

# ***ROSCOMMON COUNTY COUNCIL***



## ***Anti Social Behaviour Strategy 2017***

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County Council

# **ROSCOMMON COUNTY COUNCIL**

## ***Anti Social Behaviour Strategy***

### **1. INTRODUCTION**

Roscommon County Council has a responsibility to its citizens to promote the peaceful occupation and enjoyment of its dwellings. Accordingly, it is the policy of the Council that anti-social behaviour will not be tolerated and they will take a proactive inter-agency approach to seek to prevent and reduce such behaviour by improving the effective management of its Housing Stock. In addition, the Council will, if necessary, use all legislative means available to it in combating anti-social behaviour.

Roscommon County Council's Anti Social Behaviour Strategy has been developed in accordance with Section 35 of the Housing (Miscellaneous Provisions) Act 2009, which requires each housing authority, by reserved function to adopt an "anti-social behaviour strategy", for the prevention and reduction of anti-social behaviour across its housing stock.

Roscommon County Council recognises that anti-social behaviour can have an adverse effect on the quality of life of our tenants and can threaten the sustainability of communities. In addition this behaviour can generate significant costs for Local Authorities as a result of vandalism to property and create difficulties in letting accommodation. Adopting a proactive approach to combating it is a key element of effecting good estate management.

### **2. OBJECTIVE**

The primary objectives of this strategy are set out in Subsection 2 of the Housing Act 2009 and Part 2 of the Housing (Miscellaneous Provisions) Act 2014.

- a) The prevention and reduction of anti-social behaviour
- b) The coordination of services within the Housing Authority that are directed at dealing with preventing or reducing anti social behaviour.
- c) The promotion of co-operation with other persons/bodies including An Garda Síochána, in the performance of their respective functions in relation to preventing/reducing anti-social behaviour, in order to avoid or reduce duplication of effort between the Housing Authority and the other person/body in performing their function.
- d) The promotion of good Estate Management (as defined by Section 1 of the 1997 Act).

### **3. MULTI AGENCY APPROACH**

Perception of anti-social behaviour can vary as normal standards or behaviours for one household or individual may be unacceptable to another. Furthermore, anti-social behaviour is often symptomatic of social problems such as drug or alcohol abuse or family breakdown, which a Local Authority cannot address on its own. In this regard in many instances, successful resolution of anti-social behaviour can only be achieved based on a multi-agency partnership approach to include Gardaí , Health Service Executive, Tusla, Probation Services and Department of Social Protection, Roscommon Integrated Development Company (RIDC) and Residents Associations. In addition, the Council will work closely with the Joint Policing Committee.

Roscommon County Council support a multi-agency approach to problems by involving partner agencies and other relevant bodies who can work together to identify and respond to problems relating to anti-social behaviour. Information will be shared where appropriate and within current legislation

In terms of individual tenancies or housing applicants who require multi-agency assistance, Roscommon County Council's, Housing Liaison Officer will co-ordinate assistance, including case conference where required.

In the event of serious anti-social behaviour which falls into a criminal category, such serious incidents will be a matter for An Garda Síochána. The Council has and will continue to maintain links with An Garda Síochána in relation to such incidents of anti-social behaviour.

#### **3.1 Racism**

Racism complaints are becoming more of an issue in Irish Society and they will be dealt with in the same way as any reports on anti social behaviour.

The United Nation's (UN) definition of racial discrimination is outlined in Article 1.1. of the International Convention on the elimination of all forms of Racial Discrimination (ICERD) as:

Any distinctions, exclusion, restriction or preference based on race, colour, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.

Racism is defined by An Gardaí Síochána "Any incident which is perceived to be racist by the victim or any other person".

## **4 MEASURES FOR THE PERVENTION AND REDUCTION OF ANTI SOCIAL BEHAVIOUR**

The Council will seek to prevent and reduce anti-social behaviour through the following mechanisms:

### **4.1 Estate Design**

The Department of the Environment Heritage and Local Government best practice guidelines for “Quality Housing for Sustainable Communities” outline areas that should be considered during scheme design to ensure security and to help eliminate anti-social behaviour.

