Also at 9. you need to make a calculation of the rent you are applying for. Typically, you might write here something like:

*I was a tenant at the subject property between 5/4/2019 and 30/12/2019. The Respondent*

*made an effective licence application on 12/11/2019, so ending the alleged offence. I therefore apply for rent to be repaid from 5/4/2019 to 11/11/2019 as follows:  
7 months: 7 x £700 (the monthly rent) + 7 days @ £23/day = £5,061.00  
To arrive at a daily rate, multiply monthly by 12 and divide by 365 days.*

You can apply for a maximum of 12 months' rent to be repaid for each offence. Any Housing Benefit (HB) or Universal Credit (UC) that was used for your rental during the application period must be accounted for here. These amounts are awarded to the Local Authority.

If some trade was arranged in lieu of rent you should still apply for the value of the rent traded and provide evidence of the trade.

### After Submission

When the Tribunal receives your application they will verify it before sending a copy to the Respondent (only the form) and will send you an acknowledgement.

About a week after submission you will receive the following from the Tribunal:

- DIRECTIONS
- Listing Questionnaire

The Directions are the roadmap to the hearing and specify all the important dates for submissions. The hearing date is not set yet as the Tribunal needs to gather available dates from all parties: the Listing Questionnaire. Be sure to complete & return this as instructed. You may also receive a form to request mediation. This is discussed below: complete and return the form if you are interested in this.

The Tribunal may list voluntary legal clinics organised by the Tribunal. These may be helpful but probably do not have in depth knowledge of the RRO process as they mostly deal with lease issues, the Tribunal's main fare.

### **Tribunal Correspondence**

Your RRO1 form application and supporting documents must be sent by post with a cheque for the application fee. The First-tier Tribunal in London allows you to send correspondence by email as an attached letter. However, the Tribunal itself will nearly always write to you by post: so make sure the address in your application is where you can easily and securely receive post.

Whenever you write to the Tribunal after submitting your application, you must copy the email/letter to the Respondent. The Respondent must do likewise and copy correspondence to you.

Remember that the purpose of evidence gathering by the Tribunal is that there should be no surprises for any party when it comes to the hearing so that all sides have a fair chance to respond.

The FtT will next send a copy of your application to the Respondent/landlord. If the landlord claims not to be the Respondent you will probably have a Case Management Conference...

### **Case Management Conference**

A Case Management Conference (CMC) is only arranged when the FtT has doubts about the validity of aspects of the case. This is usually to do with the identity of the landlord but may also be because the FtT is not sure if it has jurisdiction, i.e. that the legislation is applicable to the case.

If a CMC is called in your case, be sure to attend as decisions made here will have an effect on the whole case. Usually the question is around who the Respondent should be. Take evidence with you of the control the Respondent has over the property, e.g. registered title of ownership. If it is claimed that an agent should be the responsibility, challenge this by demanding to see evidence of their 'interest' in the property: i.e any lease that may exist. The details in any such lease agreement are important: look for responsibility for major repairs, such as heating. Broadly, whoever has responsibility for important repairs is the Respondent, as only that person would be acceptable as a licence holder.

## **APPLICANT BUNDLE**

Usually the Applicant is required to submit an evidence bundle first. Compile the bundle in digital format using a pdf file manager: this helps you gather material from different sources/file types and lets you easily add page numbers, re-number etc. There are 3 main components of the bundle:

- Statement of case  
Lay out the basic elements of your allegation/s and supporting evidence. Use paragraph numbering so that the Tribunal can easily refer to your statements. See template Statement of Case with examples [here](#).
- Sworn witness statements  
All Applicants should make a witness statement whether or not they intend to come to the hearing. Copies in the bundle, originals you take to the hearing. You can use electronic signatures: then you won't need an original. For a template witness statement see [here](#).
- All documents you might need to rely on for your case. If unsure, put it in: you cannot introduce it later at the hearing if it is not in your bundle! You should always include:
  - ALL DOCUMENTS supplied with your application, so:
    - A copy of your tenancy/licence agreement, if you have one. If not, you should make a sworn statement about your occupancy agreement and attach that instead (for a template see [here](#)). There is now also a space on the form for this (January 2020)
    - Proof of payment of rent
    - Confirmation from Camden of the property's licensing status, if a licensing offence
  - Witness Statements, sworn & signed
  - Table of Occupancy (HMOs only) (good to combine this in the witness statement/s)
  - Registered Title of the subject property
  - Any correspondence with Camden regarding the property/offence
  - Proof of your rental payments for the period applied for
  - Copies of correspondence with the R, agent or other tenants which relate to the offence or conduct of either party
  - Copy of your tenancy agreement/s
  - Your application form RRO1 (this can act as an additional sworn statement)

