

Anti-Social Behaviour Procedure for Licence Holders and Managing Agents

Step 1 – Inform your tenants that you have received a complaint regarding their behaviour

A person cannot be expected to change their behaviour if they do not know that it is causing offence.

You can inform your tenants that their responsibilities are stipulated in the Tenancy Agreement and that by them causing anti-social behaviour they are in breach of the terms and conditions of the agreement.

It may be a good opportunity to remind them that they will need a reference from you when they leave (even if they are buying a property).

You do not have to confront a tenant in person, you may feel it more appropriate to write or telephone the household or group of tenants.

If you feel it necessary call the police. Report any incidents to them and give them your details. They may monitor the situation and may want to contact you if something happens that you are not aware of.

The Selective Licensing Team (SLT) should be kept informed of all complaints and may do their own investigation.

Step 2 – Approach the Selective Licensing Team for support

Provide details of complaints received and from whom; discuss what steps you have taken so far

The Selective Licensing Team may suggest a joint meeting between yourself your tenants and other relevant organisations to discuss the ongoing problems.

You may be asked to support your tenants in signing an Acceptable Behaviour Agreement (ABA). This makes it very clear to your tenants what the problems are, what is expected of them and what the consequences of further complaints will be (this may include the possibility of eviction).

Always support whichever organisation is dealing with the case. Provide copies of tenancy agreement and written details of any complaints you have received since the start of the tenancy.

Step 3 - Get tough

You may have to consider ending the tenancy by serving a notice and gaining a possession order against your tenants.

Remember it is your property and they are your tenants and you are therefore ultimately responsible to enforce any aspects of the Tenancy Agreement. There are many agencies available to support you and you are not expected to act alone, however all direction must come from the landlord.

Allowing Anti-social Behaviour to go unchecked will not only affect local residents but property prices, rent levels and even your reputation as a landlord.

ASB PROCEDURE FOR LANDLORDS

On receiving ASB complaints I shall take the following action to deal with the problem (please be aware that each case has to be considered on its own merits and serious ASB incidents may have to be dealt with by seeking possession of the property immediately):

- I shall contact my tenant either through letter, email, phone call or home visit within 48 hours of receiving a complaint.
- I shall find out the nature of the complaint and issue a letter to the tenant outlining what the unacceptable behaviours are that resulted in the complaint and the consequences of the tenant failing to change their behaviour. The ultimate consequence is that you as the landlord will take possession of the property by serving a notice to quit on the tenant and seeking a possession order through the Courts. A copy of this warning letter must be sent to the Selective Licensing Team.
- If a further substantiated complaints are received about the behaviour of my tenants after they have been issued a written warning I will visit my tenants (giving them at least 24 hours' notice of the visit) and issue a final written warning to them. A copy of this warning letter must be sent to the Selective Licensing Team.
- Finally if the problem of ASB persists, I will seek advice on ending the tenancy and get help from agencies and the authorities for support (The Council Private Rented Service can give this free advice).
- I agree to meet and co-operate with officers from the local authority when resolving issues surrounding ASB.