

To: The Management Team

Item: Updated Anti Social Behaviour (ASB) Policy

When: October Council Meeting & CPG Meeting

Our current Anti Social Behaviour policy was last adopted in September 2010 and since then there were a number of changes that require the policy to be updated.

It should be pointed out the Local Authority is not the only authority with responsibility for dealing with Anti Social Behaviour and to date the Council, HSE, TUSLA, and the Gardai work closely together where appropriate. Criminal matters are primarily a matter for the Gardai.

The Policy is broken down as follows;

1. Mission Statement
2. Definition of Anti Social Behaviour
3. Aim and Objectives of the ASB Policy
4. Strategies for Preventing and Combating Anti Social Behaviour
5. Complaints Procedure

The updated draft ASB Policy is substantially the same as the current policy but needs to reflect the changes in national legislation and the Complaints Procedure i.e. the Housing (Miscellaneous Provisions) Act 2014. The *Notice to Quit* procedure is now replaced with Warning Notices and Tenancy Warning Notices.

The policy was discussed at two SPC meetings, namely on 7th June and 14th September 2018 and it was recommended to list for the full Council meeting for adoption. Tom King, Anti Social Behaviour Officer presented a breakdown by category and number the complaints received for the years 2016, 2017 and 2018 (see attached report) and also broken down by Municipal District.

Martin Mullally
SEO Housing

ANALYSIS OF COMPLAINTS

➤ NUMBER OF COMPLAINTS BY TYPE

TYPE	2015	2016	2017	2018 until 31/08/2018
Alcohol/Solvent Abuse	15	13	12	6
Boundary/Parking	5	1	3	4
Damage to property	6	10	6	3
Dogs	14	22	19	7
Drug Dealing	4	6	10	1
Noise	19	27	29	16
Rubbish/Maintenance	60	62	49	42
Threats/Intimidation	21	12	13	6
Violence	1	3	4	4
Other (horses)	11	10	11	10
TOTAL	156	166	156	99

➤ COMPLAINTS BY AREA

TYPE	2015	2016	2017	2018 until 31/08/2018
Callan	9	13	13	13
Castlecomer	14	23	26	10
Kilkenny City	95	95	96	54
Thomastown	22	19	13	12
Newrath	16	16	8	10
TOTAL	156	166	156	99

➤ COMPLAINT TYPE : CALLAN AREA

TYPE	2015	2016	2017	2018 to 31/08/2018
Alcohol/Solvent Abuse	0	0	1	0
Boundary/Parking	1	0	2	1
Damage to property	0	1	0	0
Dogs	1	5	1	1
Drug Dealing	0	0	1	1
Noise	4	3	3	2
Rubbish/Maintenance	1	1	1	3
Threats/Intimidation	1	3	1	0
Violence	0	0	1	2
Other	1	0	2	3
TOTAL	9	13	13	13

➤ COMPLAINT TYPE : CASTLECOMER AREA

TYPE	2015	2016	2017	2018 until 31/08/2018
Alcohol/Solvent Abuse	2	5	4	2
Boundary/Parking	0	0	0	1
Damage to property	0	1	1	0
Dogs	0	2	2	0
Drug Dealing	1	3	5	0
Noise	2	3	5	0
Rubbish/Maintenance	5	6	8	6
Threats/Intimidation	4	0	1	0
Violence	0	1	0	0
Other	0	2	0	1
TOTAL	14	23	26	10

➤ COMPLAINT TYPE : KILKENNY CITY AREA

TYPE	2015	2016	2017	2018 until 31/08/2018
Alcohol/Solvent Abuse	10	7	6	2
Boundary/Parking	3	1	0	2
Damage to property	5	6	3	2
Dogs	8	10	11	4
Drug Dealing	2	3	2	0
Noise	12	17	20	12
Rubbish/Maintenance	35	39	36	25
Threats/Intimidation	11	7	7	3
Violence	0	2	2	1
Other	9	3	9	3
TOTAL	95	95	96	54

➤ COMPLAINT TYPE : THOMASTOWN AREA

TYPE	2015	2016	2017	2018 until 31/08/2018
Alcohol/Solvent Abuse	2	0	1	2
Boundary/Parking	1	0	1	0
Damage to property	1	1	0	0
Dogs	5	4	4	2
Drug Dealing	1	0	1	0
Noise	1	1	1	0
Rubbish/Maintenance	8	9	3	6
Threats/Intimidation	3	1	2	0
Violence	0	0	0	0
Other	0	3	0	2
TOTAL	22	19	13	12