- Tribunal Directions
- In addition include this in the bundle, if relevant:
- The licence scheme designation for Camden (available [here](#))

Compile the bundle as a pdf document and use the software to digitally insert page numbers (look for Bates Numbering in your software). You may need to insert or delete pages: the digital numbering allows you to re-number at any time. When you have the final version, write up a CONTENTS page to put at the front, referencing the page numbers. Also make up a cover page which references the:

- Case Reference Number
- Applicant v Respondent
- Name of any representative
- Date of Hearing
- Date of bundle

## **Evidence Considerations for Offences**

### General

Print in colour so that all photos/screenshots etc are easily understood. It also helps to make the page numbering in a bright colour.

### Licensing Offence

- You must have a written confirmation from Camden that confirms the licensing status. This can be in the form of an email. [Here](#) is a template for a licence enquiry.
- It is vital that the response you have is clear: if there is any room for doubt you should ask for a clearer answer
- You will need good proof of occupancy. For a HMO where tenants have arrived at different times, compile an occupancy table to show how the property has been used and have as many occupants sign it as possible. See a template [here](#).
- Evidence to show that the landlord did not comply with HMO regulations:
  - Fire alarm and detection systems- are they mains operated & working?
  - Emergency lighting and clear exit routes marked?
  - Fire doors? Thumb turn locks inside bedrooms (not keys that can be removed/fumbled in a fire emergency)?
  - Fire-fighting equipment: extinguishers, fire-blanket in kitchen etc.? Are inspection dates current?
  - Display of Gas Safety Certificate? Certificate of Safety of Electrical Installation? Details of landlord/agent on display in property?
- Extra evidence of landlord conduct to build a picture for the Tribunal- don't overdo this: concentrate on offence-relevant evidence, as above
- Proof that the property was your main residence
- Proof that there was more than one household: you only need to show that there were at least 2 households, ie 2 unrelated people sharing amenities (a couple living together in a partnership is 1 household).

### Harassment & Illegal Eviction

- These are separate but often related offences. You will need a substantial amount

of evidence to prove the case so if a licensing offence is an alternative it may be best to rely concentrate on proving this offence instead.

- Harassment has a special meaning in tenancy law that is different to common usage: this often results in Applicants bringing allegations that cannot be proved under the law. Please check whether it matches your situation here: [https://england.shelter.org.uk/legal/harassment\\_and\\_antisocial\\_behaviour/harassment\\_and\\_illegal\\_eviction/what\\_is\\_harassment](https://england.shelter.org.uk/legal/harassment_and_antisocial_behaviour/harassment_and_illegal_eviction/what_is_harassment)
- Relate your evidence to the definitions of the behaviour in the above link
- Draw up a chronology of the events to show how the offence progressed and sign it for the evidence bundle. [Here](#) is a template you can use for this.

### Improvement Notice

Evidence here is more straightforward as it depends almost entirely on documentation from the borough.

- It's a good idea to draw up a chronology of events, as suggested under illegal eviction/harassment
- Compile other evidence related to the offence: disrepair, lack of communication etc.

### **Printing & Binding**

Consider printing on both sides to save paper. Also postage costs. Ring binders are awkward to post so it's a good idea to have the bundles bound: spiral/wire binding is fine You will need to send 3 copies to the Tribunal, 1 to the Respondent and keep 1 for each Applicant attending the hearing. It's a good idea to print a spare that can be used at the witness table as a clean copy so that the Tribunal can see it not been annotated.

### **Technical Tips**

#### PDF

We highly recommend that you compile evidence into a digital bundle in Adobe pdf format. This allows you to combine documents from various file formats, arrange them as you wish and, crucially, number the pages (and renumber them...). Adobe Acrobat pro X is an expensive software that allows you to do this, but there are much cheaper near equivalents which you may be able to use on a trial basis for free: e.g. PDF element, PDF Architect etc.