To reduce the potential for criminal activity at Design Stage it is important to ensure that escape routes are not compromised, natural surveillance is considered while maintaining privacy, public areas are overlooked, footpaths not adjacent to roads are short and direct, roads, footpaths and entrances are adequately lit and that dark, hidden or secluded areas are eliminated. Aesthetics should also be maintained in achieving the above.

It is also important to consider the following items at design stage:

- Fronts of dwellings should be overlooked. Gables not visible from other dwellings or public areas should be avoided.
- Alleys or passages of any description should be avoided.
- Particular attentions should be paid to security where dwellings adjoin open spaces
- Common entrances should only be accessible by residents, their friends and anyone on legitimate business
- Common areas should be designed so as to avoid loitering
- Materials used in boundaries between public and private areas should be sufficiently robust to avoid vandalism.

These elements will be considered in all schemes designed as part of the Capital Programme.

### **4.2 Allocations Scheme**

Roscommon County Council has adopted an Allocation Scheme under Section 22 of the Housing (Miscellaneous Provisions), Act 2009. Under the provisions of Section 14 of the Housing (Miscellaneous Provisions) Act, 1997, the Council may refuse to make or defer the making of a letting of a dwelling where the Authority considers that the person is or has been engaged in serious anti-social behaviour, or that a letting to that person would not be in the interest of good estate management. However this refusal/deferral will not be indefinite and every case will be treated on an individual basis. In the interest of fairness and consistency, a deferral matrix, as set out in Appendix 3 will be used to help reach a decision with regard to possible deferral. The applicant will be fully informed of the reasons for the refusal/deferral and if the Council is satisfied that the applicant has desisted from such behaviour the decision will be reconsidered. If a letting is deferred, such deferral shall normally be for one 12 month period at which time the case will be reviewed and a further formal enquiry will be made to An Garda Síochána.

Roscommon County Council may refuse a transfer of tenancy or defer a transfer of tenancy to any tenants where it has reason to believe the tenant has been involved in anti social behaviour or breach of their Tenancy Agreement. Every case will be treated on an individual basis. The tenant will be fully informed of the reasons for refusal/deferral.

#### **4.3 Inclusion on the housing list, or the award of an allocation may be refused if:**

In the 5 year period prior to the date of assessment for allocation the applicant or any member of the household has been convicted of offences under any of the following Sections of the Criminal Justice (Public Order) Act, 1994 as amended:

Section 5: Disorderly conduct in a public place

Section 6: Threatening, abusive or insulting behaviour in a public place

Section 7: Distribution of display in a public place of material which is threatening, abusive, insulting or obscene

Section 14: Riot

Section 15 Violent disorder

Section 19: Assault or obstruction of a peace officer or emergency services personnel

If in the 5 year period prior to the date of assessment for allocation the applicant or any member of the household has been convicted of an offence relating to the unlawful possession, cultivation use or supply of a controlled substance within the meaning of the Misuse of Drugs Act, 1977 as amended

Garda Clearance checks will be carried out on all applicant household prior to the making of an allocation of housing support.

#### **4.4 Pre-Tenancy Training**

Prospective tenants are obliged to attend for tenant induction training. Induction training provides tenants of local authority social housing, group housing and long term lease tenancies and their families with information on the tenant's responsibilities as set out in their Tenancy Agreement and tenant's handbook. The training is compulsory and must be completed prior to the signing of the tenancy agreement. The Council's policy on anti-social behaviour is clearly outlined and advice is given at this stage of the procedure for reporting anti-social behaviour. The tenants are also provided with a Tenants Handbook which includes information on anti-social behaviour.

#### **4.5 Establishment of Residents Associations**

Roscommon County Council encourages the establishment of Residents Associations in all new housing estates. It will assist residents in existing estates to form Residents Associations where they do not exist, and will further support such Associations as appropriate.

