

ANTI SOCIAL BEHAVIOUR STRATEGY MEATH COUNTY COUNCIL

Meath County Council



Adopted by the members of Meath County Council June 2016

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Mission Statement

“To investigate all complaints fairly, impartially and objectively, to provide a professional service for our tenants, who are victims of anti-social behaviour and to work towards the elimination of anti-social behaviour through prevention, enforcement, support and rehabilitation in accordance with the Housing Acts 1966 – 2014”.

Section 1.0 Introduction

Meath County Council recognizes that Anti - Social Behaviour can have an adverse effect on the quality of life of tenants of the Council and can threaten the sustainability of communities and often leads to further disadvantages for vulnerable households. In addition, anti social behaviour can generate significant costs for Local Authorities as a result of vandalism to property and difficulties in letting accommodation in areas prone to problems of this type.

Meath County Council is committed to the prevention and elimination of anti-social behaviour in its estates and ensuring that all of our tenants enjoy living in their homes in a peaceful manner without undue interference or difficulties emanating from anti - social behaviour.

The great majority of our tenants comply with the terms of their tenancy agreement, and it is only a small number of tenants who are involved in this type of behaviour. It is the policy of Meath County Council that anti - social behaviour will not be tolerated and undertakes that it will take proactive action to seek to prevent such behaviour. Meath County Council will investigate and endeavor to resolve all complaints of anti-social behaviour made to it using all means within its powers in an effective and expeditious manner.

Section 35 Housing(Miscellaneous Provisions) Act 2009, provides for the legislative framework and guidelines for all Local Authorities to adopt, by reserved function, an Anti - Social Behaviour strategy for the prevention and reduction of Anti - Social Behaviour in its housing stock. *

The Anti Social Behaviour Strategy shall have as its principal objectives: (a) the prevention and reduction of anti-social behaviour, (b) the co-ordination of services within the housing authority directed at dealing with, or preventing or reducing, anti-social behaviour, (c) the promotion of co-operation with other persons, including An Garda Siochana and the Joint Policing Committee (where appropriate), in the performance of their respective functions insofar as they relate to dealing with, or the prevention or reduction of, anti-social behaviour, having regard to the need to avoid duplication of activities by the housing authority and such other persons in the performance of those functions, and (d) the promotion of good estate management – Housing (Miscellaneous Provisions) Act 2009, section 35.

In drawing up the policy, Meath County Council has had regard to the good practice guidelines entitled Preventing and Combating Anti –Social Behaviour issued to Housing Authorities in 2003 by the Housing Unit in conjunction with the Department of the Environment, Heritage and Local Government. These guidelines describe good practice in housing management with regard to anti - social behaviour. Consideration was also taken with regard to a non statutory policy document produced by Meath County Council in 2005 titled “Policy & Dealing with Anti – Social Behaviour” and also the “Anti – Social Behaviour Strategy Meath Local Authorities” which was adopted by the members of Meath County Council and the Town Councils of Trim, Navan & Kells in December 2010.

This strategy will apply to the dwellings outlined below in Meath County Council’s Administrative Area.

- (a) dwellings let by the housing authority to tenants under the Housing Acts 1966 to 2009,
- (b) Dwellings which are the subject of Chapter 4 tenancy agreements,
- (c) Dwellings in which relevant purchasers (within the meaning of section 1 of the Act of 1997) reside, and
- (d) Sites (within the meaning of section 1 of the Act of 1997).

This Strategy will apply in full to social rented dwellings, sites for travellers, those renting under long term leasing arrangements.

Properties not described within the above categories, are outside the remit of the anti-social behaviour strategy.

New Legislation

The Local Authority undertakes to adopt and implement any new legislation or initiatives which may be introduced by the State on combating anti - social behaviour and undertakes to review its policy and procedures as required.

Section 2.0 Definitions

(i) Anti Social Behaviour

Anti Social Behaviour is defined in the Housing (Miscellaneous Provisions) Act 2009 as amended by section 19 of the Housing (Miscellaneous Provisions) Act 2014:

- 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 to 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 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 fore going 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”.*

Possession of illegal drugs solely for personal use does not come within this definition, nor does vandalism or damage to property unless the damage is serious or used to intimidate or threaten. The definition does not include noise and nuisance or other activities, which would not normally be associated with the serious problems towards which the Act is targeted. However these lesser activities could represent breaches of the Tenancy Agreement and tenants are warned in accordance with this strategy.

(ii) Domestic violence

Cases of domestic violence do not come within the scope of this Act. The Domestic Violence Act 2001 is the appropriate legislation for such cases.

(iii) Estate Management

Estate Management is defined in Section 1 of the Housing (Miscellaneous Provisions) Act 1997 and includes –

“(a) 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 1997.

(b) The avoidance, prevention or abatement of anti social behaviour in any housing estate in which is situate a house provided by a housing authority under the Housing Acts 1966 to 1997.

Defining anti - social behaviour can be difficult, as normal standards of behaviour 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 the Gardai, HSE, Tusla, addiction services and any other relevant agencies.

Section 3.0 Legislative Framework

Below is some of the key relevant legislation relating to the Strategy. (this is not an exhaustive list)

- Housing Act 1966.
- Housing (Miscellaneous Provision) Act 1997, (as amended by S.197 of the Residential Tenancies Act 2004) and Housing (Miscellaneous Provisions) Act 2014.
- Freedom of Information Acts 1997 and 2003.
- Housing (Traveller Accommodation) Act 1998.
- Anti- Social Behaviour Provisions of Housing (Miscellaneous Provisions) Act 2009.
- Control of Dogs Act 1986 as amended by the Control of Dogs (Amendment) Act 1992
- Data Protection Act (Amendment) Act 2003
- Housing (Miscellaneous Provisions) Act 2014.

3.1 Freedom of Information Acts 1997 and 2003.

These acts enable members of the public to obtain access, to the greatest extent possible consistent with the public interest and the right to privacy, to information in the possession of public bodies and to enable persons to have personal information relating to them in the possession of such bodies corrected and to provide for related matters. However, the Acts also provide for necessary exceptions to that right, in cases where the disclosure of information would put a complainant at risk, or where information was given in confidence.

Where in the opinion of the Local Authority, the disclosure of information under Freedom of Information would lead to a complainant being put at risk; every attempt will be made to refuse disclosure or to protect the identity of the complainant.

3.2 Housing (Traveller Accommodation) Act 1998.

This Act amended and extended the Housing Acts, 1966 to 1997, The Local Government (Planning and Development) Acts, 1963 to 1998, The Local Government Act, 1991, to make provision for the accommodation needs of travellers, to provide for the appointment of a national traveller accommodation consultative committee and local traveller accommodation consultative committees.

