

# Harassment and illegal eviction

6. a practical guide to harassment and illegal eviction



Harassment and illegal eviction is a serious criminal offence and a breach of civil law. The Council has powers to prosecute anyone who commits such an offence.

The law says that if your landlord wants to evict you, the correct legal procedures must be followed. These vary according to your circumstances, but often mean that you will be given a written Notice to Quit, or Notice of the Landlord's Intention to Seek possession. These must be followed by a Possession Order obtained in the County Court.

## Harassment

Some landlords, if they cannot evict their tenants legally, will try to get them out by committing acts calculated to make them leave their home. This is called harassment.

### Some examples are:

- Interfering with essential services such as the gas, electricity or water supply, etc.
- Threatening you with violence.
- Interfering with your possessions.
- Making you hand over the key to your home.
- Making you sign an agreement reducing your legal rights.
- Preventing access to shared facilities such as kitchen, bathroom and WC etc.

## Illegal eviction

Some landlords may force or lock their tenants out without following the correct legal procedures, usually when they do not have proper grounds for eviction. This is called illegal eviction.

## What can you do?

In addition to (and separate from) any Council action, you can take private civil action against your landlord. A solicitor's help may be free if you qualify for legal aid.

Your solicitor may decide to apply to the Court for an injunction or Court Order to force your landlord to let you back into your home and/or stop harassing you.

In an emergency, an injunction can be obtained in a few hours but will normally take several days.

An injunction is the most effective remedy if you are seriously troubled by your landlord. If it is disobeyed, the landlord risks possible imprisonment.

Your solicitor may be able to sue the landlord for damages, for the trouble and inconvenience you have suffered and for any expenses, and to pay for any damage to your personal property.

If your landlord causes you serious problems after office hours, the police can sometimes intervene to prevent a breach of the peace.

## Important

If your landlord claims to know the law and tells you that you must leave, DO NOT GO. Get advice immediately from the Council's Housing Services Section or a solicitor.

## How to contact us

**Wychavon District Council**  
**Housing Needs Department**

01386 565020

housingneeds@wychavon.gov.uk