#### Electronic Signing

Where documents need to be signed by a number of Applicants/witnesses it is much easier to use electronic signatures: many electronic signature companies offer a free trial month which may be enough for your use. Electronically signed witness statements and applications are accepted at the Tribunal.

#### Whatsapp

If you have "Whatsapp" messages for your bundle, it's best to include these as a text file: you can do this by exporting them to share over email to yourself (e.g. see here: <https://www.android-recovery.net/print-whatsapp-chat-history.html>). Similarly, here is a guide for printing text messages: <https://www.howtogeek.com/269206/how-to-print-a-text-message-conversation/>.



## **RESPONDENT BUNDLE**

This is usually due about a month after the Applicant bundle. If you do not receive it by the date set in the Directions you should email a letter to your case officer (specified in the Directions) and copy to the Respondent.

- If you don't receive a digital copy of your landlord's bundle it's a good idea to scan it in: you can then process the whole document with optical character recognition software (OCR). This will help you find important parts of the document quickly.
- If it isn't numbered, you can easily add numbers yourself on the digital copy for referencing: then take a printed copy as a spare for the Tribunal.
- Check that documents are in the bundle that should be in there, especially any correspondence with Camden regarding the alleged offence, e.g. licensing. It is common for Respondents to miss out this correspondence as it may contain material that undermines their defence. All correspondence about licensing with Camden should be in the bundle: if it isn't you should write immediately to the Tribunal, copying to the Respondent, to request they direct the Respondent to supply the missing items without delay.

### Analysing the Respondent Bundle

Watch out for some of the following:

- Missing papers required by the Tribunal- see Reply below
- Any admission of the offence or related facts
- Extra evidence that may support your case, e.g. references to other occupants
- Criticism of A conduct: this should only relate to the alleged offence. Here you can use *Parker v Waller (2012)(PvW)* , specifically §39 (this actually refers to landlord conduct but logically applies to Applicants as well)
- Tenant enjoyment PvW §26(v)
- Highlight any "authorities" referred to by the Respondent or their representative. These are previous cases, usually ones decided by a higher Tribunal or court, to which the FtT must "have regard" or consider in relation to similar cases at the FtT

## **REPLY TO RESPONDENT BUNDLE**

If your Directions follow the normal sequence: Applicant bundle – Respondent bundle – Applicant reply, then you have the chance to have the last say in the initial war of words. Make sure you make good use of it!

The reply has 2 main elements:

- Replying specifically to the arguments of the Respondent
- More general related points and further elaboration

Although technically a reply, you could use the opportunity to add further evidence: either new or items forgotten in your original bundle.

If the Respondent has used paragraph numbers, use these to refer to in your reply. Otherwise just deal with the arguments in sequence, under numbered bullet points. Nested bullets help keep a clear structure.

If the Respondent does not follow Tribunal directions by omitting evidence that is required,

e.g. correspondence regarding a licence application (very commonly withheld), be sure to point this out in the reply. It's good to check again at this stage what the licensing status is and provide an update.

If the Respondent has provided evidence of their financial position, analyse this carefully for any inconsistencies. Highlight any lack of authenticity of this or any other evidence: Rs often produce their own version of their accounts, without any verification by another authority such as an accountant. The Tribunal may use this evidence to reduce your award so be sure that it receives the same robust challenges as your evidence will.

Any evidence relating to your or their conduct needs similar treatment.

Be sure to use case law, particularly Parker v Waller, in these arguments. Remember, Parker v Waller disallows:

- Consideration of conduct that does not relate to the alleged offence/s ( PvW §39)
- Mortgage interest when this relates to a re-mortgage (check the date of the mortgage charge on the Title of the property: if it's later than the purchase date it's a re-mortgage). There are now strong arguments for mortgage interest not being allowed at all- see later.
- Any reduction in award due to the enjoyment, by the Applicant, of the property during the application period

Parker also rules that a R that is a professional landlord should be punished more severely: so emphasise this if relevant in your case.