3.3 Anti- Social Behaviour Provisions of Housing (Miscellaneous Provisions) Act 2009.

This act provides for the further provision of the functions of housing authorities, which includes the making of an anti - social behaviour strategy. This act also amends and extends Housing Acts, 1966 to 2004, amends the Housing Finance Agency Act 1981, The Planning and Development Act 2000, The Civil Registration Act 2004, The Residential Tenancies Act 2004 and The Social Welfare Consolidation Act 2005.

3.4 Housing (Miscellaneous Provisions) Act 2014

This act introduces a statutory requirement to issue warnings under section 7, 8 & 9 for anti – social behaviour, rent arrears and other breaches respectively and outline that the tenant remedies the breach within time limits. A new item which is included is the detrimental effect on neighbours and the community of anti – social behaviour and this will be considered as evidence for all possession applications. The act introduces new procedure for the possession of local authority dwellings.

3.5 Control of Dogs Act 1986 as amended by the Control of Dogs (Amendment) Act 1992

The Control of Dogs Regulations 1986, as amended by the Control of Dogs (Amendment) Act 1992, places a responsibility on local authorities for the control of dogs within its functional area. In addition the Control of Dogs Regulations 1998 impose further rules in relation to certain named breeds (and strains/ cross breeds) of dog in Ireland.

3.6 Data Protection Act (Amendment) Act 2003

This Act gives effect to Directive 95/46/EC of the European Parliament and of the Council of 24th October 1995 on the protection of individuals with regard to the processing of personal data, and on the free movement of such data, for that purpose to amend the Data Protection Act 1988 and to provide for related matters.

3.7 Excluding Order

This has the meaning assigned by Section 3 of the Housing (Miscellaneous Provisions) Act, 1997 and amended by the Housing (Miscellaneous Provisions) Act 2014, which states: -

“A housing authority may in respect of a house provided by the Authority under the Housing Acts 1966-1997 apply to the District Court for an excluding order against a respondent whom the authority believe to be engaging in anti-social behaviour...”.

This approach is a more targeted approach to dealing with anti-social behaviour, whereby the specific offenders are dealt with, thus avoiding the eviction of the entire household.

The Local Authority will consider making an application for an Excluding Order where it becomes aware of a tenant or a member of the household is involved in anti social behaviour or convicted of drug dealing. If the Housing Investigation officer recommends that an Excluding Order should be sought, the tenant/ relevant purchaser will be advised to apply to the District Court for such an order. If the tenant / relevant purchaser, through violence, threat or fear will not apply for an Excluding Order, the Housing Authority may apply for such an order after consultation with the tenant/ relevant purchaser, and An Garda Síochána.

If granted, an Excluding Order can prohibit the respondent from entering a specific dwelling or an entire estate for a period of up to 3 years. The Order

can also prohibit a respondent from causing or attempting to cause any intimidation, coercion, harassment or obstruction of, threat to, or interference with the tenant or other occupant of the dwelling concerned.

This Local Authority will not seek an Excluding Order against a child aged less than twelve years of age. An Excluding Order may be sought against a child who is under eighteen, not to prohibit the respondent from the house he or she resides in, but to specify other houses /areas /and estates. Where an Excluding Order has been obtained, Meath County Council will report any breaches of excluding orders to An Garda Siochana to enforce and will advise neighbours / residents to report same. All applications for Excluding Orders will be for three years with exceptions based on circumstances in individual cases.

Section 4.0 Objectives /Strategic Aims

4.1 The Primary Objectives and Strategic aims of this Strategy are:

- To investigate complaints of anti - social behaviour fairly, objectively and impartially.
- To prevent & reduce the number of anti - social behaviour incidents on an annual basis.
- To pursue legal remedies, including repossession where necessary.
- To adopt a multi-agency approach in dealing with anti-social behaviour.
- The promotion of co-operation with other agencies such as An Garda Síochána, HSE and Tusla and voluntary and community groups in relation to preventing and reducing anti - social behaviour.
- To co-ordinate services within the Council in dealing with anti-social behaviour.
- To promote the principles of good estate management in our Local Authority estates and the communities in which they are located.
- To make all residents, agencies, voluntary and community groups aware of this Local Authority's policy and procedures in relation to anti - social behaviour and provide training where required.

The objectives are in accordance with Section 35 Housing (Miscellaneous Provisions) Act 2009.

4.2 Design of Housing Schemes

The Local Authority will continue to ensure that the planning for and design of all new council housing estates maximizes the potential for natural surveillance and defensible spaces and minimizes the opportunity for anti - social behaviour. The same principles will also apply when designing remedial works and / or regeneration works on older schemes.

In some cases the Council may go through a consultation process with the Housing Strategic Policy Committee, Local Traveller Accommodation Consultative Committee and An Garda Síochána (where relevant) for their observation & comments.

4.3 Allocation of tenancies

The definition of anti – social / nuisance behaviour is now included on all tenancy agreements. Strategic allocation of tenancies also helps to protect vulnerable clients, as does vetting of all housing applicants to ensure they have not been involved in anti social behaviour.

4.4 Pre- Tenancy Training

The Local Authority organises pre-tenancy training for all prospective tenants and it is obligatory for potential tenants to attend these courses. The training explains the

functions of the Council and the services it provides and examines the Tenancy Agreement and explains the consequences of breaching the terms of the agreement. The obligations of tenants (e.g. payment of weekly rent, maintenance of dwellings etc.) are detailed as well as their rights with regard to service / response from the Council.

The pre – tenancy pack includes information and responsibility on fire safety in the home, household waste management, money advice and budgeting service (MABS), contact details for Community Gardai and others.

There is specific information in the pre-tenancy training courses relating to anti - social behaviour to clearly explain this Council’s policy on dealing with the procedures in reporting cases and investigation.

Each new tenant of this Council personally signs a standard letting conditions lease, which contains specific clauses prohibiting tenants from engaging in anti social activity. The Council ensures that these are clearly explained to each tenant in advance of every letting.

4.5 Staff Training

The Local Authorities will continue to provide appropriate training for all Housing Department staff. This training will include all aspects of the Council’s policy on preventing and combating anti-social or nuisance behaviour, customer care, interpersonal communication, health and safety procedures including personal health issues such as stress management skills, skills updating courses.

Further training for staff designated with specific responsibility for investigating and dealing with alleged perpetrators of anti-social or nuisance behaviour will be provided in the following areas:

- Understanding the reasons why people engage in antisocial / nuisance activities.
- Recognising when alleged perpetrators of these activities should be referred to other agencies for support.
- Interviewing techniques / negotiation skills/ mediation skills. Dealing with difficult / aggressive / violent situations.
- The legal framework for combating antisocial / nuisance behaviour
- Expert witness training.

4.6 Build up closer relations with An Garda Síochána and other agencies and to share information in dealing with anti - social behaviour.

