

# HUURTEAM INFORMATION



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THIS DOCUMENT CONTAINS **IMPORTANT** INFORMATION ABOUT THE PROCEDURE AND YOUR RENTAL CONTRACT. READ THIS CAREFULLY AND **SAVE** THIS DOCUMENT UNTIL THE DECISION OF THE RENT ASSESSMENT ADVISORY COMMITTEE.

# What can you do yourself?

- Never sign a new contract or agreement with the landlord. Always consult with the Huurteam first. You don't have to sign a new contract when the contract ends on a certain date.
- Important! When you are a subtenant 'hospita', you don't have rent protection in the first 9 months of your contract.
- Never sign a cancelation of the Huurteam procedure. Always contact the Huurteam first!
- Let the Huurteam know when you pay service costs or an amount for the furniture. The rent assessment committee can only make a decision when they know your basic rent. (Rent price exclusive of service costs.)
- Be sure you will be at home and well attainable when the rent assessment committee will come for a visit (put a note on the door when the doorbell isn't working). If you decide to shift this appointment, call the rent assessment committee: 0800 – 4887243.
- If you miss the appointment you only get one more chance for a new appointment. You have to call the rent assessment committee yourself to make a new appointment.
- Make sure you always pay the full amount of rent until the procedure is completed. The Huurteam will let you know when you can start to pay the lowered rent price.
- Never pay the rent by cash. If you must: always ask for a receipt! It is better to pay the rent by bank transaction.
- Inform the Huurteam about important changes. For example when the landlord has fixed the maintenance defects, if you are planning to move out or if you got a new phone number etc.

# What does the Huurteam do?

- The Huurteam will need to measure your room or apartment before we can make an calculation your maximum rent price.
- The calculation the Huurteam makes is an indication of the maximum rent price. Only the rent assessment committee can set the exact maximum rent price.
- Important! When the maximum rent price is above the deregulation limit, a reduction of the rent price isn't possible. If the maximum rent calculated by the Huurteam is nearby this limit, there is a possibility that the rent assessment committee cannot lower the rent.
- The Huurteam will take care of all the needed and possible procedures for you at the rental assessment committee. When we receive word from the rent assessment committee you will receive a letter from the Huurteam.
- The procedure will take 6 till 8 months. Be aware of this. For the start of the procedure it is possible that the rent assessment committee will contact the landlord with a proposal for a lower rent price. This is the mediation procedure.
- When the Huurteam receives a positive decision from the rent assessment committee you will receive a letter from the huurteam with information from which date on you can pay a lower rent, and which amount the landlord has to pay you back. The landlord can object against the decision of the rental assessment committee within 2 months after the decision. The Sub-District Court Judge needs to give a verdict in this case. You need to pay the normal rent until this Judge has made a decision.
- Ask the Huurteam for advice when your landlord doesn't want to pay the overpaid rent back.
- It is possible to get a reduction of the rent when there are maintenance problems. The rent assessment committee will inspect these problems and decide what the amount for the rent reduction is going to be. When there are new maintenance problems always let the Huurteam know.

# The contract and rent protection

- Don't pay the rent when it is not possible to pay by bank or when you don't receive a receipt from your landlord. Keep the money separate until you get a bank account number or a receipt.
- All the determinations in the contract that are in conflict with the law are invalid. You always have the right to check your rent price with the help of the Huurteam and the rent assessment committee!
- 3 months of rental payment is the same as a rent contract. So when you don't have a contract but receipts of 3 months of payment it is possible to start a procedure at the Huurcommissie.
- The Dutch government has set rules about the maximum of the rent price. A landlord has to abide by these rules.
- A landlord can never require you to leave the house or end the rent contract. When you have a contract you always have rent protection! If you have any questions about rent protection please call the Huurteam.
- A temporary contract is possible since July 2016. If the landlord wishes to end a temporary contract, he has to at least give one month notice. If the landlord fails to do so the contract automatically changes into a contract for an indefinite period of time. If your contract predates the 1<sup>st</sup> of July 2016 the landlord cannot end the contract without your consent. If he wishes to end a contract between tenant and landlord, the landlord needs to go to court to get a judge to give a verdict to dissolve the contract.
- When the landlord wants to terminate the contract he needs to go to the Sub-District Court Judge. This judge will only decide to terminate the contract on legal grounds.
- You don't have to sign a new contract after one year. The first contract you signed is still valid.
- When the landlord wants to sell the house, the new owner will be your new landlord. Never sign a new rent contract! The new owner takes over the house with the tenants in it.