#### Resources for case law

Most RRO relevant case law has now been compiled in one useful location, freely available [here](#). The same location has a more up to date discussion of the emerging case law for RROs

## **MEDIATION**

After submission you may receive a mediation request form from the Tribunal. This allows the dispute to be settled through a mediation process organized at the Tribunal itself. How it works is that both parties are placed in separate rooms in the Tribunal and a Tribunal representative shuttles between the rooms trying to find common ground for a settlement. If an agreement is reached, the terms are clarified by the Tribunal for the settlement. Mediation has the advantage that you avoid the work of compiling bundles and the eventual hearing. On the flip-side: your Respondent may have an unrealistically low settlement figure in mind rendering the whole process a waste of time.

## **SETTLEMENT**

An alternative to mediation is that you engage independently with the Respondent to reach an agreement. This is often easier when the Respondent is represented by a solicitor who can act as a buffer to direct contact with your former landlord.

Often the Tribunal orders (in the DIRECTIONS) that parties should attempt to reach a compromise: in this case you must reach out to the other party. Failing to do so could count against you in any eventual hearing.

Settlement can be reached at any time but it obviously makes sense to attempt it at an early stage in proceedings.

Write to the Respondent or representative laying out the strengths of your case and emphasising the advantages of a settlement. For the Respondent these are significant:

- Similar reduction in work/costs: bundles, hearing
- No risk of creating a public record of an offence should the Tribunal find against the Respondent
- Faster resolution

Similarly, for Applicants, there are advantages in reaching an agreement quickly, not least of which may be the certainty of actually receiving compensation: Respondents may try to avoid paying any award made in a judgment. A settlement also removes the uncertainty of hearing decisions. Decisions in RRO cases can vary enormously.

Take a reasonable approach to your settlement negotiations and avoid any animosity or point scoring. Decide on what you consider a fair amount in the circumstances and stick to that. You are not likely to achieve 100% of your application: most judgments for successful RRO cases are in the region of 60-80% of the rent applied for so this should be your target range.

If you agree a settlement you should use a written settlement agreement: a template for this is available [here](#).

The settlement stages work is as follows:

1. agree the settlement with the Respondent (R)
2. draft a settlement agreement for the R to check over and agree
3. sign & send to R for signature (consider [electronic signing](#))
4. write to the Tribunal to request withdrawal (template [here](#))
5. Tribunal writes to you & R to confirm withdrawal of the case
6. R pays the settlement to you

[The Tribunal's rules](#) (see 22(5)) allow for a re-instatement of the case within 28 days of withdrawal, should the R not abide by the terms of the agreement.

## **SKELETON ARGUMENT**

Although not usually mentioned in Tribunal Directions, it is very common to produce a skeleton argument that summarises your main position a few days before the hearing. This can be sent to the Tribunal and acts as a 'quick start' guide to the case for the Tribunal.

Technically, you should not bring in any new arguments or evidence. Sometimes Respondents' representatives use a skeleton to slide in new arguments: in this case you should bring this to the Tribunal's attention and respectfully request that these be ignored.

A skeleton should only run to a couple of pages, maximum. It's an executive summary. Use

nested numbering of paragraphs to allow easy reference.

## **HEARING**

Arrive at the Tribunal in good time, at least 15 minutes before the hearing time, to allow for signing in and security checks. There is a waiting area in reception where you will meet your case-officer. They will collect your details and eventually usher you into the hearing room.

### **What to expect**

Make adequate arrangements to take time off from work etc. for the date listed by the Tribunal for the hearing and co-ordinate with any joint Applicants and witnesses to make sure they have done so. If you are a large group, it's a good idea to meet at a neutral location near the Tribunal about half an hour before the hearing.

Hearings at the First-tier Tribunal are designed to be as 'user-friendly' as possible. However, there is of course a degree of formality to be respected:

- The rooms for hearings resemble a classroom, with a slightly raised podium for the members of the Tribunal. There is no oak-paneling and judges do not wear wigs or gowns
- There will normally be 2 or 3 judges: one chair who will lead the hearing accompanied by 1 or 2 Tribunal members who are likely to be 'lay' members (not legally qualified experts)
- Dress need not be formal- aim for smart casual as a minimum.
- Address the judges as 'Sir' or 'Maam'
- Never interrupt a judge
- Set phones to silent

