

EVICTIION POLICY



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JANUARY 2006

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1. INTRODUCTION

The Association will at all times offer advice and assistance to tenants whose security of tenure is threatened. However in cases of breaches of County Court Orders, eviction will be considered.

2. POLICY STATEMENT

- 2.1 The Association will apply for a Warrant for Possession after all other appropriate measures to resolve serious breaches in tenancy conditions.
- 2.2 The decision to apply for eviction will be made by the Chief Executive based on recommendation from the Director of Housing Services
- 2.3 A warrant application will only be made after the case has been discussed with the relevant Local Authority Homeless Team has been contacted. Housing Services Department Team Leaders should ensure all family circumstances have been taken into account including those of any dependant children and all methods of preventing an eviction have been considered.
- 2.4 All evictions will be reported to the Associations Board of Management

3. IMPLEMENTATION

- 3.1 The Housing Services Department Team Leaders will maintain appropriate records in order to highlight and monitor breaches, which merit a Warrant application.
- 3.2 The Housing Services Department Team Leaders will treat joint tenants in accordance with their agreements as jointly and severally liable for the breach in tenancy.
- 3.3 No application to evict will be made without a written report being made to the Director of Housing Services.

4. RESPONSIBILITY

- 4.1 Overall responsibility for implementation lies with the Director of Housing Services.
- 4.2 The Housing Services Team Leaders are responsible for application of policy and procedure, monitoring performance, identifying shortfall and recommending action to rectify.
- 4.3 Day to day operation of the policy is the responsibility of officers from the Housing Services Department.

5. CONSULTATION

- 5.1 The Association will consult on an annual basis with the Local Authority, outside agencies and benchmarking groups to promote continuous improvement and develop good practice in this policy in addition to making changes as a result of a legislation or regulation.
- 5.2 Prior to making any changes to this policy the Association will consent and consider the view of:
- All relevant staff
 - Senior Management Team
 - Tenants Forum
 - Board of Management
 - Residents, Associations, Tenants Groups, individual interested tenants
 - All relevant outside agencies
- 6.1 The Association will formally review its Eviction Policy on an 3 yearly basis. The review will follow the Association's formal "Best Value Review Framework". Findings and recommendations will be presented to the Association's Board of Management after the views of the Forum have been considered. Each review will be carried out by a review team.
- 6.2 Progress reports will be made to the Board of Management and Forum, to Enable monitoring against strategic aims and objectives and agreed performance indicators. Performance data will be included in the annual report to tenants.

The Association aims to include in the Team representation from tenants, staff, outside agencies/RSL's and Board Members

7. TRAINING

- 7.1 The Association will provide all staff responsible for implementing this policy with comprehensive training.
- 7.2 Training will be given:
- To new staff
 - To existing staff on an annual basis as a refresher/update
 - To all relevant staff after change to policy/legislation
 - To relevant outside agencies
 - Any other times as identified by the Director of Housing Services, Team Leaders Policy and Performance Manager

The Association aims to include in the Team representation from tenants, staff, outside agencies/RSL's and Board Members.



8. ASSOCIATED DOCUMENTS

8.1 The Association has related relevant policies in the following areas:

- Fast Track Arrears Policy
- Rent Collection Policy
- Eviction Policy
- Benefits Policy
- Write-Off Policy
- Vulnerable Tenants Policy
- Equal Opportunities Policy
- Abandoned Tenancies Policy
- Anti-Social Behaviour Policy
- Harassment and Racial Harassment Policy
- Nuisance Policy
- Resident Involvement Policy

8.2 The Association has the following procedures to assist staff implement the policy:

Rent Arrears Prevention
Rent Arrears Pursuance
Former Tenancy Arrears/Credits
Anti-Social Behaviour
Harassment and Racial Harassment
Nuisance



9. POLICY REVIEW DOCUMENT

Policy Title	Eviction Policy
Dated Created	16 March 2004
Review Period	3 yearly
Previous Review	
Review Committee	Board of Management
Version	2
Date last amended	31 January 2006
Authorised by	Board of Management
Date of last review	31 January 2006
Date of next review	January 2009

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