➤ COMPLAINT TYPE : NEWRATH AREA

TYPE	2015	2016	2017	2018 until 31/08/2018
Alcohol/Solvent Abuse	1	1	0	0
Boundary/Parking	0	0	0	0
Damage to property	0	1	2	1
Dogs	0	1	1	0
Drug Dealing	0	0	0	0
Noise	0	3	1	2
Rubbish/Maintenance	11	7	1	2
Threats/Intimidation	2	1	2	3
Violence	1	0	1	1
Other	1	2	0	1
TOTAL	16	16	8	10



KILKENNY COUNTY COUNCIL ANTI SOCIAL BEHAVIOUR POLICY

Updated 7th June 2018



1. Mission Statement

To investigate all complaints fairly, impartially and objectively, to provide a modern and professional service to our customers/clients/tenants/residents who are victims of anti social behaviour and to work towards the reduction and prevention of anti social behaviour in any relevant residential area.

Introduction

Kilkenny County Council (*hereinafter called "The Council"*) acknowledges that anti-social behaviour can have a seriously negative impact on the lives of people and is committed to promoting a safe and secure environment for all residents of its housing estates. In order to achieve this, the Council has adopted a very strong position where such acts of anti-social behaviour are proven.

This Policy on Anti-Social Behaviour outlines the Council's

1. Aim and Objectives
2. Strategies for preventing and combating anti-social behaviour
3. Procedures for dealing with complaints

2. Definition of Anti Social Behaviour

The *Housing (Miscellaneous Provisions) Act, 2014* defines anti-social behaviour as:

"Anti-social behaviour" includes either or both of the following, namely -

- a) The manufacture, production, preparation, importation, exportation, sale, supply, possession for the purpose of sale or supply, or distribution of a controlled drug (within the meaning of the Misuse of Drugs Acts, 1977 to 2007),*
- b) Any behaviour that 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 the 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 forgoing 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 or her home, or*
 - (iii) damage to or defacement by writing or other marks of any property, including a person's home".*

In cases where the use of drugs, as defined in the Misuse of Drugs Acts, results in incidents of anti- social behaviour, such incidents will be dealt with under the terms of this Strategy.

In addition to the above, acts of anti-social behaviour are outlined in Kilkenny County Council's tenancy agreement. Any breaches of the tenancy agreement can be dealt with under Part 2 of the *Housing (Miscellaneous Provisions) Act, 2014*.

3. Aim and Objectives of the Anti Social Behaviour Policy

The aim is to reduce, discourage and, if possible prevent anti-social behavior occurring in areas where Housing Service Users covered under the Housing (Miscellaneous Provisions) Act, 1997, as amended under the Housing (Miscellaneous Provisions) Act, 2009, in order to enhance the well being of all persons living in those residential areas.

Objectives

- The prevention and reduction of anti-social behaviour.
- The co-ordination of services within the housing authority that are directed at dealing with, or preventing, or reducing anti-social behaviour.
- The promotion of co-operation with other persons or bodies including the Health Service Executive and An Garda Siochana, in the performance of their respective functions in relation to preventing or reducing anti-social behaviour in order to avoid or reduce duplication of effort between the housing authority and the other person or body(ies) in performing its function.
- The promotion of good estate management as defined by Section 1 of the Housing (Miscellaneous Provisions) Act, 1997

4. Strategies for Preventing and Combating Anti-social Behaviour

The strategy will apply to those parts of its administration where Kilkenny County Council has:-

- (a) Dwellings let under the Housing Acts 1966 as amended;
- (b) Dwellings that are the subject of Chapter 4 tenancy agreements in accordance with the Housing (Miscellaneous Provisions) Act 2009 (*Rental Accommodation Scheme*);
- (c) Dwellings let under the Social Housing Leasing Initiative in accordance with the *Housing (Miscellaneous Provisions) Act 2009 (Long Term Leasing Scheme)*;
- (d) Dwellings in which relevant purchasers live (*as defined in the 1997 Housing Act, as amended*) - see Appendix A, note 1.
- (e) Sites for Travellers (*'site' in this context is defined in the Housing (Miscellaneous Provisions) Act 1997, as amended*)

The strategy will also cover:-

- (f) Tenant purchasers under Section 90 of the Housing Act 1966, and their successor(s) in title.
- (g) Incremental purchasers under part 3 of the *Housing (Miscellaneous Provisions) Act, 2009* and their successor(s) in title.
- (h) *Tenant purchasers of apartments* under part 4 of the *Housing (Miscellaneous Provisions) Act, 2009* and their successor(s) in title.