### **What to take with you to the hearing**

- Enough copies of the submissions for you and any other Applicant, plus a spare for witnesses to examine. Witness copies should not have any notes or markings added (the Tribunal may check this)
- Enough copies of any authorities (case law decisions) that you rely on in any arguments submitted. Copies for the Tribunal and Respondent should not be annotated
- Originals of any physically signed witness statements (electronic signatures don't require this)
- Copies of the relevant legislation, e.g. HapA 2016
- A good writing pad and pens/ highlighters
- Your laptop and power cable (sockets in floor); check wifi hotspot setup on phone

### **Hearing procedure**

This can vary but the normal procedure is as follows:

1. Presentation/witnesses
  - 1.1. Applicant (A) presents their case
  - 1.2. A calls a witness to give oral testimony
  - 1.3. A cross-examines witness

- 1.4. R cross-examines witness
  - 1.5. Repeat for other witnesses
  - 1.6. R presents their case
  - 1.7. R calls a witness to give oral testimony
  - 1.8. R cross-examines witness
  - 1.9. A cross-examines witness
  - 1.10. Repeat for further witnesses
2. Clarification/Summing-up
- 2.1. The Tribunal may seek clarification from both parties on details of the case. Often, at this stage, the Tribunal will be looking at how much an award might be and so will double-check any discrepancies in the calculation of the rent paid or expenses claimed by the R
  - 2.2. R is the asked to sum up their case
  - 2.3. A then sums up their case

There is usually a break for lunch after the first stage. Witnesses not be required in the afternoon session need not attend. Some hearings are faster and finish by midday. If you are assigned a “dash” hearing your hearing may be in the afternoon: these hearings are for what appear to be simpler cases.

Make notes of points the R raises so that you can address these in your summing up. It's a good idea, before the hearing, to have prepared a couple of sentences to finish with which highlight the worst aspects of the alleged offence and the R's relevant conduct with a conclusion that the Tribunal, should they make an award, be ready to deal with the landlord robustly.

### Quantum Arguments

As mentioned above, the amount of any eventual award or quantum is often the focus in the later stage of the hearing. At the Case Presentation stage or summing-up it is good to emphasise the following at the hearing:

- What Parker v Waller does not allow: [see above](#)
- Why HaPA 2016 RROs are not limited by Parker v Waller: see [here](#)
- Weaknesses in the R's costs evidence:
  - any claims for capital expenditure of any kind.
  - any costs the landlord would have had whether the property was let or not, such as utility standing charges, mortgage payments, council tax etc.
  - any costs evidence that does not have an associated invoice in the R's bundle

At any stage of the proceedings a member of the Tribunal may intervene for further clarification and may cross-examine witnesses directly themselves.

The Tribunal will conclude by giving an indication of when a Decision might be reached, often around 2-3 weeks, although decisions can be much faster, 2-3 days, or slower, up to 6 weeks.

## **COSTS**

You should always apply for your application and hearing fees to be awarded: in your application and all further submissions. It's also good to remind the Tribunal at the hearing.

Legal costs for any professional help you pay for, from a solicitor for example, will not be reimbursed if you win and you will not be asked to pay the other sides legal costs if you don't succeed. The tribunal rules are available here:

<http://www.legislation.gov.uk/uksi/2013/1169/contents/made>

§13 deals with the exceptional cases where costs may be ordered to be paid to the other side.

(1) The Tribunal may make an order in respect of costs only—

(a) under section 29(4) of the 2007 Act (wasted costs) and the costs incurred in applying for such costs;

(b) if a person has acted unreasonably in bringing, defending or conducting proceedings

The definitive situation regarding costs at the First-tier Tribunal Property Chamber (Residential Property) (FtT) is to be found in this case decision (Willow Court) at the Upper Tribunal:

<https://www.bailii.org/cgi-bin/format.cgi?doc=/uk/cases/UKUT/LC/2016/290.html>

## **ENFORCEMENT**

If your Respondent does not pay an award made by the FtT you can have the matter enforced by the County or High Court by 'converting' the judgment to a County Court Judgment (CCJ) for free. You will need to use form **n322b**. A partially completed n322b can be downloaded [here](#). The explanatory **ex328** is [here](#) and a template cover letter [here](#).