The Local Authority has extensive expertise in relation to all areas of housing provision and management. Multi agency forums have been created linking this Council, with both statutory and non statutory organisations. For the purposes of the Anti Social Behaviour Strategy, the current statutory agencies are as follows:

- An Garda Síochána
- Health Service Executive / TUSLA
- Probation Service
- Department of Education & Science
- Department of Social Protection

The effect of this co-operation will be to avoid duplication of effort between the agencies in particular cases and to continue to contribute to the successful reduction of anti-social problems in areas that have experienced relatively high levels of such behaviour.

In addition to statutory agencies this Local Authority acknowledges and values the input of other organizations and groups that may be consulted in particular incidences. The inclusion of other organisations will be prompted by individual cases as they arise:

- Voluntary Bodies
- Residents Associations & Community Groups
- Family resource & outreach centres.

4.7 Work closely with the Joint Policing Committees.

The Local Authority will participate with the Joint Policing Committees established under Section 36 of the Garda Síochána Act 2005. A representative from housing attends meetings, provides data and implementation of proposals.

4.8 Issue Maintenance Letters for non-upkeep of property

If breaches of the Tenancy Agreement in relation to failure to maintain rented property come to the attention of the Local Authority, breach of tenancy letters and or statutory warning letters will be issued. Good maintenance of property has a positive effect on the community. Council tenants are obliged to maintain their dwellings to an acceptable standard and in particular accumulation of rubbish is offensive to neighbours and tenants can be fined under the Waste Management Act 1996.

4.9 Pre-Tenancy / Pre-Transfer Checks

Section 15 Housing (Miscellaneous Provisions) Act 1997 as amended allows Local Authorities to obtain information from other agencies regarding applicants suspected of engaging in anti-social behaviour. Meath County Council will use this legislation to carry out checks on all social housing applicants and has protocols to protect the information. This information is relevant to the investigation of complaints and is also relevant to the allocation of tenancies and transfer.

4.10 Promotion of Good Estate Management

Meath County Council recognizes the valuable input of local communities and their importance in empowering them to play a positive and proactive role in the management of their area.

4.11 Establishment of Residents Associations

The Local Authority 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. This Council will also assist residents groups, with general crime prevention and anti - social behaviour reduction subject to funding & resources.

4.12 Establishment of Community Development Support Projects

Meath County Council provides both fiscal and advisory support to tenants & residents associations to include: grants, estate initiatives & advisory services. This Council will support, where applicable, Neighbourhood Watch Schemes and Community Policing Initiatives in cooperation with An Garda Siochana.

4.13 Child Protection & Welfare

In some cases a complaint / investigation of anti – social behaviour can lead to a concern regarding child protection & welfare. In this case the concern will be reported to a designated Child Protection Liaison Officer within Meath County Council and protocols issued in the Council’s “Policy & Procedure for Child Protection & Welfare”, in accordance with Children First: National Guidelines for the Protection and Welfare of Children, 2011 will be adhered to including referral to Tulsa, Child & Family Agency.

Section 5.0 Policy in implementing the legislation

The Council is committed to investigating complaints of anti-social behaviour in a fair, impartial and objective manner, and will adhere to the legislation.

5.1 Excluding Orders

Meath County Council will apply Section 3 of the 1997 Act (Excluding Order), as amended by the 2014 Act, if practicable, in order to allow for a more targeted approach in dealing with persons engaged in anti-social behaviour and in order to avoid if possible the eviction of an entire household.

Procedures for Applications for Excluding Orders:

Following an in-house investigation and consultation with An Garda Síochána, HSE / Tusla, the tenant / relevant purchaser will be notified in writing and advised to apply to the District Court for such an exclusion order.

If the tenant/relevant purchaser, through violence, threat or fear will not apply for an Excluding Order, Meath County Council may apply for such an order after consultation with the tenant / relevant purchaser, the Health Service Executive / Tusla and An Garda Síochána. The procedure will be in accordance with S 3 Housing (Miscellaneous Provisions) Act 1997 as amended by the Housing (Miscellaneous Provisions) Act 2014.

Excluding Orders can apply to Chapter 4 tenancies (Rental Accommodation Scheme) and the landlord will be notified in writing of any application with a minimum 14 days notice in accordance with S25 Housing (Miscellaneous Provisions) Act 2009.

5.2 Drug Dealing

Meath County Council deems the manufacture, production, preparation, importation, exportation, sale, supply, or possession for the purpose of sale or supply, or distribution of a controlled drug as a serious breach of tenancy and will immediately refer such a complaint to An Garda Síochána for their investigation. Following the outcome of an An Garda Síochána investigation and Meath County Council is satisfied that drug dealing occurred, legal proceedings to apply for an Excluding Order or termination of the tenancy and repossession of the house will commence.

5.3 Refusal / Deferral of Letting on the Grounds of Anti-social Behaviour.

Meath County Council will refuse to make a letting or will defer a letting to any housing applicant where it considers the applicant has been involved in anti-social behaviour. In determining this, each case will be treated on an individual basis. The applicant will be fully informed of the reasons for the refusal/deferral and if the Authority is satisfied that the applicant has desisted from such behaviour, and sufficient time has elapsed to substantiate this, the

decision may be reconsidered. A housing applicant whose application has been refused / deferred will be notified in writing and can appeal this decision in writing within 10 days of the original decision. This time frame can be extended by a further 10 days by the Chief Executive should extenuating circumstances arise.

5.4 Refusal to Sell a Dwelling on the Grounds of Anti-social Behaviour

Meath County Council will refuse to sell or will defer the sale of a dwelling to a person if it considers the person or a member of the household is or has been involved in anti-social behaviour. This decision may be reconsidered if the Authority is satisfied that the person has desisted from such behaviour and sufficient time has elapsed to substantiate this. The person will be informed of the reasons for the refusal / deferral.

The Authority will also refuse consent to the sale / purchase of a dwelling if it considers that the intended purchaser is or has been engaged in anti-social behaviour. A person / tenant applying to purchase, a tenant purchaser and / or his or her successor in title applying for consent to sell a dwelling and an applicant for consent to purchase a dwelling whose application has been refused / deferred will have the right to appeal the decision in writing within 10 days of the decision. The Chief Executive of the Local Authority has the discretion to extend this by a further 10 days should extenuating circumstances arise.

This section will apply to dwellings provided by the following enactments:

- S.90 Housing Act 1966 (tenant purchase scheme).
- Part 3 Housing (Miscellaneous Provisions) Act 2009 incremental purchase scheme
- Part 4 Housing (Miscellaneous Provisions) Act 2009 (tenant purchase apartment scheme)
- Part 3 Housing (Miscellaneous Provisions) Act 2014.