#### **4.6 Enforcing the conditions of the Tenancy Agreement:**

The Tenancy Agreement contains clauses outlining the responsibility of tenants in the area of anti-social behaviour. Under the Housing Act, 2009 and the Housing (Miscellaneous Provisions) Act, 2014 the Tenancy Agreement now includes terms and conditions relating to anti-social behaviour carried out by tenants or members of their household as well as the provisions relating to the prohibition of and consequences of allowing persons against whom there is an excluding order in force, in relation to a dwelling, to enter the dwelling.

#### **4.7 Resources:**

The Tenant Liaison Officer is employed to improve tenant/landlord relationship, establish best practice in the management and maintenance of housing stock and develop estate management initiatives. The officer maintains a strong link with tenants and estates. This facilitates interaction with tenants and also provides up to date information in relation to the physical environment of estates. In addition the officer will liaise locally with Community Gardaí.

#### **4.8 Legislation:**

Enforcement of relevant legislation as required. The Council's authority to deal with anti-social behaviour is principally derived from the Housing Act 1966-2009, and the Housing (Miscellaneous Provisions) Act, 2014, Freedom of Information Acts 1997-2014 and the Residential Tenancies Act 2004 as amended.

#### **4.9 Threats/Intimidation of Council Employees**

Roscommon County Council will not tolerate assaults, intimidation, obstruction, harassment or interference with its employees who are involved in the implementation of this strategy with the provisions of the Housing Act 1966 to 2014 and may issue legal proceedings against any person engaged in such activity and make a statement of complaint to Gardaí for prosecution. Any incident must be reported as per the Council policy on mandatory reporting of incidents.

### **5. LEGISLATIVE PROVISIONS**

Roscommon County Council may take legal action against tenants engaged in anti-social behaviour by:

5.1 Enforcing the conditions of the Tenancy Agreement – up to and including evictions.

5.2 Through legal action using the following legislation:

- Housing (Miscellaneous Provisions) Act 2014
- Housing Act 1966 (as amended)
- Housing (Miscellaneous Provisions) Act 1997
- Housing (Miscellaneous Provisions) Act 2009
- Housing (Traveller Accommodation) Act 1998
- Freedom of Information Act 1997 as amended
- The Residential Tenancies Act 2004 as amended

#### **5.2.1 Housing (Miscellaneous Provisions) Act 1997**

This Act provides a range of measures for local authorities to address problems arising due to drug dealing and anti-social behaviour.

**5.2.2 Anti-Social Behaviour** is defined in Section 1 of the Housing (Miscellaneous Provisions) Act, 1997 as amended by 2009 Act and further amended by Section 19(1)(c) of the Housing (Miscellaneous Provisions) Act 2014 as follows:

- (a) The manufacture, production, preparation, importation, exportation, sale, supply, possession for the purposes of sale or supply, or distribution of a controlled drug (within the meaning of the Misuse of Drugs Acts, 1977 and 2007).
- (b) any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, alarm, loss or fear to any person living, working or otherwise lawfully in or in the vicinity of a house provided by a housing authority under Housing Acts 1966 to 2014 or Part V of the Planning and Development Act, 2000 or a housing estate in which the house is situate and without prejudice to the foregoing includes:
  - (i) violence, threats, intimidation, coercion, harassment or serious obstruction of any person.

- (ii) Behaviour which causes any significant or persistent impairment of a person's use or enjoyment of his and her home.
- (iii) Damage to or defacement by writing or other marks on any property, including a person's home.

### **5.2.3 Information on housing applicants:**

Part of the application for Social Housing Support allows Roscommon County Council to access information from other housing authorities or statutory bodies in respect of social housing applicants who may have been involved in anti-social behaviour. Information provided to the local authority by the Gardaí is subject to absolute confidentiality.