4.1 Preventing Anti-Social Behaviour

Kilkenny County Council will implement rigorous screening of applicants. The Council may request information on applicants for accommodation and on persons it believes are, or have been, engaged in anti-social behaviour, from other County Councils or from specified bodies including An Garda Síochána, the Health Service Executive and the Criminal Assets Bureau in accordance with the provisions of Section 15 of the *Housing (Miscellaneous Provisions) Act, 1997*. Kilkenny County Council may deploy CCTV on some estates to assist with the prevention and reduction of anti-social behaviour.

The Tenant Liaison Officer has an integral and substantial role in the active and positive management of the Council's tenants and the Council's housing stock, which includes:-

- a. Dealing with Anti-Social behavioural Issues, which involve identifying problem families, meeting with resident groups in assisting in a solution, setting up interagency meetings in dealing with Anti-Social behaviour.
- b. Liaising with established residents associations.
- c. Managing and implementing tenant training courses
- d. Liaising with outside agencies, voluntary and statutory, whose co-operation and resources may be required in promoting better estate management, and promoting and arranging joint initiatives with other relevant agencies e.g. vulnerable clients (elderly, those with ill-health, disabled and those who are socially isolated/deficient in HomeLifeSkills)

The Council may use its right under Section 14 (1) of the *Housing (Miscellaneous Provisions) Act, 1997 (as amended)* to refuse to let, or to defer the letting of a dwelling where:-

- (a) A Garda report confirms applicant's conviction(s)
[The period of deferral will depend on the seriousness of the crime with consideration to client's ability to sustain tenancy satisfactorily - see Appendix A note 2]
- (b) The Council receives information that there is a serious criminal investigation ongoing against the applicant or against a person who forms part of the application;
[- see Appendix A note 3]
- (c) The Council believes an applicant is or has been engaged in anti-social behaviour, and where such a letting would not be in the interest of good estate management;
[- see Appendix note 4]

- (d) The applicant fails to provide information, including information relating to person(s) residing or intended to reside with the applicant, and which the Council deems necessary to assess his or her application for housing;
- (e) An applicant with a conviction for a sexual crime (against adults or children) refuses to undertake a risk assessment with a recognised body:

Include appropriate measures to 'design-out' anti-social behaviour issues in the design of estates.

Facilitate and encourage tenant participation in preventing and combating anti-social behaviour.

Introduce this policy to all new tenants as part of pre-tenancy training and issue all new tenants with the tenants handbook which contains a section on anti-social behaviour.

The Council may refuse to sell a dwelling to a tenant whom it believes is or has been engaged in anti-social behaviour or where such a sale would not be in the interests of good estate management (*Section 14(2) of the Housing (Miscellaneous Provisions) Act, 1997*).

4.2 Estate Management

It is the policy of Kilkenny County Council to encourage the active participation of tenants in the management of their estates.

The Council believes that tackling anti-social behaviour can be greatly assisted by the active participation and involvement of tenants in ensuring that our estates can develop a sense of community and pride which discourages such activity.

The active assistance of tenants in liaising with the Council and the Gardai in reporting incidents of anti-social behaviour is vital in ensuring that both bodies have accurate and meaningful data on the levels of activity and which can provide essential information when pursuing cases through the legal framework.

Kilkenny County Council shall seek to establish resident's associations in all new County Council housing estates.

Kilkenny County Council shall also assist residents in existing estates to form resident's associations, where they do not exist, and to further support such associations as appropriate.

4.3 Combating Anti-Social Behaviour:

- The Council's response to anti-social behaviour will be co-ordinated with those of other statutory bodies including co-operating with An Garda Síochána, the Health Service Executive, the Department of Social Protection and the Probation Services, that could play a role in dealing with problems of this nature.
- Notwithstanding the role of the statutory agencies, Kilkenny County Council acknowledges and values the input of other organisations and groups that may be consulted in particular instances. These include:
 - o Voluntary Bodies
 - o Residents Associations/Community Groups
 - o Family resource and outreach centres

The inclusion of other agencies will be dictated by individual cases as they arise.

