



WE CAN

BEAT

THE

BEDROOM TAX!

Know your rights sheet



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The bedroom tax has sparked fury. Thousands have protested against people being forced out of their homes or robbed of 14% or 25% of their housing benefit by millionaire Con-Dem ministers, many of whom have spare houses, never mind spare bedrooms. But we can stop this attack!

Twenty years ago a mass campaign defeated Thatcher's hated poll tax. Led by the Socialist Party's predecessor, Militant, a mass campaign of non-payment made the poll tax unviable. While the bedroom tax is different in many ways, one thing is clear - if we get organised we can defeat it.

Can't pay - will stay! No evictions!

"I've cut back on every little thing I have. I'm eating one meal a day and not putting the heating on, all so I can pay this tax. £12 a week is everything when you can only afford £30 a fortnight on shopping before paying the bedroom tax."

The bedroom tax's impact on people's lives has been devastating. The case of Stephanie Botrill, who killed herself after losing £20 a week from her housing benefit, illustrated the human cost of the bedroom tax. Stephanie wrote to her son before committing suicide: "Don't blame yourself for me ending my life. The only people to blame are the government."

The bedroom tax affects 660,000 of the poorest households in Britain, many of them already suffering as a result of other Con-Dem cuts. £500 million is being stolen from housing benefit, with the tenant

responsible for making up the shortfall. How is it possible for people already living in dire poverty to pay? It is not and the figures prove it.

Anti-eviction army

Housing Associations revealed in May that thousands of their tenants had immediately fallen into rent arrears as a result of the bedroom tax. In Liverpool the Riverside Group said 50% of their 6,000 affected tenants have not paid anything in bedroom tax. Only a quarter paid the full amount in the first month. Wakefield in Yorkshire said 42% had underpaid their rent. In Glasgow 66% of Housing Association tenants have underpaid.

What these figures clearly show is that the bedroom tax cannot be afforded. Moreover, many tenants who have tried

to pay will not be able to sustain payment.

We need to build an anti-eviction army which will oppose tooth and nail any attempts to evict tenants as a result of bedroom tax arrears. Just as the 'bailiff busters' successfully prevented thousands of attempts by bailiffs to take poll tax non-payers' goods, we can build a mass campaign to prevent evictions.

Build mass campaigns

But threats of eviction by councils and Housing Associations for bedroom tax arrears are still at an early stage. There are many things tenants can do to defeat the tax now. All tenants should know their rights and how they can disrupt the process of their own housing benefit being cut, but this must be supplemented by building mass campaigns to scrap the

bedroom tax for all. This guide briefly explains your rights as a tenant and gives suggestions on how to build an anti-bedroom tax campaign in your area.

We demand:

- Scrap the bedroom tax and write-off all the debt
- Defend all those who cannot or will not pay
- No evictions for rent arrears due to the tax or austerity cuts. Build an anti-eviction army.
- End all cuts - tax the bankers and the billionaires not bedrooms
- For a programme of new council house building to meet social need
- Build a mass movement against austerity starting with a 24-hour general strike organised by the trade unions



1 How do I set up a campaign?



Street meeting in Waltham Forest, east London photo Suzanne Beishon

Book a room in a community centre, school or local pub for a public meeting. Print some leaflets and go door-to-door in areas where there are lots of council or housing association homes. Put up posters in the local shops. Contact us if you would like a speaker or help with leaflets.

At many local meetings people have

come along ready to help organise. If this is the case ask for volunteers for a steering committee to organise the campaign.

Contact us for details of other local groups in your area. You can then come together to organise town-wide work - including organising mass lobbies of your council. See contact details above.

2 What happens now?

Everyone affected by the bedroom tax has been sent a letter by the council telling them by how much their housing benefit will be cut. Tenants can ask the council to look again at the decision. You need to do this in writing within one month of receiving the 'benefit decision notice' which says that your benefit is being cut.

If you are still not happy after the council has looked again, you can appeal the decision. Again, this should be done in writing within one month of receiving the council's response to your request for them to look again. This is free and you have a legal right to do it. Model appeal letters are available from us or from your local anti-bedroom tax campaign.

Longer than a month since you received your benefit decision? It is still worth writing a letter of appeal, explaining why you have not done so earlier (you have been ill, away, in distress, you

didn't realise you could appeal...).