The Housing Act 1997 as amended extends the scope of Section 15 to cover:

- occupants of, or applicants for sites for travellers
- tenants of, or applicants for, accommodation provided by approved bodies and applicants for, or beneficiaries of housing support under existing affordable housing schemes
- tenants of, or applicants for, accommodation under rental accommodation availability agreement (RAS)
- applicants for, or beneficiaries of, housing support under the Incremental Purchase Scheme
- applicants for, or beneficiaries of, housing support under the Tenant Purchase of Apartments Scheme and
- applicants for, or beneficiaries of, housing support under the new affordable dwelling purchase agreement.

### **5.2.4 The Tenancy Agreement:**

The Tenancy Agreement contains the following clause in relation to anti-social behaviour

"The Tenant must not cause or commit or allow any Member of the Tenant's Household or any person visiting the Premises or the housing estate within which the Premises at the Tenant's invitation to cause or commit any form of nuisance or engage in conduct likely to cause nuisance, annoyance or disturbance to any other tenants, members of their households, visitors, neighbours, the Council including its employees and contractors or any other member of the general public living or working in the vicinity of the Premises. For the purpose of this Agreement the phrase 'nuisance, annoyance or disturbance' is any behaviour which interferes with the peace and comfort of a person living, working or otherwise lawfully in or in the vicinity of the Premises and, without prejudice to the foregoing, includes (but is not limited to)

- (i) abusive or insulting words or behaviour
- (ii) offensive drunkenness
- (iii) damage or threat of damage to property belonging to another person including damage to any part of a person's home
- (iv) writing graffiti
- (v) making unnecessary or excessive noise by any means whatsoever including arguing, shouting, door slamming, using equipment or machinery
- (vi) using or allowing the Premises to be used for prostitution or for keeping dealing in or the illegal use of any controlled drugs or for keeping unauthorised firearms and ammunition
- (vii) using the Premises for the handling or storage of stolen property
- (viii) any nuisance or annoyance caused by pets including barking and fouling; and
- (ix) any nuisance or annoyance caused by obstruction of common area, doorways, other entrances and exits, pavements.
- (x) playing ball games close to another person's property.

### **5.3 Housing (Traveller Accommodation) Act 1998**

This Act extends to halting sites the powers available to local authorities under the Housing (Miscellaneous Provisions) Act, 1997, relating to anti-social behaviour and estate management

### **5.4 Freedom of Information Act 1997- 2014**

Section 26 of this Act requires public bodies to refuse to disclose information which has been given to them in confidence.

### **5.5 Residential Tenancies Act 2004 – Section 197**

The power of seeking an excluding order or an interim excluding order from the District Court has been extended to persons (other than the owner) residing with Tenant Purchasers and with anyone to whom the house is subsequently vested. Roscommon County Council is also empowered to refuse to lease or sell a house under the Shared Ownership Scheme and Affordable Housing Schemes, where they consider that the applicant has been engaged in anti-social behaviour.

#### **5.5.1 Illegal occupants of Council houses involved in anti social behaviour**

The Gardaí Sióchána may remove illegal occupiers who are engaged in or have been engaged in anti-social behaviour from Roscommon County Council houses. Non-compliance with a Garda direction is an arrestable offence.

#### **5.5.2 Intimidation**

Section 18 of the Housing (Miscellaneous Provisions) Act, 1997 Act as amended by Section 19 of the 2014 Act states

A person commits an offence if he or she causes or attempts to cause any threat, intimidation or harassment, coerces, obstructs, impedes, or interferes with

- (a) an officer or employee of a housing authority in respect of the exercise of a function of the authority by such officer, or
- (b) a member of the family or household of such an officer or employee in contemplation or as a consequence of the exercise of functions of the housing authority by the officer or employee, or
- (c) any person who provides or is to provide evidence in any proceedings under this Act or Part 2 of the Housing (Miscellaneous Provisions) act 2014

A person who commits an offence under this section is liable on summary conviction to a class A fine or, at the discretion of the court, to imprisonment for a term not exceeding 12 months or both

### **5.6 Excluding Orders – Section 19 of the 2014 Act**

This now includes provisions for strengthening the power of housing authorities to secure court orders excluding individuals engaged in anti-social behaviour from local authority housing and estates. Among the amendments made to the Housing (Miscellaneous Provisions) Act 1997 by section 19 are removal of the obligation on a housing authority to consult the tenant or tenant purchaser and the Health Service Executive before applying for an excluding order and the introduction of a distinction between the type of excluding order that a court makes in respect of adults and persons aged between 12 and 17 years and that penalties apply for convictions of both categories of person for breaching such orders.