You can send the form with your Decision document to a County Court near to your landlord. They will issue the order to pay to the landlord directly and issue you with a copy of the Court Order which can then be used to enforce the judgment. The above link provides further details on enforcement action you may consider.

### **Good to know:**

Some County Courts are more efficient than others. In London we suggest Clerkenwell & Shoreditch County Court, The Gee Street Courthouse, 29-41 Gee Street, London EC1V 3RE

## **HOW TO APPEAL**

If you lose your case and you think the judgment was unfair or incorrect, you can appeal under the Tribunal's Rules, (see under [RULES & LEGISLATION](#) below). Before you appeal, consider that you will need to pay not only an application fee (currently £275) but also a Determination Fee when the judgment is issued (currently a further £275). If the First-tier Tribunal (FtT) does not allow an appeal you will need to apply directly to the Upper Tribunal (Lands Chamber) (UT) for a further £220 (currently) See below for [HELP WITH FEES](#)

1. If you think there has been a major procedural error, you can ask the FtT to 'set aside' the Decision. This is under rule 51 of the Tribunal's rules. The First tier Tribunal would then have to consider whether the reasons you give are sufficient to review the Decision and possibly amend or 're-make' it
2. Similarly, if it is other than a simple procedural matter, you can request an appeal on those grounds under rule 52. The FtT will then consider granting permission for the appeal.
  - 2.1. If permission is granted, the appeal may take place at the FtT itself rather than the Upper Tribunal (Lands Chamber) (UT). This is usually when the FtT realises they may have made a mistake. Then the appeal will be conducted "by review", which means there will not be a new hearing: instead the FtT will reconsider the same evidence (no new material) and make a new Decision. If the FtT considers that there is a reasonable chance of success but is unsure of the legal interpretation they may grant permission to appeal to the UT
  - 2.2. If permission is granted to the UT you will need to fill out form T601- Notice of Appeal and send this together with the letter from the FtT that grants permission and a copy of the original FtT Decision
  - 2.3. If permission is not granted by the FtT this should not discourage you if you feel you have a strong case. Simply apply to the UT directly for permission from them using form T602
3. Appeals for RROs are mostly dealt with at the UT under their Written Procedure rules: this means there will not be an oral hearing.
4. If you have new evidence since the FtT case then you should consider requesting an oral hearing which will allow new evidence to be brought.

## **RULES & LEGISLATION**

- FtT Rules: The Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 S.I. 2013 No. 1169 (L. 8), available here: <https://www.legislation.gov.uk/ukxi/2013/1169/contents/made>
- The Housing Act 2004 (HA): The legislation which introduced RROs and on which some of the eligible offences for a RRO are based: <http://www.legislation.gov.uk/ukpga/2004/34/contents>
- The Housing and Planning Act 2016 (HaPA): Gives the rights to tenants to make RRO applications directly against the landlord and specifies the range of offences for a RRO: <http://www.legislation.gov.uk/ukpga/2016/22/contents>
- The Prescribed Description Order 2006: defines a licensable HMO for the HA 2004. NB -this defines a large HMO as 5/+ occupants from 2/+ households. NB: occupant count can include any resident landlord: <http://www.legislation.gov.uk/ukxi/2006/371/contents/made>
- Prescribed description order 2018: this removes 3 storey hurdle for the mandatory scheme but introduces exceptions: notably purpose-built flats: <http://www.legislation.gov.uk/ukxi/2018/221/contents/made>
- Mandatory Conditions of Licences 2018: specifies minimum room sizes in HMOs. Min 6.51m<sup>2</sup> single adult. Repeated 2019 in Homes (Fitness for Human Habitation) Act



## Good to know...in The Housing Act 2004 (HA):

- A licensing offence ends when a valid or effective application for a licence is submitted, not when the licence is issued: s72 (4)(b) & s73(2)(b)- an exception under s72(1)(b)
- A valid application is one that conforms with the LA requirements: s63(2). But then you need to find out what the requirements are- many LAs are not sure themselves and they all vary.
- No s21 eviction notice can be issued against AST tenants in an illegally unlicensed HMO: s75(1). But some tenants, such as lodgers, do not have this protection as they are not AST tenants.
- "House" can mean dwelling consisting of part of a building, so applies to a room in a HMO: s99
- s254 elaborates on the meaning of a HMO. Should be read in conjunction with Prescribed Description Orders 2006 & 2018, as well as schedule 14,7 of HA, as discussed above. Basically the HA doesn't define a HMO other than saying: 1. s254: 2/+ occupants from 2/+ households  
2. Sched. 14,7: Only 2 occupants is not a HMO

## CASE LAW

Cases that have been appealed provide a guidance to the FtT on how to interpret the law where there is any doubt.

