

# COVID-19 UPDATE FROM CITIZENS ADVICE BRENT – 20 MAY 2021

## Housing update

### Eviction ban - England only

On 12 May, the government [announced the bailiff enforced eviction ban would not be extended](#) and will now come to an end on 31 May 2021. This means that from 1 June 2021 where a final order of possession has been made (regardless of the ground on which possession was ordered) and on a landlord's application, warrants of eviction will be issued by courts and delivered to tenants. Warrants must give at least 14 days notice of the eviction date - as such all bailiff enforced evictions will commence from 16 June 2021.

Despite the ban in place until 31 May 2021, bailiff enforced evictions can continue where possession was granted due to:

- illegal trespass or squatting by persons unknown
- nuisance or antisocial behaviour
- domestic abuse, fraud or deception
- properties unoccupied following the death of the defendant
- substantial rent arrears

### Changes to notice periods - England only

On 12 May 2021, Schedule 29 to the Coronavirus Act 2020 was amended by [The Coronavirus Act 2020 \(Residential Tenancies: Protection from Eviction\) \(Amendment\) \(England\) \(No. 2\) Regulations 2021](#). Subject to the public health advice and progress with the Roadmap, notice periods will return to pre-pandemic levels from 1 October 2021. The new notice requirements mean for

most notices served on or after 1 June 2021 the notice period will be 4 months.

The exceptions to this are where possession is being sought in regards to:

- rent arrears
- anti-social behaviour
- where the tenancy has been obtained by fraud or false statement
- where a tenant has no right to rent due to their immigration status
- where there are allegations of domestic abuse and the alleged perpetrator remains in the property
- where the tenant has died and no one else lives in the property
- periodic tenancies where the periods of the tenancy are 6 monthly or yearly

Notice periods vary from no notice in the case of serious anti-social behaviour to at least 4 weeks notice where possession is sought for rent arrears of more than 4 months. There are also changes to notice periods from 1 August for rent arrears - we will tell you more about this next week.

### **Relying on multiple grounds which have different notice periods**

Where a landlord intends to rely on 2 or more grounds with different notice period requirements, then they will have to give the greater notice period required, unless they are relying on:

- ground 2 for Secure tenancies where no notice is required
- ground 14 for Assured/Shorthold tenancies (where no notice is required, unless combined with 7A when Notice to Quit period will be needed)
- introductory/demoted tenancies where the tenancy was obtained by false statement (4 weeks notice required)

### **New prescribed forms for Assured and Assured Shorthold tenancies - England only**

The Assured Tenancies and Agricultural Occupancies (Forms) (England)

(Amendment) and Suspension (Coronavirus) Regulations 2021 prescribe [new versions of form 3 and 6A](#). These are included in the schedule of the regulations and should be used for notices served on or after 1 June 2021.

## Consumer update

### Travel scams

[Take Five to Stop Fraud are reminding people](#) planning to book holidays here and abroad that scammers are very active in this sector. Their website contains lots of useful advice for would-be travellers to help them avoid falling victim to scammers.

### British Gas scam

[Action Fraud has received multiple reports of scam emails pretending to be from British Gas](#). The emails tell people they have overpaid and will get a refund if they click on a link, which then collects personal details.

### NHS app

[The NHS app has now been updated](#) to show information about people's vaccination records, but only for people who have had both vaccinations. This is not the same app as the NHS Test and Trace app and requires a separate login. A paper version is available by calling 119, but not through a GP.

## Debt update

### Debt Relief Order (DRO) updates

- **29 June confirmed for changes to eligibility conditions.** From 29 June onwards clients will qualify for a DRO as long as they have qualifying

debts of no more than £30,000, no more than £2,000 worth of property and no more than £75 per month surplus income. The disregard for a single domestic car has gone up to £2,000.

- **A-Z version 3.** The Insolvency Service DRO team has updated the DRO A-Z which provides detailed guidance on all aspects of the scheme. If you're an Approved Intermediary your Competent Authority should have sent you a copy.

### **Universal Credit (UC) deductions for fines**

Following the Blundell case - see our article [DWP policy on deductions for fines is unlawful](#) - the DWP has updated the [Benefit Overpayment Recovery Guide](#) which sets out its policy on deductions. The guide now provides that deductions for fines will be set at 5% of UC personal allowance as standard.

### **Council tax appeals remote hearings**

[New regulations have been issued to clarify that remote hearings are permitted in the Valuation Tribunal for England](#) (VTE). The VTE hears appeals on council tax liability, discounts and discretionary reductions. In force from 9 June 2021, the definition of a 'hearing' now includes those that can be conducted in whole or in part by video link, telephone, or other means of instantaneous two-way electronic communication.

## **Employment update**

## England

On 17 May, England moved to Step 3 of the government's [roadmap for the easing of restrictions](#).

For regions seeing rising infection rates associated with the “Indian” variant of Covid-19, the government has produced [guidance for areas impacted by the new COVID-19 variant](#).

Although most businesses can now re-open, they remain subject to government guidelines on [working safely during coronavirus](#) and [guidance for restrictions on businesses and venues in England](#).

For workers the ‘work from home if you can’ message continues.

Although many workers will end furlough and return to work, the Coronavirus Job Retention Scheme (CJRS) remains in place until 30 September 2021.

Employers must conduct a risk assessment before re-opening and should consult with staff. The Health and Safety Executive has issued guidance to [Making your workplace COVID-secure during the coronavirus pandemic](#) - alongside [What to include in your COVID-19 risk assessment](#). Employers should help workers to avoid busy times and routes on public transport and give extra consideration to workers who are particularly vulnerable to coronavirus.

Some employers may introduce workplace testing through the new Department of Health and Social Security [We Offer Testing to our Staff Scheme](#) - aimed at showing customers, employees and others the Covid-19 safety measures adopted by businesses. However, and as confirmed by Acas [Workplace testing for coronavirus \(COVID-19\)](#), there's no law that says staff must be tested for coronavirus or staff must agree to testing - unless there is an existing regulatory or contractual duty to submit. The guidance spells out how an employer may seek to reach agreement on workplace testing with the workforce.

Employers asking staff to submit to Covid-19 testing, must act in accordance within Data Protection guidelines. The Information Commissioner's office has produced an FAQ [Data protection and coronavirus – advice for organisations](#).