- The Council guarantees confidentiality to the complainant (*covered under Section 26 of the Freedom of Information Act, 1997, as amended*). The name of the complainant will not be passed on to other agencies without prior consent.
- Inform tenants of their right to apply for an excluding order against any other occupant of their dwelling where the tenant believes that the other occupant is engaging in anti-social behaviour (*covered under Section 3 of the Housing (Miscellaneous Provisions) Act, 1997.*)
- Where the tenant, through fear, will not make the application, this Council may exercise its right to make the application for the excluding order or seek redress in the District Court pursuant to Section 12 of the *Housing (Miscellaneous Provisions) Act, 2014*.

Where there is a conviction for drug dealing, the Council will immediately consider proceeding for either an Excluding Order as above, or where all occupants are involved, an application to the District Court under Section 12 of the *Housing (Miscellaneous Provisions) Act, 2014*.

- The Council is committed to putting in place, good practice guidelines in relation to preventing and combating anti-social behaviour and will continue to carry out research in this area.

Categories of complaints.

Drug dealing as defined by Section 1 Housing (Miscellaneous Provisions) Act, 1997	High
Violence	High
Damage to property	High
Alcohol/Solvent abuse	High
Threats and intimidation	High
Noise	High
Boundary/Parking disputes	Low
Rubbish/Maintenance	Low
Dogs	Low

5. Procedures for dealing with complaints:

5.1 Recording a Complaint:

- Kilkenny County Council has a confidential computerised complaints system to manage and monitor all complaints.
- Complaints will be accepted by telephone or in writing provided the complainants give their name, address and if possible, telephone contact details.
- If the nature of the complaint would tend to identify the complainant, then the person is made aware of this and will be asked whether or not they wish an investigation to proceed on foot of the complaint.
- Anonymous complaints as a general rule will not be investigated by the Council.

5.2 Investigating the Complaint:

Investigations may be carried out in different manners depending on the seriousness of the complaint. This may involve making enquiries with other statutory agencies in accordance with Section 15 of the Housing (Miscellaneous Provisions) Act, 1997.

The Council may also:

- Interview the complainant.
- Interview the person against whom the complaint is made.
- Make enquiries within the area where the alleged incident occurred.
- In some cases the Council may deploy overt and covert CCTV systems to get evidence of the anti-social behaviour.

•
All statements and interview notes will be recorded.

Following investigation, and if further action is considered necessary, a housing management meeting will be held to decide what course of action is to be taken.

As a possible course of action, the necessary contact will be made by the Tenant Liaison Officer to engage the person(s), the subject of the complaint (i.e. Respondent) to deal with the issues identified. Respondent's permission will be sought to involve other agencies in an effort to draw up a programme of appropriate social supports and help him/her sustain his/her tenancy.

It is the aim of the Council to give all people who are the subject of complaints, every opportunity to address the issues.

If these measures are not successful or if the person or persons refuse to comply or engage with the Council, the procedures set out hereunder will be followed.

5.3 Involvement of other Agencies:

The Council will not apply to the District Court for an excluding order or an order to terminate a tenancy for reasons of anti-social behaviour without first consulting An Garda Siochana with regard to its intention to bring such an application.

The Council will also notify relevant agencies of the outcome of any court proceedings under the *Housing (Miscellaneous Provisions) Acts 2009 as amended*.

Action:

If a tenant is convicted of drug dealing or serious acts of violence, the Council may consider:

1. An application to the District Court in the Court Area where the property is situated for an excluding order under the *Housing (Miscellaneous Provisions) Acts, 1997 as amended* in circumstances where not all occupants are involved.
2. An application to the District Court in the Court Area where the property is situated for an order for possession under Section 12 of the *Housing (Miscellaneous Provisions) Act, 2014*.

The Council may deal with other complaints using all or any of the following measures;

- (a) Interview alleged offender and issue a verbal warning - *recorded on file*
- (b) Issue a written warning.
- (c) Issue a final warning.
- (d) Issue a Tenancy Warning under Section 7 of the *Housing (Miscellaneous Provisions) Act, 2014*.
- (e) Commence Court Proceedings to recover possession of the property [Section 12 of the *Housing (Miscellaneous Provisions) Act, 2014*]

Where an excluding order or order for possession is obtained in court by the Council as a result of anti-social behaviour, the tenant will be deemed to have deliberately rendered himself or herself homeless and will not be considered for re-housing by this Council. This Action will not debar them for qualifying for the Housing Assistance Payment to allow them seek private rented accommodation.

Kilkenny County Council will not tolerate any assaults, threats, intimidation, obstruction, harassment of, or interference with its employees who are involved in the implementation of this policy in accordance with the provisions of the Housing Acts 1966 as amended and will institute legal proceedings against any person(s) engaged in such activity.