## 6. PROCEDURES FOR DEALING WITH ANTI-SOCIAL BEHAVIOUR

The problem of anti-social behaviour in local authority housing and housing estates can be addressed in a number of ways. The measures adopted by Roscommon County Council to tackle anti-social behaviour will vary according to the circumstances of each case. The powers and remedies available to Roscommon County Council are outlined in the Housing Act, 1966 - 2014

### 6.1 Objective

- To investigate all complaints of anti-social behaviour
- To sustain tenancies through co-operation with other bodies
- To interview/caution the alleged perpetrators
- To take preventative measure, including written & verbal warnings where necessary
- To pursue legal remedies where necessary

Roscommon County Council has set up a computerised complaints system to deal with complaints of Anti-Social behaviour as defined by the Housing (Miscellaneous Provisions) Act, 1997 as amended.

- Complaints can be made in writing or submitted on the Complaint Form
- By telephone during office hours at 090 6637249/090 6637238
- By electronic mail to [housing@roscommoncoco.ie](mailto:housing@roscommoncoco.ie)
- Calling in person to the Housing Department, Áras an Chontae, Roscommon
- Via public representation

Written complaints/letters should be marked **Private and Confidential** and forwarded to the Housing Department, Áras an Chontae, Roscommon. All complaints made will be dealt with in a confidential manner.

Individual anonymous complaints are not accepted or investigated by Roscommon County Council. However, if the Council receives a number of anonymous complaints against an individual or family then the matter will receive the appropriate attention. If the nature of the complaint is likely to compromise the identity of the complaint, an investigation will not proceed, unless the latter gives specific written authorisation to do so.

The Council will fully comply with the provisions of the Freedom of Information Act, 1997-2014. Information given to the Council by persons complaining of anti-social behaviour is protected by Section 23 (a) and Section 26 of the 1997 Act.

All complaints alleging anti-social behaviour will be fully investigated as follows:

- An investigation into all complaints received will commence within 10 working days of receipt and action will be taken as early as possible following completion of the investigation.
- The tenancy file of the alleged perpetrator will be checked to ascertain if any previous complaints have been made or for any other matter that may be pertinent to the investigation.
- Visit/contact the alleged perpetrator and/or carry out house to house investigation within the estate to investigate the allegations further. In cases of serious anti-social behaviour the matter will be reported to An Garda Síochána for investigation
- Contact An Garda Síochána by letter or phone regarding the allegation, if applicable

- If criminal activity has been identified or a criminal investigation is underway, Roscommon County Council may not proceed with their investigation of the complaint until Gardaí have been consulted and given their approval for Roscommon County Council to commence or continue their own investigation. This is very important as the Gardaí investigate crime and Roscommon County Council may compromise a criminal investigation by commencing their own investigation.
- Interview the complainant at the offices of Roscommon County Council
- Interview the alleged perpetrator(s) at the offices of Roscommon County Council
- As much independent evidence as possible will be obtained and verified in so far as is practicable.

While the Council will facilitate the alleged perpetrator in allowing a person of their choice to attend the interview, that person shall attend to observe the interview and may not obstruct or interfere with the process. They may be requested to leave the interview office if their presence is deemed intrusive. Roscommon County Council reserves the right to refuse to allow an individual attend at interview.

All alleged perpetrators will be considered innocent of anti-social behaviour until proved otherwise in accordance with the principles of natural justice.

