



# KNOW YOUR RIGHTS

## SOCIAL HOUSING: PAYING YOUR RENT

### CALCULATION OF RENT



- As a social housing tenant you have an obligation to pay rent when it is due.
- Local authority rents are based on a system called differential rents. This system sets the rent based on the weekly assessable income of your household and should reflect what your household can afford to pay. In general, assessable income is a person's normal net wage and/or social welfare payment.
- Every local authority has their own rent scheme which sets out in detail how rents are calculated. Many local authorities impose a minimum and maximum amount of rent payable.
- Local authorities' rent schemes contain a hardship clause that gives the local authority discretion to reduce rent if there are particular reasons to do so. This may arise where exceptional factors exist which affect your household's ability to pay the rent or where the payment of rent would amount to undue hardship.

### CHANGE IN INCOME & PAYMENT OF RENT

- You must inform your local authority immediately of any changes to your household income or circumstances as this may affect the amount of rent you are required to pay.
- If your income has been impacted as a result of the Covid-19 outbreak you should contact the rents section of your local authority immediately. Let them know that you are having difficulty paying your rent and request that your rent be readjusted accordingly. Several local authorities have a specific Covid-19 rent adjustment form for this purpose.



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## MANAGING RENT ARREARS

- Do not ignore the problem if you are unable to pay rent or are in arrears. You should contact your local authority as soon as possible to discuss the issue and to try to come to a solution (e.g., by adjusting your rent or agreeing to enter into a repayment plan).
- You may be at risk of eviction if you are in rent arrears as non-payment of rent is a breach of your tenancy agreement. Before a local authority can attempt to evict you for rent arrears, it must first issue you with a tenancy warning. This allows you an opportunity to remedy the breach or enter into a repayment plan. The tenancy warning must also set out the circumstances in which the local authority is entitled to apply to the Court for a possession order.
- If you are evicted due to rent arrears this may affect your future entitlements to social housing support, especially if you have not entered into a repayment plan. You should check your local authority's allocation scheme to see how your social housing entitlements might be affected and seek further advice to resolve any difficulty.



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## FURTHER RESOURCES

- [MLRC Know Your Rights: Emergency Measures in the Public Interest \(Covid-19\) Act 2020](#)
- [Local Authority Differential Rent Schemes](#)
- [Section 58 of the Housing Act 1966 as amended](#)
- [Part II of Housing \(Miscellaneous Provisions\) Act 2014 as amended](#)
- [MLRC News Updates](#)



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## SUPPORT FROM MERCY LAW RESOURCE CENTRE

- Mercy Law Resource Centre (MLRC) is a registered charity and independent law centre.
- MLRC provides free legal advice and representation to people who are homeless or who are at risk of homelessness.
- MLRC are contactable on (01) 4537459 and [info@mercylaw.ie](mailto:info@mercylaw.ie) for any questions in relation to rent issues.