Appendix A

NOTE1: A 'relevant purchaser' is defined in the *Housing (Miscellaneous Provisions) Act 2014* as a person to whom a housing authority has sold a house under *the Housing Acts 1966 to 2014*, or his/her successor(s) in title, other than an affordable house.

NOTE2: An applicant for housing support - or a person who forms part of an application for housing support - that has a court conviction must demonstrate a subsequent period crime free, before the application can be processed any further (excluding any period of custodial sentence).

NOTE3: Where there is a serious criminal investigation ongoing the application will be deferred for an appropriate period or pending the outcome of any investigation.

NOTE4: Where the Council believes that an applicant, or a person who forms part of the housing application, is involved in anti-social behaviour, the application will be deferred until the Council is satisfied that the person has engaged successfully with addressing the issues identified

Appendix B: Written Warning

<Customer No/Property ID>

<DATE>

<Name of Tenant>

<Address 1>,

<Address 1 >,

<Address 3>,

Co. Kilkenny.

Re: **Breach of Tenancy - Allegations of Antisocial Behaviour**

Dear

It has been brought to the Council's attention that you are allegedly in breach of Clause _ of Tenancy Agreement, signed by you on <date> which states;

"CLAUSE 17:

- (a) Neither the tenant nor any member of his household or any household or any sub-tenant or visitor shall cause any nuisance or be guilty of or permit any conduct likely to cause annoyance or disturbance to any neighbours, their children or visitors or Council staff.*
- (b) The term "neighbour" means persons living or working in the vicinity of the tenant's dwelling.*
- (c) For the purposes this Agreement, the phrase "nuisance, annoyance or disturbance" shall include the use by the tenant of the dwelling for the commission of a criminal offence and without prejudice to the generality of this expression shall include all or any of the following:-*
 - (i) harassment;*
 - (ii) violence or threats of violence against the person or property;*
 - (iii) threats, abuse or harassment of any kind or any act or omission causing disturbance, discomfort or inconvenience;*
 - (iv) obstructions of any of the common areas, doorways and other exits and entrances in the block and in the estate;*
 - (v) making an unreasonably loud noise by shouting, screaming, playing any musical instruments or sound reproduction equipment (including television, radio and hi-fi) or using other machinery;*
 - (vi) any act or omission which creates a danger to the well being of any neighbour or to his/her belongings.*
 - (vii) The tenant must not, at any time, invite or allow to remain on any part of the dwelling or garden, any persons in respect of whom the Council has notified the tenant that they should not enter or remain on the property;*

(viii) A tenant evicted for a breach of this condition or part of it or any condition will be deemed for the purpose of re-housing to have deliberately rendered himself/herself homeless within the meaning of Section 11 (2)(b) of the Housing Act, 1988 and may not be provided with another home by the Council until such time as the Council is satisfied that the evicted tenant and his/her family are capable of living and are agreeable to live in the community without causing a further breach of this condition or any other condition of this agreement;

(ix) The unlawful possession, cultivation, use and/or supply of a controlled substance within the meaning of the Misuse of Drugs Act, 1977 as amended,

You are hereby warned that if you fail to adhere to the terms of the Tenancy Agreement the Council will have no option but to issue proceedings for the recovery of possession of <ADDRESS> under Section 12 of the Housing (Miscellaneous Provisions) Act, 2014.

You should also be aware that if the Council evict you for breaches of the terms of the Tenancy Agreement you may not be subsequently re-housed by the Council.

Yours sincerely,

Housing Section .

Appendix C (i): Section 7 Tenancy Warning - Cover Letter

<File Ref>

<DATE>

<Name of Tenant>

<Address 1>,

<Address 1>,

<Address 3>,

Co. Kilkenny.

Re: **Breach of Tenancy - Allegations of Anti Social Behaviour**

Dear <Name of Tenant>,

It has come to the attention of the undersigned that complaints investigated by this Council confirm to the Council's satisfaction, that you and/or persons associated with your household, have allegedly engaged in antisocial behaviour, in breach of the terms of your tenancy agreement - copy attached.

In this connection, I enclose for your immediate attention, TENANCY WARNING issued in accordance with the provisions of Section 7 of the Housing (Miscellaneous Provisions) Act, 2014.

You should read this document carefully as there is a strong possibility that where you neglect to take immediate corrective action in relation to the conduct of your tenancy, the Council will have no option but to make application to the District Court to terminate that tenancy.