### Under The Housing Act 2004

Nearly every RRO Decision makes reference to the following 2 cases, so it's a good idea to make yourself familiar with these. Especially Parker v Waller:

Parker v Waller (2012) available here:

[https://www.bailii.org/uk/cases/UKUT/LC/2012/HA\\_6\\_2011.html](https://www.bailii.org/uk/cases/UKUT/LC/2012/HA_6_2011.html)

Fallon v Wilson (2014) available here: [https://www.bailii.org/cgi-](https://www.bailii.org/cgi-bin/format.cgi?doc=/uk/cases/UKUT/LC/2014/300.html&query=(fallon)+AND+(v)+AND+(wilson))

[bin/format.cgi?doc=/uk/cases/UKUT/LC/2014/300.html&query=\(fallon\)+AND+\(v\)+AND+\(wilson\)](https://www.bailii.org/cgi-bin/format.cgi?doc=/uk/cases/UKUT/LC/2014/300.html&query=(fallon)+AND+(v)+AND+(wilson))

### Under The Housing and Planning Act 2016

There have recently been a few appeals of RRO cases brought under The Housing and Planning Act 2016 (HaPA). These are the most significant so far:

- Sharma v Lau (2019) available here: <https://www.gov.uk/residential-property-tribunal-decisions/34-sarsfield-road-perivale-greenford-middlesex-ub6-7ae-lon-00aj-hmf-2018-0053>  
This case, brought with the assistance of Flat Justice CIC, clarifies the timing issues regarding RRO applications under HaPA 2016 and confirms the timing explained in the introduction to this guide.
- Taylor v Mina An Ltd (2019) available here: [https://www.bailii.org/cgi-bin/format.cgi?doc=/uk/cases/UKUT/LC/2019/249.html&query=\(title:\(+taylor+\)\)+AND+\(rro\)](https://www.bailii.org/cgi-bin/format.cgi?doc=/uk/cases/UKUT/LC/2019/249.html&query=(title:(+taylor+))+AND+(rro))  
A case brought with the assistance of Flat Justice CIC which clarifies the licensing situation for licensed properties that are sold: the new owner is not covered by the old licence.
- Goldsbrough v CA Property Management Ltd available here: <https://www.bailii.org/cgi-bin/format.cgi?doc=/uk/cases/UKUT/LC/2019/311.html>  
This very important case, brought again by Flat Justice, gives the Applicant the right

to choose which landlord they select as the Respondent. Previously the FtT could overrule the choice, often making the application futile by selecting a party that has no assets and against whom enforcement of any award was near impossible. This case has been widely reported and is discussed [here](#), for example.

A number of RRO cases are being appealed at the time of writing. For an update, and for discussions of all above cases, please visit:

[www.GetRentBack.org/blog/](http://www.GetRentBack.org/blog/) (a website of Flat Justice)

## **HELP WITH FEES**

You can get help with paying fees depending on your income & savings. Please see <https://www.gov.uk/get-help-with-court-fees>. There's an accompanying guide to the form which helps here:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/806272/ex160a-eng.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/806272/ex160a-eng.pdf)

Currently you can get help with fees as a single person under 61 if you have savings under £3000 and earn under £1085/month or you receive benefits (e.g. JSA, ESA or UC).