## **7. ESTATE MANAGEMENT**

### **7.1 Estate Management is defined as:**

- The securing or promotion of the interests of any tenants, lessees, owners or occupiers, whether individually or generally, in the enjoyment of any house, building or land provided by a housing authority under the Housing Acts 1966 to 2014 or Part V of the Planning and Development Act 2000 as amended
- The avoidance, prevention or abatement of Anti-Social Behaviour in any housing estate in which is situated a house provided by a housing authority under the Housing Acts 1966 to 2014 or Part V of the Planning and Development Act 2000 as amended.

### **7.2 Housing Applicant Subject to Part 2 of the Sex Offenders Act, 2001**

Where a sex offender applies for Social Housing Support, in the interest of good estate management as defined in Appendix 2, a deferral matrix will be completed. This should involve consultation with SORAM (Sex Offenders Risk Assessment Management – an interagency group comprising of social workers, prison service/probation and Gardaí )

## **8. FOLLOW UP ACTION**

- In accordance with Section 7.1 of the 2014 Housing Miscellaneous Provisions Act, a tenancy warning can be issued to a tenant, where he or she, or a household member, has, in the authority's opinion, breached a term of the tenancy agreement that prohibits or is aimed at preventing anti-social behaviour. A tenancy warning shall be served on the tenant, either at the dwelling or otherwise, or, in his or her absence from the dwelling, on such other person at the dwelling as may be prescribed for the purpose.

- The tenancy warning shall set out the basis for the warning and other relevant details as follows:
  - The warning notice must specify the tenancy term that has been breached
  - The nature and occasion of the breach
  - The name of the household member who caused the breach (if known)
  - The detrimental effects of the breach on the quality of life of the local community
- The warning notice will require the tenant to ensure that the person who breaches the specified term of the tenancy agreement, ceases or does not repeat certain actions or takes specified actions to prevent the breach from recurring or continuing.
- The warning notice must advise the tenant that, if the breach continues or reoccurs within 12 months of the tenancy warning coming into effect, the housing authority may proceed to apply for a possession order under section 12 of the Act or may seek an excluding order against the person concerned.
- On request by the tenant where he/she does not accept that a breach of the tenancy agreement has occurred in the terms set out on the tenancy warning, the tenant may request an internal review by a housing authority of a tenancy warning issued. A review request must be made within 10 working days of the issuing of a warning, outlining the grounds for the request and indicating whether the tenant or a household member wishes to make representation.
- Section 19(4)(c) of the 2014 Act has the effect that an excluding order under the section exclude a person under 18 years of age from his/her home may exclude such a person from entering or being in the vicinity of any other specified house or a specified place or area where the housing authority controls or manages one or more than one house, and may exclude a person under 18 years of age who is not living in the house concerned from entering or being in the vicinity of that house or any other specified house or a specified place or area where the housing authority controls or manages one or more than one house.

### **Non-legal Action**

It is desirable that situations will be resolved using non-legal mechanisms where possible. Where a statutory tenancy warning is not being issued to a tenant the following action may be taken in dealing with such anti-social behaviour complaints.

- Reaching written agreement with the perpetrator and putting in place appropriate monitoring mechanism for compliance.
- Liaising with other agencies to provide the necessary supports.
- Engagement of other agencies such as addiction treatment services where available.

## **Appendix 1**

### **Anti-Social Behaviour Complaint Form**

#### **Roscommon County Council**

All information submitted on this form including the identity of the complaint will be treated in strict confidence and will not be disclosed to third parties.

