

Tenancy Conditions and Enforcement Policy

If you have been offered a tenancy you will be asked to sign an agreement before you become a tenant.

The Tenancy Agreement is a legal contract between Bassetlaw District Council and you, the tenant. The contract includes a wide range of matters, for example, the maintenance of your home and garden, consent for alterations, payment of rent, use of the property, and behaviour likely to cause a nuisance. All tenants were consulted on the content of the Agreement.

A copy of the Tenancy Agreement is given to all new tenants at the start of their tenancy and you can get a copy from any housing office. The Housing Management Officer will explain the conditions but it is advisable to put a few minutes to one side to read through them more thoroughly.

Do you have to abide by these tenancy conditions?

Yes. You must comply with these conditions. From time to time the Council may amend and up-date them, for example, to improve power to curb anti-social behaviour. You will be informed by letter of any new conditions following consultation.

Are there any specific conditions relating to nuisance?

Yes, section 9 of your tenancy agreement has all the details in full.

The tenancy conditions say you must not commit anti-social behaviour or allow anyone in your household or visitors to your home to commit anti-social behaviour in the local area. Also, you must not allow any use of the property for immoral or illegal purposes.

How do we enforce the tenancy conditions?

Most tenants abide by their tenancy conditions but there is a small minority who do not. There is no point in having rules if they can't be enforced. We therefore have a very comprehensive enforcement policy, which has been designed to apply to those conditions, which can affect a neighbour's peace or enjoyment of their home. For example, you may find you are in breach of your tenancy conditions if you

- misuse your premises
- cause a nuisance
- don't keep the garden tidy
- keep animals other than those mentioned in your tenancy agreement

What will we do if you have broken the tenancy conditions?

A Housing Management Officer will investigate the problem and will then decide what action is needed. It may be very obvious a tenancy condition has been broken. For example, you may have made alterations to your home without asking us for permission. There may be times when an investigation may take longer. For example, if you or anyone else in your home makes a lot of noise, it can take time to gather evidence before we can be sure the tenancy conditions have been broken.

Once we are sure you have broken the tenancy conditions we have the power to use our “traffic light system”.

Stage One – The Yellow Warning

This is a formal notification to let you know you are breaking your tenancy conditions. We will tell you how we came to this decision and what you must do to make things right. The yellow warning will stay on your file for one year and if you continue to repeat the offences, the next stage will be activated.

Stage Two – The Orange Warning

You may be served this if you do not comply with the yellow warning or the incident is more serious in nature. The orange warning will remain on your file for two years.

Stage Three – The Red Warning

This is the final stage in the “traffic light system” and the first stage of eviction proceedings. If you receive a red warning your name may be passed to our solicitors for possession proceedings. The red warning will remain on your file for three years. A red warning will also be issued if you have been convicted of using your home or allowed it to be used in connection with drug dealing or other illegal purposes. May we bypass the lesser warnings and go straight to a red warning if the breach is serious enough.

What can you do if you disagree with a warning?

You have the right to appeal. Details of this procedure are given on the back of the warning notice.

Behaviour Contracts

If you accept responsibility for a tenancy breach on a Yellow or Orange Warning Notice, and undertake to put matters right and not re-offend then a Behaviour Contract can be put in place for 9 months (Yellow) or 21 months (Orange). This will automatically be set aside if the breach happens again. Further actions can then be taken in accordance with the anti-social behaviour policy.