Hidden in ex160a (the guide to the form ex160) is this useful information: *"If your income varies from month to month, work out an average monthly income based on the last 3 months."*

## **TIPS & TRICKS:**

- **FtT:** Your assigned case officer at the FtT is your lifeline. They can give you procedural advice and are often reachable by telephone: please don't abuse this option though as they are very busy. Avoid ringing at around 10.00 as they are often ushering parties into hearings then
- **Tenancy:** Not sure what your tenancy is? Try this quick online check at Shelter: [http://england.shelter.org.uk/legal/security\\_of\\_tenure/tenancy\\_checker](http://england.shelter.org.uk/legal/security_of_tenure/tenancy_checker)
- **CPNs:** If Camden have issued a Civil Penalty Notice against your landlord the Tribunal will take this into consideration. For everything except licensing offences, a previous CPN for the same offence as you allege will force the Tribunal to award 100% of the rent you applied for (unless there are exceptional circumstances). For licensing offences, at time of writing (September 2019), the pattern so far has been that CPNs for this offence can reduce the award. However, this is contentious and may well be challenged in a future appeal. If you have a choice, choose a non-licensing offence for which a CPN has been issued
- **S21 Eviction:** if you have received a s21 eviction notice, use [this useful guide](#) to check if the eviction notice is valid
- **Environmental Concerns:** a lot of paper/post is generated by the current procedures at the FtT. Try to minimize this, at least from your side, by:
  - Sending letters as attachments to emails
  - Avoiding duplication in bundles, delete blank pages
  - Printing double-sided
  - If you have several similar lengthy tenancy documents, consider reprinting as a pdf with 2 sheets to one side and then adding to the bundle
  - Abiding by deadlines so that unnecessary mail is avoided

## MORE HELP

You may be able to get more help with your RRO application from the following agencies:

- **Camden HMO Licensing:** <https://www.camden.gov.uk/houses-multiple-occupation#cxjx>; 020 7974 5969
- **Camden Federation of Private Tenants** Run by and for private tenants in Camden at 13 Malden Road, London NW5 3HS, tel. 020 7383 0151 [www.cfpt.org.uk](http://www.cfpt.org.uk)
- **Flat Justice CIC** produced this guide for Camden and run the website [www.GetRentBack.org](http://www.GetRentBack.org). They are a not-for-profit Community Interest Company that offer free help with making your own (DIY) application or will make the application for you and represent you for a commission of 20%
- **University of London Housing Service** will help students in institutions affiliated to this service in London: <https://housing.london.ac.uk/>
- **Citizens Advice** will help you by telephone or in person at one of their offices which you can find here: [www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)
- **Camden Community Law Centre** <https://www.cclc.org.uk/>
- **Renters' Rights London:** <https://www.rentersrightslondon.org/>
- **Advice Now** helps Litigants-in-Person with <https://www.advicenow.org.uk/>
- **Litigant-in-Person Network:** <http://www.lipnetwork.org.uk/>

## USEFUL LINKS

- RRO1 application form available here:  
<https://www.gov.uk/government/publications/form-rro1-application-by-tenant-or-local-housing-authority-for-a-rent-repayment-order-housing-and-planning-act-2016> or ring 0207 446 7700 to ask for the form.
- RRO guide by the UK Government for Local Authorities:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/606654/Rent\\_Repayment\\_Orders\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/606654/Rent_Repayment_Orders_guidance.pdf)
- Government guidance on Tribunal procedures can be found here:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/748815/t543-eng.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/748815/t543-eng.pdf)
- The First-tier Tribunal rules are available here:  
<http://www.legislation.gov.uk/ukxi/2013/1169/contents/made>
- Rogue landlord database of London Assembly: <https://www.london.gov.uk/rogue-landlord-checker>
- Generation Rent is a national charity that campaigns for the interests of tenants  
<https://www.generationrent.org/>
- Marks out of Tenancy encourages feedback from tenants for landlords and properties  
<https://www.marksoutoftenancy.com/>
- London Property Licensing helps landlords license their properties but their website is also useful for tenants as it has details of each Local Authority licensing scheme:  
<http://www.londonpropertylicensing.co.uk/>

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## **USEFUL CONTACTS**

- First-tier Tribunal Property Chamber (Residential Property), 10 Alfred Place, London WC1E 7LR; [London.RAP@justice.gov.uk](mailto:London.RAP@justice.gov.uk); 0207 446 7700
- Camden Environmental Health Department/ HMO Licensing; <https://www.camden.gov.uk/houses-multiple-occupation#cxjx>; 020 7974 5969
- Camden's Homelessness Prevention Team, 5 Pancras Square, London, N1C 4AG; <http://cindex.camden.gov.uk/kb5/camden/cd/service.page?id=FRdqNkFbCek>; 0207 974 4444; <https://beta.camden.gov.uk/homelessness-in-camden>