5.4 Refusal / Deferral of a Letting on the Grounds of Failing to Provide Information

Meath County Council will refuse to make a letting or will defer a letting to any housing applicant who fails to provide information requested by the Authority relating to persons residing with or intended to reside with the applicant and which the Authority considers necessary for the full consideration of the application. The applicant will be fully informed of the reasons for the refusal / deferral and this decision will be reviewed when the Authority is satisfied that all relevant information has been disclosed.

5.5 Refusal / Deferral of Letting on the Grounds of Good Estate Management.

Meath County Council will refuse to make a letting or will defer a letting to any housing applicant where it considers there is good reason for doing so on

the grounds of good estate management. In determining this, each case will be treated on an individual basis and the applicant will be fully informed of the Council's decision. The decision may be reconsidered depending on the circumstances of the applicant or the estate. A housing applicant whose application has been refused / deferred can appeal the decision in writing to the Appeals Officer within 10 days. This procedure will also apply to rental accommodation availability agreements or chapter 4 tenancies.

5.7 Refusal to Sell a Dwelling on the Grounds of Good Estate Management

Meath County Council will refuse to sell a dwelling to a person / tenant where it considers there is good reason for doing so on the grounds of good estate management and will also refuse consent to the sale / purchase of a dwelling on the same grounds. The person / tenant purchaser and the intended purchaser will be fully informed of the Council's decision. A person / tenant applying to purchase, a tenant purchaser applying for consent to sell a dwelling and an applicant for consent to purchase a dwelling whose application has been deferred / refused will have the right to appeal the decision within 10 days in writing to the Appeals Officers. The applicant can apply in writing to have the decision to refuse his / her application reviewed on an annual basis.

5.8 Threats / Intimidation of Council Employees

Meath County Council will not tolerate any assaults, threats, intimidation, obstruction, harassment or interference with its employees in the exercise of a function of a housing authority under the Housing Acts 1966 to 2014. All assaults, threats and intimidation against employees will be reported to An Garda Síochána as an offence. A person who commits such an offence 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 (section 18 of the 1997 act amended by section 19 of the 2014 Act).

5.9 Illegal Occupiers

Meath County Council can apply for possession of a dwelling illegally occupied in accordance with Section 13 of the Housing (Miscellaneous Provisions) Act 2014 and can immediately request An Garda Síochána to assist with the removal of illegal occupiers (squatters) of dwellings who are engaging in anti-social behaviour. A member of An Garda Síochána will be requested to direct such a person to leave the dwelling or face arrest and prosecution. This is in accordance with Section 20 of the Housing (Miscellaneous Provisions) Act 1997.

5.10 Control of dogs

Excessive dog barking that causes a nuisance is an offence. Where the dog owner has not made adequate attempts to control the noise the complainant may make a complaint to the District Court under Section 25 of the Control of Dogs Act 1986. Before the complaint is made, he shall serve notice in the

prescribed form on the owner of the dog. The Control of Dogs Regulations 1998 identifies 10 breeds of dog which are subject to stricter regulations. These breeds are required to be kept under effectual control and are required to be muzzled and on a lead while in a public place. Meath County Council has in the past introduced bye – laws to deal with problems that have arisen with regard to dogs in public parks.

5.11 Noise

In some cases tenants may look at the possibility of bringing applications pursuant to Section 108 of the Environmental Protection Agency Act 1992, to the District Court themselves. See appendix E.

5.12 Anti – Social Behaviour Record and Garda Clearance

The decision to refuse and defer as outlined above (5.3 to 5.7) is part of the Authority’s preventative strategy ensuring applicants involved in serious anti-social behaviour are not allocated a dwelling or allowed to purchase a dwelling from the Authority.

All applicants for Local Authority housing are informed that Meath County Council may conduct background checks, as indicated on the housing application forms. A consent form by the applicant is also signed. The procedure is outlined below:

- (i) The Authority requests clearance from An Garda Síochána and investigates tenancy history with other Local Authorities in writing. Strict procedures are in place to request, record, store and retrieve and secure this information. The information is only used for the purposes of the Housing Acts 1966 to 2014. Some housing applicants from other jurisdictions may be required to submit relevant documentation regarding background checks from their local Police station in their country of origin or residency. Interviews may be conducted at an applicant’s home or in council offices with more than one interviewer.
- (ii) A decision to refuse or defer the application is made with consideration to the history of offending, number and seriousness of offences, conduct of interview, remorse, rehabilitation and evidence of addressing problems, history of previous tenancies, suitability and capability of managing a tenancy, addiction issues if relevant, and estate management issues including housing areas to avoid.
- (iii) This decision can be appealed to the Senior Executive Officer or Authorised person in writing within 10 days.
- (iv) This policy will operate in conjunction with Meath County Council’s Allocations Scheme and current Social Housing Assessment Regulations.

Some examples of good practice in estate management and sustainable communities are outlined below regarding the allocations of dwellings:

The Housing Authority, in order to encourage social integration, will avoid allocating too many properties / dwellings in the same estate or area to the same family or extended family or to the same ethnic group.

The Council acknowledges that some housing types and tenures are not appropriate for some applicants with an anti-social behaviour record.

Section 6.0 Complaints Procedure.

The Local Authority will explore all options when dealing with anti social or nuisance behaviour. Complaints will be investigated in a constructive, fair and impartial manner. The Councils recognize that for an effective investigation of anti social behaviour, speed of response is vital and advises complainants to complete an investigation report in writing as soon as possible after the incident.

6.1 Recording the Complaint:

- Initially complaints are accepted by telephone, and complainants are requested to complete a Housing Investigation Incident Report form.
- If Housing Investigation staff are not available complaint forms are available at all public offices and can be completed and marked “Private and Confidential” and sent

Post to:
Housing Investigation
Office, Housing Section,
Meath County
Council, County Hall
Navan,
Co. Meath

- Complaints are dealt with by dedicated staff.
- The person responsible for managing the complaints and the section is the Housing Investigation Officer.
- Complaints that do not fall within the definitions of the 2009 Act & the 2014 Act may be breaches of Meath County Council tenancy agreement and will be recorded and dealt with by housing staff.
- Some complainants may be required to attend public office for an interview and a written statement especially where legal action is anticipated.
- Housing Investigation Staff may call unannounced to tenants’ house /apartment to investigate complaints and may have to make inquiries in neighbouring houses.
- Complainants and respondents may also be required to attend an interview.
- Individual anonymous complaints will not be investigated however if the Councils receive a number of anonymous complaints against an individual or family then the matter will receive the appropriate attention.
- If a complaint is identified as malicious, vexatious or trivial no further investigation will take place.
- If a complaint is identified as malicious, vexatious or trivial no further investigation will take place.
- The complaints system is confidential and every effort will be made to protect the identity of the complainant. However confidentiality is not a right in law.
- The Housing Investigation Officer may also interview other parties not necessarily tenants to clarify any allegations made.
- Complaints against unidentified persons cannot be investigated.