# How to deal with your landlord?

- Always be polite to your landlord, but also strict.
- It is fine to reach a settlement with the landlord for a new rent price. Always contact the Huurteam first before you make a final agreement.
- Every renter has the legal right to ask a check of the rent contract. When you want to have a check of your contract, send this to the Huurteam!
- You have a rental agreement with the landlord. Make sure you behave properly and always pay the rent on time.
- It is not allowed for the landlord to enter your house without your permission, even if he wants to fix maintenance problems. When he wants to visit your house he needs to make an appointment.
- When the landlord reacts disgruntled, please contact the Huurteam. The Huurteam can give you specific advice on how to deal with your landlord.
- Sometimes the landlord will demand you to stop the procedure. Never stop the procedure without contacting the Huurteam!
- In case you have been threatened by your landlord, always contact the Huurteam by 085 - 27 34 933 of [info@huurteam-utrecht.nl](mailto:info@huurteam-utrecht.nl) If your situation is distressing always call the police by 0900-8844 or 112.
- File a report with the police about what happened. Ask for the police officer of your own neighborhood.
- Change the locks of your room or house if the situation is distressing and the landlord enters your house without your consent.
- Collect evidence, about which date and time the threatening happened, or make a video or a sound recording (when possible). This strengthens your case against your landlord.

# About the procedures

The rent assessment committee is a national, independent organization which is allowed to make decisions about rental prices. They have different procedures for lowering the rent. The Huurteam can help you with these procedures at the rent assessment committee. There are different possible procedures to start:

- Rent reduction procedures (Checking procedure within 6 months, and a Rent Reduction procedure after 6 months of the start of the contract)
- Maintenance defects procedure
- All-inn procedure (when it is not clear what the basic rent is and what amount you pay for the service costs)
- Service costs procedure (This procedure checks if the service costs you paid are justified or if the landlord should pay back the excess you paid too much)

When the rent assessment committee decides to lower the rent, this is permanent. When there are maintenance defects you will also get a temporary reduction of the rent until the defects are fixed by the landlord.

The Huurteam will start all the possible and required procedures for you at the rent assessment committee. Sometimes it is possible to start several procedures at the same time. The rent assessment committee will visit your house maybe more than once.

The procedure:

1. The Huurteam will visit you and make a calculation of the rent.
2. Start of the procedure. Maybe the rent assessment committee will start a mediation procedure with the landlord.
3. The rent assessment committee will make a calculation of the rent.
4. The hearing of the rent assessment committee.
5. Decision of the rent assessment committee

The procedures at the rent assessment committee will take approximately 6-7 months. In most cases you will get the overpaid rent back after a positive decision of the rent assessment committee. After the decision you will receive a letter from the Huurteam with a correct calculation.

# After the procedure

- After the decision of the rent assessment committee you will receive a letter from the Huurteam with all the necessary information.
- Be aware! The landlord can object against the decision at the Sub-District Court Judge within 2 months after the decision.
- The Huurteam will inform your landlord about the decision and will ask the landlord to pay the overpaid rent back after two months.

- Always save the decision of the rent assessment committee!
- If the landlord objects to the decision let the huurteam know. We have our own lawyer who can help you!
- Always check your mail! When you receive strange correspondence from your landlord, let the Huurteam know! !

- You are responsible for checking if the landlord has paid the overpaid rent back. If he is not willing to pay you back, always contact the Huurteam!
- When he is not paying, you can pay € 1 per month, until you have reached the amount of the overpaid rent. Before you do this always send an announcement letter to your landlord. Ask the Huurteam for this letter!
- When the landlord has fixed the maintenance defects he can start a recovery maintenance defects procedure at the rent assessment committee. After this the reduced rent will go back to the maximum reasonable rent or the normal (old) rent price.

**THE END**