While no guarantee for success, some common reasons for appeal include:

- The bedroom is less than 70 square feet. This means that, according to the 1985 Housing Act, it is a box-room and not suitable to use as a bedroom.
- Due to you or your partner/dependent's documented medical condition the other bedroom is used for therapeutic activities/medical equipment.
- You use the other bedroom for fostering purposes.
- Your children/dependents use the bedroom as part of the custody agreement.
- The use of the other bedroom is for regularly visiting family/guests.
- You have a very small kitchen, and the landlord has mistakenly designated your dining room as a bedroom.
- You use your other bedroom for storage of your possessions.

3 Should I apply for the "discretionary housing fund" for help?

Yes. This is a small pot of money that councils have to help tenants. You should apply regardless of whether you think you will get it. An application for a payment can be used as evidence that you have tried to gain access to money to help with the bedroom tax - this can also help delay eviction proceedings.

338%
increase in applications for discretionary housing payments since the bedroom tax was introduced



photo Jim Halfpenny

4 Should I move to the private sector?



In general, no. This is even more expensive than most council or Housing Association properties, tenancies are usually short-term and insecure, and housing is often of poor quality.

If you genuinely want to move to a smaller council or Housing Association

home ask your landlord to put you on a list.

However, councils and HAs simply don't have the smaller properties available to house people affected by the bedroom tax. For the vast majority it's a case of Can't Pay - Will Stay.

5 Should I take out a Direct Debit to the council or social landlord?

No. A Direct Debit allows the council to increase the money it takes from your account to cover your bedroom tax and you will have less money for food, bills, etc.

19%
increase in debt of tenants reported by one Housing Association



More people will struggle with the cost of living because of the bedroom tax and other welfare cuts

Q&A: BEDROOM TAX

The Socialist will be carrying regular articles on the bedroom tax. Subscribe via website. Send us your stories to: editors@socialistparty.org.uk

Get in touch for campaign resources including leaflets and posters: info@socialistparty.org.uk 020 8988 8777

10 How do we fight this?

Join the anti-bedroom tax campaign today. Massive pressure must be put on councils and Housing Associations to write off all debt arising from the bedroom tax.

We will continue to lobby, protest and demonstrate to demand the politicians act to stop these attacks on the poorest.

This is a fight we can win. If we stick together we can defeat the bedroom tax, all the cuts and bring down this rotten government of the rich.

See socialistparty.org.uk for regular reports and updates on the anti-bedroom tax campaigns



Campaigning against the bedroom tax in People photo Matt Carey

9 What should I do if I get a letter saying my landlord is going to take me to court?

If you are threatened with a court hearing get in touch with us or the local anti-bedroom tax campaign immediately. We can give you advice but also, if you wish, organise protests against court action being taken. This is the best way to prevent evictions.

During the poll tax battle mass protests at courts hearing poll tax cases helped make the court system unworkable. If councils try to take tenants to court we need to mobilise a similar movement against evictions.

In other words, a request for an eviction by a landlord is not a straightforward process and can be stalled or overturned. The campaign can and will ensure that no one goes to court on their own. We will seek legal advice to give guidance and support for you



as well.

Above all, even if an eviction order was granted anti-bedroom tax campaigners would mobilise to physically prevent bailiffs from removing a tenant from their home as a result of being unable to pay the bedroom tax.

8 Will I be evicted?

Court proceedings: At a certain point court proceedings can be used for debt recovery. However, councils and Housing Associations almost always have to do a number of things before they can take you to court.

They have to:

- Contact you and try to reach an agreement with you to repay the debt gradually. There is a rent arrears protocol which they are expected to follow.
- Help you with housing benefit problems if you are under 18 or 'vulnerable'
- Agree not to start court proceedings if you keep to an agreement to repay the debt gradually
- If they do decide to take you to court they have to give you written notice of their intention to do so prior to any court hearing
- Once the period of the notice has expired the court then has to decide if the landlord has 'grounds for possession'
- Only then can they take you to court to try and obtain a 'possession order'
- If it is granted you are sent a written copy of a 'defence form' which you have 14 days to fill out.
- The case then goes to court. It is important that you attend the court and put your side of the case. Remember to take evidence with you to help your case, the letters you have written to the landlord, the steps you have taken to cover the reduction in your housing benefit, etc. Whatever happens attend the court hearing!
- At the court hearing the judge needs to con-

sider whether a ground for possession has been satisfied, is it 'reasonable' to grant a possession order? Is it 'proportionate' to grant a possession order?

In most cases the courts will follow the procedure above. This will be the case for all 'secure tenants'. If you are a council tenant you will have a secure tenancy (except for a very few new council tenants). If your property used to be council, but has been transferred to a Housing Association, you may still have a secure tenancy.