6.2 Investigating the Complaint:

This may involve enquiries with other statutory agencies in accordance with section 15 of the Housing (Miscellaneous Provisions) Act 1997, and consulting other tenants / residents / and resident committees. In some cases the Council may deploy overt and covert CCTV systems to get evidence of the anti-social behaviour. The following information will be required (where feasible) to conduct an investigation:

- Part 3 Housing (Miscellaneous Provisions) Act 2014
- Name and address telephone number of person making the complaint (complainant) and the name, address, of the tenants (household) causing the complaints (respondent)
- The nature of the complaint.
- The date of the complaint.
- Date and location of incident.
- Whether the incident was reported to Gardai and other agencies.
- Details of other evidence, CCTV, written notes, photos etc.
- A record if the complainant has given a statement to An Garda Siochana.
- A record that the complainant wants to remain confidential.
- A record that the complainant may be unavoidably identified and advised accordingly.
- Record of all interviews & visits and other officers present.
- The complainants and respondents tenancy history and any record of anti social behaviour or complaints
- Details of updating complainant usually by phone otherwise in writing.
- Outcome of the investigation and appropriate action taken.
- An investigation will commence within 15 working days if resources permit.
- In addition, persons against whom persistent complaints have been received will be included in a multi-agency approach in conjunction with the Garda Siochana and the Health Service Executive and Tusla, where this is considered appropriate.

6.3 Categorisation of Complaints

All complaints will be categorised as “**extreme**”, “**serious**” or “**nuisance**”. For the purposes of this anti - social behaviour strategy Meath County Council has devised its own classification of activities under its anti social behaviour umbrella.

- **Extreme** Behaviour, examples: - Drug dealing; alcohol / solvent abuse; unprovoked assault; violence; serious harassment and racial harassment etc.
- **Serious** Anti Social Behaviour, examples: - Threatening / abusive behaviour; frequent serious disturbances; vandalism / damage to property etc.
- **Other** Nuisance Cases, examples: - Family disputes affecting neighbours; horse/ dog / pet control; behaviour of children; garden upkeep; verbal harassment; boundary disputes; rubbish / maintenance etc.

The nature and extent of every investigation will be determined by the relative seriousness of the complaint and the priority assigned to it under the classification criteria.

CLASSIFICATION	BEHAVIOUR TYPE	PRIORITY
Extreme Behaviour	Drug dealing;	High
Extreme behaviour	Alcohol / solvent abuse	High
Extreme behaviour	Unprovoked assault	High
Extreme behaviour	Violence	High
Extreme behaviour	Serious harassment	High
Extreme behaviour	Racial harassment	High
Serious anti social behaviour	Threatening/ abusive behaviour;	High
Serious anti social behaviour	Frequent serious disturbances;	High
Serious anti social behaviour	Vandalism/ damage to property.	High
Other nuisance cases	Family disputes affecting neighbours.	Low
Other nuisance cases	Dog/ horse/ pet control	Low
Other nuisance cases	Behaviour of children	Low
Other nuisance cases	Verbal harassment	Low
Other nuisance cases	Garden upkeep/ rubbish/ maintenance	Low
Other nuisance cases	Boundary disputes	Low

6.4 Actions taken once complaint is investigated

6.4.1 No Further Action

If the Housing Investigation Officer has reasonable grounds for believing that the complaint is unfounded or malicious, vexatious or trivial then no further action will be taken against the respondent.

6.4.2 Advice Given

In some cases, the officer may advise both parties to resolve the issue and no further action will be taken, especially when the complaint is of a trivial nature. Children's conduct will be referred to parent or guardians.

6.4.3 Referral to other Agencies such as Gardai / Health Service Executive (HSE) / Tusla

Some complaints are so serious, or the concern regarding a child's conduct is of such a nature the complainant is immediately referred to An Garda Siochana, HSE or Tusla. Complaints regarding drug dealing are always referred to An Garda Siochana for their investigation. Meath County Council Policy on child protection issues is also available for staff members who become aware of such incidents.

6.4.4 Mediation

Meath County Council may offer, where possible, mediation services in cases where it feels that the anti – social complaint is in the nuisance category.

6.4.5 Verbal Notice of Tenancy Breach

Usually reserved for instances of first offences of a trivial nature.

6.4.6 First Written Notice of Tenancy Breach

The breach of tenancy is detailed in the notice, the tenants(s) are asked to cease the breach and the consequences should the breach continue.

6.4.7 Second Written Notice of Tenancy Breach

If the behaviour persists a second notice of tenancy breach is issued outlining all of the above.

6.4.8 Statutory Warning

In accordance with Section 7 and /or Section 9 of the Housing (Miscellaneous) Provisions Act 2014 statutory warnings relating to anti – social behaviour and other breaches of tenancy will be issued if prior written warnings are ignored and ineffective. It will set out the specified terms (s) that has or have, in the housing authority’s opinion been breached. It will set out the nature of that breach, including the name of the household member (if that name is readily available to the housing authority) who caused that breach, the occasion of the breach and, where relevant, the significant or persistent detrimental effect of the breach on the quality of life of those in the locality of the dwelling to which the tenancy agreement relates. It will require the tenant to ensure that the household member who caused that breach ceases or does not repeat specified actions or undertakes specified actions.

The letter will indicate that if the breach continues during, or is repeated within 12 months of the tenancy warning coming into effect, then the authority may either (a) apply under Section 12 to recover possession of the dwelling or (b) where appropriate, apply to the District Court (under section 3 of the Act of 1997) for an excluding order against the household member who caused that breach. A statutory warning may be reviewed within 10 working days. For 3 years following a tenancy warning a local authority can refuse a transfer, refuse to sell a house to a tenant and refuse an allocation to household members engaged in anti – social behaviour.

6.4.9 Legal Action

An application for possession may be sought in District Court in accordance with Section 12 of the Housing (Miscellaneous Provisions) Act 2014.

Procedure for termination of tenancies

The decision to terminate the tenancy (and carry out subsequent repossession) will be taken in the interest of good estate management and for serious and /or persistent breaches of tenancy. The legal procedure for terminating a tenancy is in Part 1 Housing (Miscellaneous Provisions) Act 2014. A housing authority makes a possession application to the District Court

and the tenant will be notified 10 working days in advance of the hearing in person, by registered post and delivery to the house. In all cases tenants would be advised at investigation stage that their tenancy is at risk and warnings issued. Evidence of the anti-social behaviour may be provided by statements from complainants /victims in person or writing. Council Officials and members of An Garda Siochana may also give the evidence in accordance with Section 21 of the Housing (Miscellaneous Provisions) Act 1997. The tenant(s) will be given an opportunity to make submissions and to appeal the decision being considered.

