

# Anti-social and nuisance behaviour by tenants



## About this leaflet

This leaflet explains:

- what anti-social behaviour is;
- what nuisance behaviour is;
- what will happen to your tenancy if you, a member of your household, or a visitor engages in either or both of these behaviours; and
- how to complain if you experience these behaviours.

## How might anti-social or nuisance behaviour affect my tenancy?

Your tenancy agreement is a legal contract between you (the tenant) and us, Dún Laoghaire-Rathdown County Council (the landlord). It includes rules relating to anti-social behaviour and nuisance behaviour which you must follow. If you break these rules, you could lose your home and become homeless.

If you are evicted for anti-social or nuisance behaviour, you can be refused housing in the future.

## Does this apply to all council tenancies?

Yes. There may be some minor differences depending on the property you live in. For example, there are specific rules for developments with shared communal spaces that do not apply to standard council housing.

## What is anti-social behaviour?

This is serious or persistent behaviour which includes:

- drug-dealing;
- distributing drugs;
- possessing drugs with intent to supply;
- growing cannabis;
- using council homes for any of the above;
- violence, harassment and intimidation of anyone in your estate;
- threatening to assault, kill or commit arson; and
- criminal damage.

If you take part in these or other anti-social behaviour, you are in breach of your tenancy agreement. This means you are not following its rules.

## **What is nuisance behaviour?**

This is behaviour that is not as serious or persistent as anti-social behaviour but is still a breach of your tenancy agreement. This means you have broken the rules of your tenancy agreement.

Examples of nuisance behaviour include:

- making unreasonable noise;
- obstructing a driveway;
- trespassing;
- parking disputes; and
- boundary disputes.

## **What is the difference between nuisance behaviour and anti-social behaviour?**

Nuisance behaviour is behaviour, which is not as serious or significant as anti-social behaviour. It can develop into anti-social behaviour if the nuisance behaviour persists, but it is still a minor breach of the tenancy agreement.

Anti-social behaviour is generally very serious. It is defined in law and is a serious breach of the tenancy agreement.

## **How does the council deal with this behaviour?**

We have a policy that outlines how we deal with nuisance and anti-social behaviour. Our response must be reasonable and in proportion to the level and extent of the behaviour. When we get a complaint of anti-social or nuisance behaviour, we usually first speak with the people involved. If the behaviour doesn't stop, our response goes through the stages outlined below.

## **To people who suffer from these behaviours, we:**

### **Give advice**

We can give advice to people when they report nuisance or anti-social behaviour.

## To people who engage in these behaviours we do the following:

### Give a verbal warning

This is a warning to stop the nuisance or anti-social behaviour. When we give you a verbal warning, we record it on your tenancy file.

### Issue a tenancy notification

This is a written warning to you to stop the nuisance or anti-social behaviour.

### Issue a tenancy warning

This is a legal written warning asking you to stop the nuisance or anti-social behaviour immediately. If the behaviour repeats within 12 months, we can begin the process to evict you.

### Issue a possession order

This is commonly known as an eviction order and is granted by the District Court. It gives us the power to remove you from your home and to take back possession of the property.

### Issue an excluding order

This is a court order to stop you entering a house or an entire estate for anti-social behaviour.

We do not always follow this order of stages when we issue warnings. In very serious cases, we can apply to the District Court for a possession order or excluding order without giving you either a verbal or a written warning first.

## How do I make a complaint?

To complain about nuisance or anti-social behaviour, you can do one of the following:

- write to the Tenancy Management Section, Dún Laoghaire-Rathdown County Council, Marine Road, Dún Laoghaire, Co. Dublin;
- phone our Tenancy Management Section on (01) 204 7258;
- email [tenancymanagement@dlrcoco.ie](mailto:tenancymanagement@dlrcoco.ie);
- complete the complaints form on [www.dlrcoco.ie](http://www.dlrcoco.ie);
- visit the housing counter at Dún Laoghaire-Rathdown County Council, Marine Road, Dún Laoghaire, Co. Dublin.

## Will my complaint be kept confidential?

We will do our best to keep your details private, but some complaints are very specific and impossible to keep confidential. In these cases, we will tell you who we told about your complaint – and why.