However, most Housing Association tenants have 'assured tenancies' which give you fewer rights than secure tenancies. Most assured tenants threatened with eviction will be treated like secure tenants in court.

Some Housing Associations have occasionally used something called 'Ground 8' in the courts against assured tenants. This takes away the judge's discretion and makes a possession order virtually automatic if you have eight weeks or more of arrears (for 100% of the rent so that is at least 32 weeks of bedroom tax arrears). Take advice urgently if they try to evict on Ground 8.

If you are a housing association tenant a first step for your campaign should be a lobby of the Housing Association board demanding that they join the eleven Housing Associations that have already pledged to rule out using Ground 8.

Remember: It costs an average of £6,000 to evict someone. That is more than 200 weeks of bedroom tax rent arrears. For this reason, and also because it would be so unpopular, councils and Housing Associations are hesitating to take this road, a mass campaign can stop them from doing so.

7 What happens if I can't or won't pay the bedroom tax?

Letters will be sent telling you that you are in rent arrears. Don't ignore these letters - contact the council and your local Welfare Rights team and Citizens Advice Bureau, community legal teams, etc. Even if you can't access legal advice, don't ignore the letters, write to your landlord and tell them you can't pay and the reasons why.

If you can't get an appointment, or they give you bad advice (ie telling you that you just 'have to pay') make sure you get in touch with your local anti-bedroom tax campaign.

Keep all letters you are sent, and copies of any replies you send to your landlord. These can be very important if you have to argue your case in court.

Councils and Housing Associations can also try for a deduction of benefit for rent arrears. There is a standard



One of many mass burnings of poll tax bills in the 1990s. 18 million people refused to pay and organised a huge campaign - the tax was defeated photo Socialist Party

practice of a deduction for rent arrears of around £3.65 a week from benefit.

We demand all bedroom tax debt be written off and that the Con-Dem government bails out councils who refuse to implement it, including refusing to chase arrears that arise from austerity cuts.

6 What can my landlord do to pressurise me to pay bedroom tax?

Initially, councils and Housing Associations are phoning, writing to and visiting tenants who cannot pay all their rent as a result of the deductions from their housing benefit. If your landlord arranges a visit to your home, ask other anti-bedroom tax campaigners to come round and support you.

Landlords are hoping to apply pressure on tenants to make a payment arrangement to prevent a big loss in rental income. Social landlords need to understand that people cannot pay the bedroom tax - and we are not the enemy. They should stand by their tenants and demand the scrapping of the bedroom tax.

It is worthwhile explaining to your landlord why you cannot pay the bedroom tax, that your income and expenditure leaves no room for the



bedroom tax to be paid. It may be worthwhile putting this in writing to your landlord (make sure to keep a copy of the letter). This explanation can help later on if the landlord attempts to push for an eviction.



What can councils do?

Councils can refuse to implement the bedroom tax and demand that all Housing Associations in their area do the same thing. We call on councils to:

- Refuse to implement the bedroom tax!
- Use their borrowing powers and any reserves to assist tenants while working with the campaign to build a mass movement to defeat the tax.
- Make a clear pledge not to evict any tenant in arrears due to the bedroom tax or as a result of austerity.
- Demand that Housing Associations in the area (which often have councillors on their boards) pledge never to use Ground 8 to force through evictions, and pledge not to evict tenants for bedroom tax arrears or other arrears as a result of austerity.
- Write off bedroom tax arrears and/or 're-designate' properties as having fewer bedrooms to prevent the effects of the bedroom tax.
- A number of councils and Housing Associations have carried out some of these measures. Nine councils – mainly in areas where bedroom tax campaigns are strong – have promised no evictions for a year and several landlords – including Leeds council – have promised to re-designate homes.

These partial measures show campaigning works, but we need to keep the pressure on councils to do more. Labour claim to oppose the bedroom tax, yet Labour councils are implementing it. If they all refused to do so the tax would be unworkable.

Join the Socialists!



photo Senan

Anti-bedroom tax campaigners should stand for the council

Labour claims to oppose the bedroom tax but Labour councils are implementing it, and Labour nationally have refused to pledge to repeal it if they win the general election. We need councillors who will really stand up for us.

Next May the Trade Unionist and Socialist Coalition will be bringing together campaigners against cuts to stand as many anti-cuts candidates as possible in the local elections. Standing candidates in the local elections is an effective way of building the campaign against councillors that are implementing the bedroom tax.