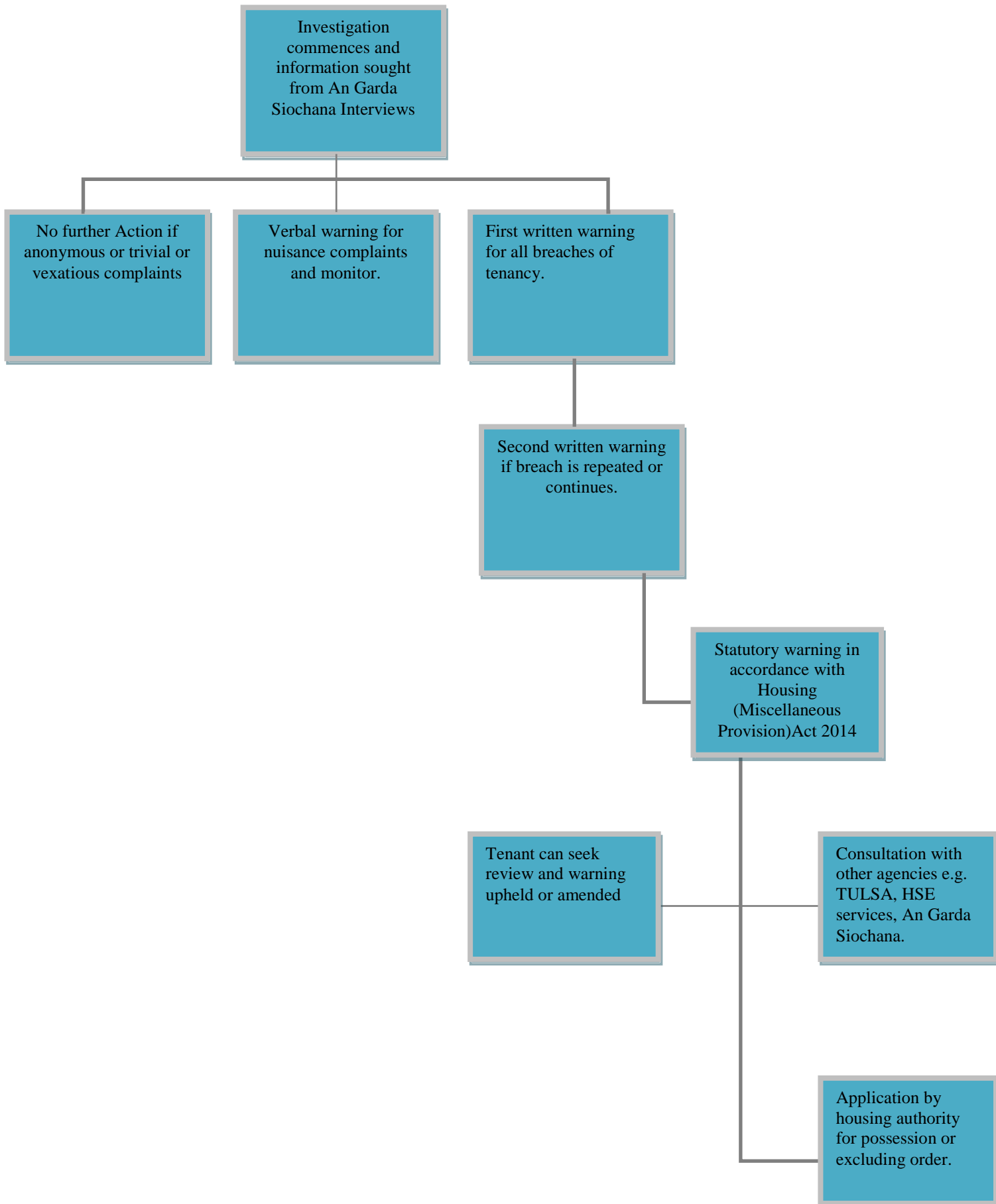
Procedure relating to repossession.

The HSE, Tusla (where appropriate) and An Garda Siochana will be advised. The Housing Investigation Officer /Authorized Person liaise with the appropriate authorised person and An Garda Siochana to arrange a date and time for the repossession and the tenant will be notified. Once the eviction is carried out the dwelling will be boarded up immediately. Please note a housing authority cannot provide social housing support where a tenant or household member breached the term of the tenancy agreement and as a consequence the housing authority terminated the tenancy agreement (Social Housing Assessment Regulations 2011). Homeless services cannot be provided because the person(s) had accommodation to occupy and could have reasonable remained in occupation.

6.4.11 Transfer on the grounds of good estate management

Under housing regulations, transfer applications will be refused if the applicant has a history of anti – social behaviour.

Anti Social Behaviour Investigation and Action Procedural Charts



Section 7.0 Confidentiality

The Council will fully comply with the provisions of the Freedom of Information Acts, 1997-2003. Information given to the Authority by persons complaining of Anti-social behaviour is protected by Section 23 (a) and Section 26 of the 1997 Act.

Section 23 provides, inter alia, that a request for information may be refused if access to the record could reasonably be expected to:-

- (a) Prejudice or impair
 - (i) the prevention, detection or investigation of offences, the apprehension or prosecution of offenders, or the effectiveness of lawful methods, systems, plans or procedures employed for the purposes of the matters aforesaid.*
 - (ii) the enforcement of compliance with or administration of any law.*
 - (iii) lawful methods, systems, plans or procedures for ensuring the safety of the public and the safety of persons and property**
- (b) reveal or lead to the revelation of the identity of a person who has given information to a public body in confidence in relation to the enforcement or administration of the civil law or any other source of such information given in confidence*

Section 26 provides that a request for information shall be refused if:

- (a) the record concerned contains information given to the public body concerned in confidence and on the understanding that it would be treated by it as confidential (including such information as aforesaid that a person was required by law, or could have been required by the body pursuant to law, to give to the body) and, in the opinion of the head, its disclosure would be likely to prejudice the giving to the body of further similar information from the same person or other persons and it is of importance to the body that such further similar information as aforesaid should continue to be given to the body.*

Section 8.0 Health and Safety of Staff

Meath County Council will not tolerate any assaults, threats, intimidation, obstruction, harassment or interference with its employees who are involved in the implementation of this policy in accordance with the provisions of the Housing Acts 1966 – 2014 and will take legal proceedings against any person engaged in such activity.

Section 9.0 Appeals Procedure

An Appeals / Authorised Officer will review the complaint & investigation files of a complainant and / or a respondent if he / she are not satisfied with the results of any investigation or by the work and procedures of the Housing Investigation Officer.

Statutory warnings can be reviewed within 10 working days of the date of the letter. The appeal must be in writing and set out in full the grounds of the appeal with 10 working days (Section 10 of the Housing (Miscellaneous Provisions) Act 2014).