In such circumstances, you will be deemed to have made yourself homeless (*by virtue of engagement in anti social behaviour*), thereby,

- Rendering you and your household, ineligible for housing support for a period of 12 months;
- Requiring you to source alternative accommodation, and to
- Defray the (market) cost of such alternative accommodation from your own resources without any assistance from the housing authority or the Department of Social Protection;
- Necessitating the housing authority to make contact with TUSLA, the Child and Family Agency, in relation to the welfare of your children in the event that the above action is necessary.

Yours faithfully,

Authorised Officer

Appendix C (ii): Section 7 Tenancy Warning

<Name of Tenant>

<Address>,

<Address 2>,

<Address3>,

Co. Kilkenny.

TENANCY WARNING

Section 7 of the Housing (Miscellaneous Provisions) Act 2014

Whereas by Tenancy Agreement dated the <DATE> (*hereinafter called "the Agreement"*) Kilkenny County Council (*hereinafter called "The Council"*) let the property commonly known as <Address, County Kilkenny> (*hereinafter called "the Property"*) to <NAME OF TENANT> (*hereinafter called 't he Tenant"*)

Whereas Clause 19 (a) of the Agreement prohibits "*the tenant or any member of his/her household or of any household, or any sub-tenant or visitor to the property, from causing any nuisance, or permitting any conduct likely to cause annoyance or disturbance to any neighbours or their children or visitors or Council staff...."*

It has been apprehended by the Council that Section 19 of the Agreement has been breached by you, the Tenant, in the manner of

- **<DESCRIPTION OF BREACH>**

THE COUNCIL HEREBY CALLS UPON THE TENANT to refrain from this conduct immediately and to ensure that all persons associated with the household, either residing at the property or elsewhere, CEASE to cause nuisance or disturbance in order to comply with Clause 19 of the Agreement and prevent the detrimental effect of the breach from recurring or continuing.

TAKE NOTICE that if the breach continues or is repeated within 12 months of this Tenancy Warning coming in to effect, the Council may

- apply to the District Court under Section 12 of the *Housing (Miscellaneous Provisions) Act 2014* to recover possession of the Property, or alternatively, if appropriate,
- make application to the District Court under Section 3 of the *Housing (Miscellaneous Provisions) Act, 1997*, to exclude persons from the property and/or the neighbourhood, who are continuing to be in breach of Clause 19 of the Tenancy Agreement.

TAKE NOTICE that for a period of 3 years of this Tenancy Warning coming into effect, the housing authority may

- Refuse application from the tenant to purchase the dwelling under the terms of the prevailing Tenant Purchase Scheme, or
- Refuse an application from a person causing breach of Clause 19 of the Tenancy Agreement to purchase an alternative dwelling which requires the Council's consent pursuant to Section 89(c) of the Housing Act, 1966 (*as amended*), or
- Refuse to allocate or to defer the allocation of housing under Section 14(1) of the Housing (Miscellaneous Provisions) Act, 1997, to a person causing breach of Clause 19 of the Tenancy Agreement

You may request a Review of a Tenancy Warning within 10 working days from the issuing of this Tenancy Warning. A Review must be requested in writing.

Signed on behalf of the Council:

[Authorised Signatory]

Dated: *This the* ___ *day of* _____ *2015.*

Appendix D: Warning Notice - Rental Accommodation Scheme

Ref:

Date:

RE: WARNING NOTICE -Tenancy provided under Rental Tenancies Act, 2004 at <Address>, County Kilkenny.

Dear

I wish to state that you are in breach of Clause <No.> of your Residential Tenancy Agreement for the above property. I have spoken with you on a number of occasions, specifically on the <date(s)> in relation to anti-social behaviour at the above address on <date(s)> but it is clear that you continue to be in breach of your Tenancy agreement.

Therefore I am now officially serving a **WARNING NOTICE** on you which requires you to comply

immediately with Clause <No> of your tenancy agreement, which states-

"<Insert text>

In circumstances where you fail to address the anti-social behaviour and continue in breach of your tenancy agreement, I am obliged to issue you with a "**Notice of Termination**" requiring you to vacate the above property **within 7 days** in accordance with the provisions of Section 67(2)(a)(i) of the Residential Tenancies Act 2004.

It is incumbent on me to inform you that you will not be eligible for further housing support from the housing authority where your tenancy is terminated on grounds of anti-social behaviour.

Yours faithfully,

Landlord.

