



Comhairle Contae Thiobraid Árann  
Tipperary County Council



Tipperary County Council

Antisocial Behaviour Strategy 2016

# Introduction

Tipperary 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 Strategy on Anti-Social Behaviour outlines the Council's

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

## **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 Tipperary 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*.

## **1. 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 Síochána, 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

## **2. Strategies for Preventing and Combating Antisocial Behaviour**

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

- (a) Dwellings let under the Housing Acts 1966 to 2014;
- (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.

### **3. Preventing Anti-Social Behaviour**

- The 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 local authorities 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*.
- The Community 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:-
  - Dealing with Anti-Social behavioural Issues, which involves identifying problem families, meeting with resident groups in assisting in a solution, setting up interagency meetings in dealing with Anti-Social behaviour
  - Facilitating and establishment of new residents associations, including the support and development of estate management residential networks
  - Managing and implementing tenant training courses
  - 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 Home Life Skills)
- 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. 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, Tipperary County Council acknowledges and values the input of other organisations and groups that may be consulted in particular instances. These include:
  - Voluntary Bodies
  - Residents Associations/Community Groups
  - 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.

## **Procedures for dealing with complaints:**

### **Recording a Complaint:**

- Tipperary 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 will not be investigated by the Council.

### **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.

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 Community Liaison Officer to engage the person(s), the subject of the complaint (i.e. Respondent) to deal with the issues under the terms of the Council's Second Chance Programme. 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.

### **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 with the Health Service Executive and An Garda Síochána with regard to its intention to bring such an application.

The Council will also notify the Health Service Executive and An Garda Síochána of the outcome of any court proceedings under the *Housing (Miscellaneous Provisions) Acts 2009-2014*.

### **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 - 2014* 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.

*A similar approach will be adopted by the relevant landlord to deal with tenants engaging in antisocial behaviour who are accommodated under the Rental Accommodation Scheme or Long term Leasing Initiative, using the provisions of the Residential Tenancies Act, 2004.*



Tipperary 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 to 2014 and will institute legal proceedings against any person(s) engaged in such activity.

## **Appendix A**

- NOTE 1:** 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.
- NOTE 2:** 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).
- NOTE 3:** Where there is a serious criminal investigation ongoing the application will be deferred for an appropriate period or pending the outcome of any investigation.
- NOTE 4:** 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 the conditions set out for them, under the terms of the Councils **Second Chance Programme** – Appendix B

## Appendix B: The Second Chance Programme

Where, during the investigation of an application for housing support, it comes to the attention of the Council that the applicant, *or a person associated with the applicant household and who forms part of the housing application*, is or was involved in anti-social behaviour, the application will be deferred until the Council is satisfied that the person has engaged successfully with the Council's requirements/conditions specifically tailored to the applicant's circumstances, under the terms of the Councils **"Second Chance Programme."**

- On initial efforts failing to resolve anti-social behaviour on the part of the tenant, or the housing applicant(s) present with a background of anti-social problems, s/he will be required to engage in the Second Chance Programme.
- The client *[or parent(s) where applicable]* will meet with the Community Liaison Officer to discuss the issues and possible supports to address same.
- The client will be asked for permission to make contact on his/her behalf with the appropriate agencies to proceed with meeting(s) and agreed programme as appropriate. *In some cases this may not necessitate a meeting of the agencies as the programme can be agreed outside of such forum*
- Appropriate time will be allowed for this initiative to proceed and take effect realising different cases warrant different outcomes; the team working on the case will decide and a suitable time frame (to be recorded) allowing for necessary reviews to enable such outcome. In cases that do not warrant a team meeting of the agencies this timeframe will be decided by housing management.
- The Community Liaison Officer will monitor each case on an ongoing basis and will keep the Housing Officer informed. The Community Liaison Officer will also report back to the Second Chance Programme Team at agreed meetings.
- Adequate time as recommended by the programme is designed to engage all necessary members of the family. Allowances will be made for tenant(s) whose offending son/daughter is/are not co-operating despite the tenant(s) being on board with the process. The Community Liaison Officer will continue efforts to encourage tenants who are refusing to come on board to engage in the process.
- It is the aim of the Housing Section to give the person/s against whom the complaint is being made every opportunity to address issues.
- On the failure of above measures, or on the refusal of the respondent to comply and engage in any of such efforts, the procedure of warnings will commence.
- A letter will issue inviting the tenant to attend interview.

- If the tenant fails to keep an appointment, a second written request will be issued. If no contact is made to make an appointment within 14 days of being requested to do so, or failing to keep appointment on foot of second request, within 7 days of that second request, a final letter will issue and the tenant will be warned that failure to present for interview in respect of the complaint may result in eviction if investigation substantiates the complaint with or without their input.
- At the interview, the tenant will be informed of the complaint and advised that the complaint is under investigation. The person should be given a verbal warning. It is essential that interview notes are kept and should include notes on the general content of the interview and most importantly record agreements reached as to future conduct. The tenant will be encouraged to engage for the first time or re-engage with the programme of social supports, which ever the case may be. If further complaints are received and the tenant refuses to comply with proposals of supports to help them address the behaviour, the tenant is cautioned that eviction process may take place.
- In some cases after the initial interview and a verbal warning, the tenant will cease the anti-social behaviour and there will be no need for any further action.