The Trade Unionist and Socialist Coalition (TUSC) is an electoral alliance that stands candidates against all cuts and privatisation. It involves the RMT transport workers' union, leading members of other trade unions including the PCS, NUT and POA and socialist organisations including the Socialist Party.

www.tusc.org.uk

The bedroom tax is only one attack in the blizzard of cuts bombarding working class people. Reductions in council tax benefits will force more people onto the breadline in Foodbank Britain.

But while most of us tighten our belts a few households and families are gorging on a feast of riches. The combined wealth of Britain's richest 1,000 people increased by almost 5% to £414 billion in 2012! Those households and major corporations have all

been given a generous tax cut – helping them to get even richer. No question – this is a government for the millionaires not the millions.

But potentially we have the strength of millions to stop them! The bedroom tax makes it clearer than ever – the trade union movement must urgently set the date for a 24-hour general strike against austerity.

This would be the most effective way of channelling the burning anger at the government into

a movement capable of stopping the cuts.

If you agree with us – join the socialists! We stand for a different way of running things – where the wealth of society is used to provide people with the things we need – decent homes, jobs, a good education and NHS.

We want a society for the 99% not the 1%. That is why we stand for a socialist alternative which is based on a democratic plan of production to meet the needs of all.

What the Socialist Party stands for:

The Socialist Party fights for socialism – a democratic society run for the needs of all and not the profits of a few. We also oppose every cut, fighting in our day-to-day campaigning for every possible improvement for working class people. The organised working class has the potential power to stop the cuts and transform society.

As capitalism dominates the globe, the struggle for genuine socialism must be international.

The Socialist Party is part of the Committee for a Workers' International (CWI), a socialist international that organises in over 40 countries.

Our demands include:

PUBLIC SERVICES

- No to ALL cuts in jobs, pay, public services and benefits. Defend our pensions.
- No to privatisation and the Private Finance Initiative (PFI). Renationalise all privatised utilities and services, with compensation paid only on the basis of proven need.
- Fully fund all services and run them under accountable, democratic committees that include representatives of service workers and users.

- Free, publicly run, good quality education, available to all at any age. Abolish university tuition fees now and introduce a living grant. No to academies and 'Free schools'!

- A socialist NHS to provide for everyone's health needs – free at the point of use and under democratic control. Kick out private contractors!
- Keep council housing publicly owned. For a massive building programme of publicly owned housing, on an environmentally sustainable basis, to provide good quality homes with low rents.

WORK AND INCOME

- Trade union struggle to increase the minimum wage to £8 an hour without exemptions as an immediate step towards £10 an hour. For an annual increase in the minimum wage linked to average earnings.
- All workers, including part-timers, temps, casual and migrant workers to have trade union rates of pay, employment protection, and sickness and holiday rights from day one of employment.
- An immediate 50% increase in the state retirement pension, as a step towards a living pension.
- Reject 'Workfare'. For the right to decent benefits, education, training, or a job, without compulsion.
- Scrap the anti-trade union laws! For fighting trade

unions, democratically controlled by their members. Full-time union officials to be regularly elected and receive no more than a worker's wage. Support the National Shop Stewards Network.

- A maximum 35-hour week with no loss of pay.

ENVIRONMENT

- Major research and investment into replacing fossil fuels with renewable energy and into ending the problems of early obsolescence and un-recycled waste.
- Public ownership of the energy generating industries. No to nuclear power. No to Trident.
- A democratically planned, low fare, publicly owned transport system, as part of an overall plan against environmental pollution.

RIGHTS

- Oppose discrimination on the grounds of race, sex, disability, sexuality, age, and all other forms of prejudice.
- Repeal all laws that trample over civil liberties. For the right to protest! End police harassment.
- Defend abortion rights. For a woman's right to choose when and whether to have children.
- For the right to asylum. No to racist immigration laws.

NEW WORKERS' PARTY

- For a new mass workers' party drawing together workers, young people and activists from workplace, community, environmental and anti-war campaigns, to provide a fighting, political alternative to the pro-big business parties.
- Trade unions to disaffiliate from the Labour Party now and aid the building of a new workers' party! Support the Trade Unionist and Socialist Coalition as an important step towards this.

SOCIALISM AND INTERNATIONALISM

- No to imperialist wars and occupations. Withdraw the troops immediately from Afghanistan!
- Tax the super-rich! For a socialist government to take into public ownership the top 150 companies and the banking system that dominate the British economy, and run them under democratic working class control and management. Compensation to be paid only on the basis of proven need.
- A democratic socialist plan of production based on the interests of the overwhelming majority of people, and in a way that safeguards the environment.
- No to the bosses' neoliberal European Union! For a socialist Europe and a socialist world!