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Housing Rents Variation Order Fact Sheet

A guide to County Court Order Variations.

This fact sheet has been produced to provide a guide to tenants who need to apply to the court to change the details of a court order.

When the court makes an order to pay rent arrears, the amount to pay and the arrears level is fixed and cannot be re-negotiated with the Estate Officer.
The order can only be changed by a Judge.

If your circumstances have changed and you can no longer afford the amount that you have been ordered by the court to pay for your arrears or if you have fallen behind on your re-payments you will need to change, either the amount to pay back every week or the remaining arrears figure, or both. To do this you will need to apply directly to the court to **Vary the Order**.

You must go to the relevant County Court, either Luton or Milton Keynes and go to the court office. Ask for a **form N245, Application for a Suspension of a Warrant or Variation of an Order**. This form asks for a lot of information including a complete breakdown of your income and expenses so you will probably need to take the form home to fill it in.

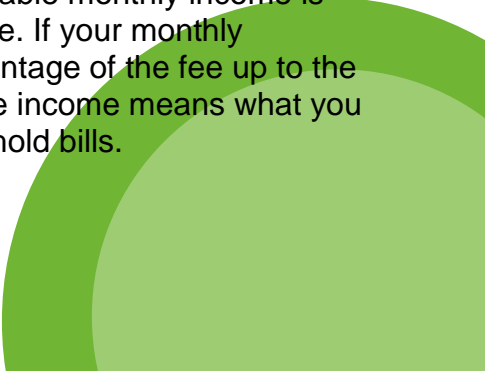
On the form, you will be asked to make an offer of an amount that you can pay every month to repay the arrears. This amount must be reasonable and an amount that you can afford but it needs to be enough to reduce the arrears as much as possible per month/week.

You will then return the form to the court, either by hand or post. The court will then write to the council to ask if they agree to vary the order and with the offer of payment. If your officer is in agreement, they will return the form to the court saying that they agree. This will then be submitted to the Judge who will make the final decision. If the Judge is in agreement, he or she will make a new order based on the new information. Your new order will now be for the new amount to pay every week/month and based on the current arrears figure.

The court charge a fee for this service but if you feel that you cannot afford the fee, you may apply for a **Fee Remission**. To do this, you will need to supply proof of why you feel that you cannot afford the fee. You also need to complete **Form EX160**

Form EX160 is also fairly comprehensive and asks for a lot of information about your circumstances. There is a table of contributions included with the form that explains the sliding scale of income versus fee contribution. In other words, if your disposable monthly income is less than £50, you do not need to pay any contribution towards the fee. If your monthly disposable income is any more than this, you will have to pay a percentage of the fee up to the full amount depending on what your disposable income is. Disposable income means what you have left over after you have paid all of your priority debts and household bills.

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To support your request for a fee remission, you will be asked to provide proof of your income including banks statements, pay slips and proof of all benefits. You will need to demonstrate to the court that you cannot afford the fee. You can either take this information with you when you go to the court to apply for the variation or send it to the court. There is a list of excluded benefits that do not qualify towards fee remission including Housing Benefit. This list can be found within the **Court Leaflet EX160A, Court Fees, Do I Have To Pay Them**. This leaflet will explain in full how the remission scheme works.

If you have any further queries, please contact the court.

Luton County Court
Cresta House
Alma Street
Luton LU1 2PU

0844 892 0550

Milton Keynes County Court
351 Silbury Boulevard,
Witan Gate East
Milton Keynes MK9 2DT

01908 302800

Relevant Court Leaflets and Forms.

Form N245, Application for a Suspension of a Warrant or Variation of an Order
Form EX160 Fee Remission
Court Leaflet EX160A, Court Fees, Do I Have To Pay Them

Contact us...

Për Informacion Per Informazione Za Informacije नगरवारी लसी | برای اطلاع
المعلومات | معلومات کے لئی | তথ্যের জন্য | Za Informacja

by telephone: 0300 300 8000

by email: customer.services@centralbedfordshire.gov.uk

on the web: www.centralbedfordshire.gov.uk

Write to Central Bedfordshire Council, Priory House,
Monks Walk, Chicksands, Shefford, Bedfordshire SG17 5TQ