Staff are trained in the principles of good customer care and housing staff make every effort to conduct their duties to the highest standard and best practice.

Any complaints / appeals can be addressed to:
The Appeals Officer
Corporate Services
Meath County Council,
County Hall,
Navan
Co. Meath.

The Council's complaints and appeals procedures described above do not affect a person's right to have his/her complaint reviewed by the Office of the Ombudsman.

The Ombudsman can be contacted at:-
18 Lr. Leeson St., Dublin 2.
Tel: 01 6395600
E-mail: ombudsman@ombudsman.gov.ie

Comhairle Chontae na Mí

Halla an Chontae, An Uaimh, Co. na Mí, C15 AW81

Fón: 046 – 9097000/Fax: 046 – 9097001

R-phost: customerservice@meathcoco.ie

Web: www.meath.ie



Meath County Council

County Hall, Navan, Co. Meath, C15 AW81

Tel: 046 – 9097000/Fax: 046 – 9097001

E-mail: customerservice@meathcoco.ie

Web: www.meath.ie

Appendix A

Housing Department

Housing Investigation Incident Report

Your Name & Address:

Contact Number:

Meath County Council can investigate the conduct of council tenants, members of tenants' households and guests at Council tenants' houses which are causing a nuisance to neighbours.

Important

Please identify the person/s and anyone else was involved and if these person/s reside in a house /apartment rented from Meath County Council?

If the person is under 18 years of age, can you identify the parents/guardian and their address.

If you only know them by nickname and cannot confirm their full name please include the nickname

Address is required to confirm that the house is rented from Meath County Council:

When did the incident happen?

Date of incident (if overnight write both dates – e.g. 12/13 March2000)

Time of incident – please state am or pm

Day.....Month.....Year.....

Time Incident Started:.....Finished.....

Where did it happen?

Put the address where the incident happened – not your own address - unless it is the same

Council House/flat number Road /Estate.....

Note if it happened outside or inside the house or flat /apartment.....

What happened?

Please give a description of the incident, be it an assault ,verbal abuse using foul language, damage to property etc

Further Information:

Has this behaviour occurred before and can you include details?

Any witnesses or any evidence.

Did anyone else see or hear the incident. Put their name (s) and address (s). Please request them to complete a report also

.....
.....

**Have you reported it to An Garda Síochána? If so, note the date, the Garda’s name and/or the Garda Station.
NOTE: Meath County Council’s role is to investigate *breaches of tenancy*.
This function does not replace the functions of An Garda Síochána.**

Date Reported **Name of Garda**.....

Garda Station.....

Signature & Declaration

“I believe that the information I have given above is a true description”

Signed:

Print name:

Date:

Information is given in confidence and treated as such.

Appendix B – First Notice of Breach of Tenancy (Sample)

Tenant Name

Address

Address

Address

Date

Re: First Notice of Breach of Tenancy in relation to Section D of your Tenancy Agreement

Dear Tenant name

There have been complaints about anti – social behaviour emanating from the above property, and following an investigation of same you are found to be in breach of Section D of your Tenancy Agreement. Section D states the following:

“Neither the tenant nor any member of his/her household or any household or any subtenant or visitor shall cause or be guilty of or permit any conduct likely to cause annoyance or disturbance to any neighbours, their children or visitors or any Council staff or engage in antisocial behaviour and in this regard the following provision shall apply:

- (a) The term “neighbours” in this Agreement mean persons living or working in the vicinity of the Tenant’s dwelling.
- (b) The term anti social behaviour shall have the meaning conferred by the Housing (Miscellaneous Provisions) Act 2014.
- (c) For the purposes of this Agreement, the phrase “nuisance, annoyance or disturbance” shall include the use by the Tenant of the dwelling for commission of a criminal offence and without prejudice to the generality of this expression shall include 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) obstruction of any of the common areas, doorways and other exits and entrances in the block and in the estate,
 - (v) make an unreasonably loud noise by shouting, screaming, playing any musical instrument 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. For the purpose of this tenancy agreement Mr(s) is prohibited from entering the dwelling nor any part thereof and take note, the Council hereby notifies you the Tenant of same.

- (viii) Where a tenant is deemed 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 surrendered 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.
- (x) The Council also reserves the right to instruct the Tenant in the future on certain person(s) who may or may not remain in any part of the dwelling or garden.

It should also be noted that a Tenant evicted for breach of this condition or part of it will be deemed for the purpose of rehousing to have deliberately rendered himself homeless within the meaning of Section II (2) (b) of the Housing Act 1988.

Yours Sincerely

Mary Carey
Housing Investigation Officer
Meath County Council

Appendix C - Second Notice of Breach of Tenancy (Sample)

Tenant Name

Address

Address

Address

Date

Re: Second Notice of Breach of Tenancy in relation to Section D of your Tenancy Agreement

Dear Tenant name

I refer to the above and also to the first notice of breach of tenancy issued to you on DATE in relation same. There have been more complaints regarding anti – social behaviour emanating from the above property, and following an investigation of same you are found to be in breach of Section D of your Tenancy Agreement. Section D states the following:

“Neither the tenant nor any member of his/her household or any household or any subtenant or visitor shall cause or be guilty of or permit any conduct likely to cause annoyance or disturbance to any neighbours, their children or visitors or any Council staff or engage in antisocial behaviour and in this regard the following provision shall apply:

- (d) The term “neighbours” in this Agreement mean persons living or working in the vicinity of the Tenant’s dwelling.
- (e) The term anti social behaviour shall have the meaning conferred by the Housing (Miscellaneous Provisions) Act 2014.
- (f) For the purposes of this Agreement, the phrase “nuisance, annoyance or disturbance” shall include the use by the Tenant of the dwelling for commission of a criminal offence and without prejudice to the generality of this expression shall include 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) obstruction of any of the common areas, doorways and other exits and entrances in the block and in the estate,
 - (v) make an unreasonably loud noise by shouting, screaming, playing any musical instrument 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. For the purpose of this tenancy agreement Mr(s) is prohibited from entering the dwelling nor any part thereof and take note, the Council hereby notifies you the Tenant of same.

- (viii) Where a tenant is deemed 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 surrendered 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.
- (x) The Council also reserves the right to instruct the Tenant in the future on certain person(s) who may or may not remain in any part of the dwelling or garden.

It should also be noted that a Tenant evicted for breach of this condition or part of it will be deemed for the purpose of rehousing to have deliberately rendered himself homeless within the meaning of Section II (2) (b) of the Housing Act 1988.

Yours Sincerely

Mary Carey
Housing Investigation Officer
Meath County Council

Appendix D - Statutory Warning Notice

STATUTORY NOTICE

**Tenant Name,
Tenant Address,
County Meath.**

Date:

**Re.: Statutory Warning Notice in respect of Anti-Social Behaviour S7 Housing
(Miscellaneous Provisions) Act 2014**

Dear **Sir/ Madam,**

I refer to the above.

