

**LEGAL SERVICES AGENCY NORTHERN IRELAND  
GRANT 1**

**GRANT TO HOUSING RIGHTS SERVICE  
Mortgage Repossession and Ejectment Proceedings**

1. This is a Grant by the Legal Services Agency Northern Ireland (“the Agency”) under Article 12(2)(c) of the Access to Justice (Northern Ireland) Order 2003 to the Housing Rights Service, (HRS) a company limited by guarantee (NI021018) having its registered office at Middleton Buildings, 10-12 High Street, Belfast, BT1 2BA.
  
2. The Grant provides Housing Rights Service with funding of £66,000 per annum, for three years with effect from 1 April 2015, for the provision of advice and assistance at one court appearance per client in relation to:
  - (a) Order 88 possession proceedings in the High Court based on mortgage arrears in respect of residential property, where the debt is admitted and there is no defence to the proceedings; or
  
  - (b) ejectment proceedings in the County Court and the Recorders Courts based on rent arrears in respect of residential property, where the debt is admitted and there is no defence to the proceedings.
  
3. The Grant will run for a period of three years from 1 April 2015 to 31 March 2018, subject to quarterly compliance visits and annual renewal. A full evaluation of the service will be conducted in 2018. The Agency retains the right to vary the value of the payments, following a quarterly review or as part of the annual renewal should the compliance visits be unsatisfactory or if there is a significant and unexplained downturn in the volume of services provided under the Grant.

4. The services referred to in paragraph 2 shall be available without reference to the client's financial resources, as provided for under regulation 4(1)(i) of the Civil Legal Services (Financial) Regulations (Northern Ireland) 2015.
5. The Grant requires Housing Rights Services to use their best endeavours to be present at all relevant court venues on the days appointed for applications of the nature outlined at paragraph 2. Advice and assistance under this Grant will only fund Housing Rights Service to provide assistance to each client at one court appearance.
6. Housing Rights Service will maintain a detailed record of all acts of assistance provided under this Grant in writing and will also ensure that they have a business continuity plan for preservation of all records relating to this Grant and that they retain such records for 6 years following the completion of the Grant on 31 March 2018. The terms of the record will be agreed with the Agency, in writing prior to the payment of the first instalment under this Grant but must as a minimum demonstrate:
  - (a) that all advice and assistance provided falls within the terms of the Grant;
  - (b) the volume of acts of assistance;
  - (c) the nature of the proceedings;
  - (d) the amount of time expended under the terms of the Grant;
  - (e) the time covered by other sources of funding;
  - (f) the outcome of the advice and assistance provided; and
  - (g) information assurance and risk management of records relating to the Grant.
7. The Housing Rights Service will also provide access for the Agency for site visits at all times at their offices and on at least one occasion in each year at both the High Court and one of the county courts to be determined by the Agency to visit and observe the provision of the services to the public under this Grant.

8. The Grant of £66,000 per annum shall be payable in quarterly instalments of £16,500, in arrears as set out in the Annex hereto. Housing Rights Service cannot claim any expenses or fees in excess of the maximum sum covered by this Grant.
  
9. To ensure value for money, the Agency requires Housing Rights Service to provide no less than 600 acts of assistance under this Grant in each 12 month period, commencing 1 April 2015. Housing Rights Service should advise the Agency at the earliest opportunity if it considers that the acts of assistance which will be delivered under the Grant in each 12 month period will not reach the 600 threshold.
  
10. In this Grant:
  - (a) “possession proceedings” means a mortgage action for possession as defined by Order 88, rule 1 of the Rules of the Court of Judicature (Northern Ireland) 1980;
  - (b) “ejectment proceedings” means an action for the recovery of possession of premises under Order 5, rule 1 of the County Court Rules (Northern Ireland) 1981; and
  - (c) “residential property” is limited to the domiciles of clients and not any second or subsequent property that they may own.

Signed on behalf of the  
Legal Services Agency Northern Ireland



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**Paul Andrews**  
**Chief Executive and Director of Legal Aid Casework**

Date: 8<sup>th</sup> October 2015

## **PAYMENT SCHEDULE**

The two quarterly instalments for the period April to September 2015 shall be paid in arrears within 10 days of receipt of the invoice for the services provided during the two quarters 1<sup>st</sup> April 2015 to 30 June 2015 and 1st July 2015 to 30 September 2015.

Subsequently and until the end of the Grant, the invoice for the services provided will be considered for authorisation upon completion of the Quarterly Compliance Visit. The Housing Rights Service will submit the monthly reports as soon as possible after the month end. The Agency will conduct the Quarterly Compliance Visit hereafter as soon as practicable and in any event within 10 business days of the end of each quarter. Following the Compliance visit the Agency will provide the report within 5 days and then if the report is satisfactory the invoice will be authorised for payment. Subject to a satisfactory compliance visit payment each quarter will be authorised by the Agency within 20 business days of the end of the quarter.

The Agency may, with the agreement of the Department apply a reduction to the value of the payments, following a quarterly review or as part of the annual renewal should the compliance visits be unsatisfactory or if there is a significant and unexplained downturn in the volume of services provided under the grant. The terms of the grant will not be changed without consultation with the Housing Rights Service.