<b>Date of Incident:</b>		<b>Date reported to Council</b>	
<b>Your Name:</b>			
<b>Your Address:</b>			
<b>Your contact No.:</b>			
<b>Form of complaint</b>	<b>By phone</b>	<b>By letter</b>	<b>In Person</b>
<b>Name of person that complaint is being made against</b>			
<b>Address of person you are complaining about:</b>			

#### **Description of anti-social behaviour**

Description	Tick	Date	Time	Description	Tick	Date	Time
Physical Assault				Litter/dumping/refuse			
Drug dealing				Theft			
Intimidation				Indiscriminate burning			
Harassment				Trespassing			
Coercion				Dog/Horse related nuisance			
Causing Injury				Drinking in public			
Threatening behaviour				Noise Pollution			
Causing Damage				Racism			
Other							



## Deferral Matrix

**Decision:** \_\_\_\_\_

**Present at decision making**

Date: \_\_\_\_\_

## Appendix III

### The Deferral Matrix

The deferral matrix requires the Authority to take all available information including An Garda Síochána checks under Section 15, of the Housing Miscellaneous Provisions Act 1997, information from Housing Assessment, information from any relevant supports (Addiction Counsellors, Social Workers etc) for each applicant related to Anti-Social Behaviour. Then based on the information available the applicant will be scored under the heading below. Based on the total score a decision will be made on approval, deferral, or refusal of an application for housing support.

- |  |       |
|--|-------|
| 1. Misleading Information                  | (0-5) |
| 2. Seriousness of Offence(s)               | (0-5) |
| 3. Timeliness (old/recent offences)        | (0-5) |
| 4. Remorse/rehabilitations/risk/recidivist | (0-5) |
| 5. History of Previous Tenancies           | (0-5) |
| 6. Interest of Good Estate Management      | (0-5) |

If an applicant scores less than 13, the applicant is approved, if the score is greater than 18, the applicant is deferred and if greater than 25, the application for support is refused or deferred indefinitely. If the score is in the range of 13 to 18, it is recommended that the application is approved subject to conditions of certain preventative approaches such as engagement with the Housing Liaison Officer.

What is behind the six headings?

1. Misleading Information

Examples

- (a) Deliberately misleading information provided on application or to Housing Officer during assessment.
- (b) Previous Notice to Quits / Warning Letters from this Council or other Councils

2. Seriousness of Offence

Examples

- (a) Driving without Tax etc would not be considered
- (b) Minor cautions would be at the low end of the scale
- (c) Section 15 possession of drugs would be middle of the scale
- (d) Section 15a Supply with Intent would be at the high end of the scale.
- (e) Repeated public order offences would be at the higher end of the scale
- (f) Assault would be middle to high depending on the details
- (g) Possession of a firearm would be high.

3. Timeliness (Old –v- recent offences)

Examples

- (a) If it is in the last 2-3 years and is habitual this would be at the high end of the scale
- (b) If it is 10 years or more, this would be at the bottom end of the scale
- (c) If it is an isolated incident from a number of years ago this would be at the bottom of the scale.

4. Remorse/Rehabilitation/Risk/Recidivist

Examples

- (a) If the applicant is persistently offending, has not linked in with any supports, then this type of application would score particularly high in this category
- (b) If the person had an isolated incident or incidents in the distant past and has shown remorse is lined in with addiction services, perhaps giving evidence of prolonged clear drug tests, etc, they would be at the lower end of the scale.

5. History of Previous Tenancies

Examples

- (a) Has the applicant sustained long tenancies with good references from their landlord? This person would be at the low end of the scale on this category
- (b) Has the applicant presented as homeless, refused to link in with supports etc? This person would score high in this category.

6. Interest of Good Estate Management

Examples

- (a) If the applicant has a history of dealing drugs from his/her home or intimidating people in the locality of his/her home etc, this person would come in at the high end of the scale
- (b) A person who has ties in the estate and whom it may be evident that a potential feud may occur if appointed would score high at this end of the scale
- (c) An applicant who hasn't had any problems would score at the low end of the scale

Having regard to the cumulative total, the following action/decision is made:

- 0-13 Appointment of tenant.
- 13-18 Consider appointment with further supports or deferral pending certain conditions or conditional of a certain person not residing or being in the vicinity of the property.
- 18-25 Consider for deferral suggested for a number of years and evidence of no –re-offending
- 25-30 Consider refusal or very long term deferral.

Decision on the deferral matrix will be taken at a senior level.