## Appendix C: The Deferral Matrix

The deferral matrix requires the housing authority to take all available information - including Garda checks under Section 15 of the *Housing (Miscellaneous Provisions) Act, 1997*, information arising from housing assessments, information from any relevant supports (addiction counsellors, social workers, SIMON etc.) - for each applicant known to have engaged in anti-social behaviour. Then, based on the available information, the applicant will be scored under the following six headings. Based on the total score a decision will be made to approve, defer or refuse an application for housing support.

<b>1. Undermining of Policy</b>	<b>(0-5)</b>
<b>2. Seriousness of Offence(s)</b>	<b>(0-5)</b>
<b>3. Timeliness (old\recent)</b>	<b>(0-5)</b>
<b>4. Remorse\rehabilitation\risk\recidivist</b>	<b>(0-5)</b>
<b>5. Capability of independent living</b>	<b>(0-5)</b>
<b>6. Interest of Good estate management</b>	<b>(0-5)</b>

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

### What is the rationale behind the six headings?

#### 1. Undermining Policy

##### Examples

- a. Misleading information deliberately provided on application or to housing assessment officer during court of assessment
- b. Previous tenancy having been terminated by this Council or other Councils.

#### 2. Seriousness of Offence

##### Examples

- a. Driving without tax etc., would not be considered.
- b. Minor cautions would be at the very low end of the scale.
- c. Section 3 Misuse of Drugs Act, would be considered low/middle scale
- d. Section 15 Misuse of Drugs Act, possession/sale of drugs would be middle of the scale
- e. Section 15a Supply with intent would be at the high end.
- f. Repeated public order offences would be at the higher end of the scale.
- g. Assault would be middle to high, depending on the details.
- h. Possession of a firearm would warrant a high rating.

### 3. Timeliness

#### Examples

- a. Offence occurred within the past two/three years, and is habitual, this would be at the high end of the scale
- b. Offence occurred 10 years ago or more, this would be at the bottom of the scale.
- c. Offence was an isolated incident from a number of years earlier, this would be at the bottom of the scale

### 4. Remorse\Rehabilitation\ Risk\ Recidivist

#### Examples

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

### 5. Capability of Independent living

#### Examples

- a. If the applicant had sustained long tenancies with good references from his/her landlord this person would be at the low end of the scale on this category.
- b. If the applicant had presented as homeless, refused to link in with supports etc, this person would score high in this category.

### 6. Interest of Good estate management

#### Examples

- a. If the applicant has a history of dealing drugs from home or intimidating people in the locality of his home etc., this person would come at the high end of the scale.
- b. A person who has ties in the estate and whom it may be evident that a potential feud may occur if appointed would score high at this end of the scale.

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

Scoring	Action/Decision
0 – 13	⇒ Approve for tenancy
13 – 18	⇒ Consider appointment with further supports ⇒ Or consider DEFERRAL pending the applicant satisfying certain conditions ⇒ Or consider appointment being CONDITIONAL on a certain person not residing with the household or being within the vicinity of the property
18 – 25	⇒ Consider DEFERRAL (suggested) for a number of years AND evidence of no recurrence of offending
25 - 30	⇒ Consider REFUSAL or very long term deferral

## Appendix D: Written Warning

<Customer No/Property ID>

<DATE>

<Name of Tenant>

<Address 1>,  
<Address 1>,  
<Address 3>,  
Co. Tipperary.

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 E (i) : Section 7 Tenancy Warning – Cover Letter

<File Ref>

<DATE>

<Name of Tenant>

<Address 1>,  
<Address 1>,  
<Address 3>,  
Co. Tipperary.

Re: **Breach of Tenancy – Allegations of Antisocial 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 antisocial 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 E (ii): Section 7 Tenancy Warning

<Name of Tenant>  
<Address1>,  
<Address 2>,  
<Address3>,  
Co. Tipperary.

### TENANCY WARNING

#### Section 7 of the Housing (Miscellaneous Provisions) Act 2014

**Whereas** by Tenancy Agreement dated the <DATE> (*hereinafter called “the Agreement”*) Tipperary County Council (*hereinafter called “The Council”*) let the property commonly known as <Address, County Tipperary> (*hereinafter called “the Property”*) to <NAME OF TENANT> (*hereinafter called “the 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 E (iii): Warning Notice – Rental Accommodation Scheme

Ref:

Date:

M

Address1

Address2

Address3

County Tipperary.

**RE:           WARNING NOTICE – Tenancy provided under Rental Tenancies Act, 2004  
                  at <Address>, County Tipperary.**

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.***



**Comhairle Contae Thiobraid Árann**  
Tipperary County Council

Tipperary  
County Council,  
Civic Offices,  
Limerick Road,  
Nenagh,  
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