Please note this is a tenancy **Warning Notice** issued pursuant to Section 7 of the Housing (Miscellaneous Provisions) Act 2014. We advise that you read this letter carefully as failure to comply with the within warning could have serious consequences.

When you signed your Tenancy Agreement with Meath County Council (hereafter “the Council”) on the */*/*, (signed copy of same enclosed herewith) you undertook to adhere to the conditions therein, including the social behaviour conditions set out in Section d of the Tenancy Agreement. In particular you agreed to refrain from:

- Engaging in anti-social activity or behaviour;
- Causing nuisance or engaging in conduct likely to cause annoyance or disturbance to neighbours;
- Allowing other occupiers of, or visitors to, the above dwelling to behave within it, or in its vicinity, in a way that is anti-social or to cause a nuisance.

It has come to the Council’s attention that you (*or a member of your household or a visitor*) has breached a condition set out in Section C of the Tenancy Agreement as follows:

identify the precise term or terms breached, the nature of that breach, including the name of the household member (if that name is readily available to the housing authority) who caused that breach, the occasion and dates of the breach and, where relevant, the significant or persistent detrimental effect of the breach on the quality of life of those in the locality of the dwelling to which the Tenancy Agreement relates.

You are required to cease this breach of the Tenancy Agreement (*or to undertake such specified actions*) with immediate effect in order to prevent any further detrimental effects of the breach from occurring (*or if a household member or visitor has caused the breach to ensure that he or she ceases it with immediate effect*).

If the breach continues during, or is repeated within 12 (twelve) months of this tenancy warning letter coming into effect, the Council may either:

- i. apply under Section 12 of the Housing (Miscellaneous Provisions) Act 2014 to recover possession of the dwelling, or
- ii. apply to the District Court for an excluding order against the household member who caused or is causing the breach referred to above.

Further note that the Council may during the period of 3 (three) years following a tenancy warning coming into effect, take the tenancy warning into account when considering whether:

- i. to consent, under subsection (12) of section 90 of the Housing Act 1996, to a sale of a dwelling to the person identified in the tenancy warning as causing the breach of the specified term, where the grounds for refusal would be those set out in subparagraph (a)(ii) of that subsection,
- ii. to consent, under subsection (3) of section 48 of the Housing (Miscellaneous Provisions) Act 2009, to a sale, during the charged period, of a dwelling to the person identified in the tenancy warning as causing the breach of the specified term, where the grounds for refusal would be those set out in paragraph (b) of that subsection,
- iii. to consent, under subsection (4) of section 76 of the Act of the Housing (Miscellaneous Provisions) Act 2009, to a sale, during the charged period, of a dwelling to the person identified in the tenancy warning as causing the breach of the specified term or specified terms, where the grounds for refusal would be those set out in paragraph (b) of that subsection,
- iv. to consent, under subsection (3) of section 29 of the Housing (Miscellaneous Provisions) Act 2014, to a sale, during the charged period, of a house to the person identified in the tenancy warning as causing the breach of the specified term or specified terms, where the grounds for refusal would be those set out in paragraph (b) of that subsection,
- v. to refuse, under section 14(2) of the Housing (Miscellaneous Provisions) Act 1997, to sell a dwelling to—

1. the tenant (within the meaning of Part 4 of the Housing [Miscellaneous Provisions] Act 2009 or to whom Part 3 applies) concerned,
2. the eligible household (within the meaning of Part 3 or 5 of the Housing [Miscellaneous Provisions] Act 2009 concerned, or
3. the person concerned (in a case to which section 90 of the Housing Act 1966 relates),

or

- vi. to refuse, under section 14(1) of the Housing (Miscellaneous Provisions) Act 1997, to allocate a dwelling, or to defer the allocation of it, to the tenant or to the household member identified in the tenancy warning as causing the breach of the specified term.

Should you not agree that a breach of your Tenancy Agreement has occurred in the terms set out in this letter, you may request a review of this tenancy warning pursuant to Section 10 of the Housing (Miscellaneous Provisions) Act 2014. The request for a

review must be in writing and must be received by the Council within 10 working days from the issuing of this tenancy warning. You may contact The Appeals Officer, Corporate Services, Meath County Council should you wish to avail of this right.

Yours faithfully

**Housing Investigation Officer
Meath County Council**

Appendix E: Noise Complaint Form

DEPARTMENT OF ENVIRONMENT

Environmental Protection Agency Act, 1992

Notice pursuant to Section 108(3) of the Environmental Protections Agency Act, 1992 of intention to make a complaint to the District Court in relation to noise giving reasonable cause for annoyance

Complainant _____

Of _____

Defendant _____

Of _____

WHEREAS the above named complainant alleges that the above named defendant is the person / body making noise, causing or responsible for the following noise, namely, _____

At _____ in District Court district No _____ and

District Court area of _____ noise is so loud / so continuous / so repeated of such duration or pitch / occurring at such times as to give reasonable cause for annoyance to

- The Complainant,
- A person in any premises in the neighbourhood
- A person lawfully using a public place,

Notice is hereby given to the defendant that the complainant intends to make a complaint pursuant to section 108 (1) of the above Act to a sitting of the District for the said court area and district to be held at _____ on the _____ day of _____ 20_____ at _____ am/ pm being a date not earlier than 7 days from the day of this notice , and to seek an order pursuant to that section in relation to the said noise.

Date the _____ day of _____ 20_____ Signed _____

To _____ of _____ the above named defendant.

Appendix F: Complaint form for nuisance caused by dogs

CONTROL OF DOGS ACT, 1986

Section 25

ORDER IN RELATION TO EXCESSIVE BARKING BY A DOG

District Court Area of District No.

..... ofComplaint

and

..... of.....Defendant

UPON HEARING A COMPLAINT made to this Court to-day by the above-named complainant in respect of a nuisance alleged to have been caused on the day(s) of 19 by the excessive barking of a dog kept in the premises atin the court *(area and) district aforesaid,

THE COURT being satisfied

1. that the defendant is the occupier of the said

premises, and

2. that the complainant duly served upon the defendant the prescribed notice as required by section 25 (2) of the Act, and it appearing to the Court that a nuisance has been created as a result of excessive barking by the said dog,

HEREBY ORDERS *(the defendant to abate the nuisance by exercising due control over the dog.)

*(that during the period from to the number of dogs to be kept by the defendant on the said premises shall be limited to)

*(AND DIRECTS that the said dog he delivered to of a dog warden, to be dealt with by him/her in accordance with the provisions of the above Act as if the dog were an unwanted dog.)

Dated this day of 19 .

Signed

Judge of the District Court

All Acts & regulations references in this strategy can be viewed or downloaded from: www.irishstatutebook.ie