



## Women's Pioneer Housing

Title	Evictions Policy
Issue date	30 July 2019
Effective date	Immediate
Document owner	Jess Page
Post of document owner	Director of Housing
Date approved by SMT	
Date approved by board	July 2019
Version number	1
Date of next review	July 2021
Related corporate policy objectives	Corporate policy objectives 1, 2 and 4

### 1. Introduction

- 1.1 Our approach is to help tenants to sustain tenancies and to avoid eviction wherever possible.
- 1.2 We will always view eviction of our tenants as a last resort and only relevant where it is proportionate to the breach of tenancy or where the tenancy has come to the end of its term and is not be renewed.
- 1.3 Tenants have a responsibility to actively manage their tenancy to prevent the need for possession proceedings including paying the rent, not using the home for illegal or immoral purposes, respecting neighbours and the neighbourhood.

### 2. Purpose

- 2.1 This policy sets our approach to evictions. We define an eviction as 'a tenancy brought to an end by a court order and the subsequent execution of a bailiff's warrant'.

### **3. Our Policy**

#### **3.1 We will:**

- i. seek to sustain tenancies through other management remedies where appropriate for example through repayment plans, support from the Financial Inclusion Officer, debt advice partners or others.
- ii. take into account any vulnerabilities or disadvantage and give appropriate support, including involving the Housing Inclusion Manager and external support agencies where appropriate
- iii. comply with requirements of the Equalities Act 2010
- iv. provide early intervention to try to prevent eviction, for example conducting affordability checks at sign up, completing comprehensive repayment plans in agreement with residents and utilising the predictive Rent Sense system.
- v. work with other agencies where relevant such as Social Services or debt advice agencies
- vi. apply policies and procedures in a consistent way, including the Rent Arrears Policy and Anti-Social Behaviour Policy.
- vii. comply with pre-Court action protocol for possession claims by social landlords as per the Rent Arrears Policy
- viii. protect the wellbeing and interests of occupiers and other residents in the community
- ix. protect the assets and income of Women's Pioneer Housing and its subsidiary.

#### **3.2 Most evictions occur when we have pursued possession proceedings on grounds of rent arrears and been granted a possession order by the Court. However, we may evict people who have broken other terms of agreement, for example:**

- using the home for illegal or immoral purposes
- anti-social behaviour including by other occupants and visitors
- We may also seek to evict a tenant or other occupant where a superior landlord requires Women's Pioneer to return vacant possession at the end of a lease, where we have decided to end a starter or not issue a further fixed term tenancy or where we need to end an assured shorthold tenancy.

#### **3.3 In cases such as these we will act in accordance with such steps from i to ix above as are appropriate.**

#### **3.4 Approval to apply for a warrant of eviction can only be given by the CEO or other senior manager on the recommendation of the Director of Housing.**

## Protections for tenants

- 3.5 Tenants can access free legal advice, including seeing the duty solicitor at Court. We will advise tenants that they can seek legal advice via Citizens Advice Bureaux and law centres. In the case of evictions for breaches of tenancy other than for arrears, we will inform tenants of what they can do to remedy the breach and avoid eviction.
- 3.6 Policies and procedures related to tenancy breaches and housing management outline our commitment to support tenants to sustain their tenancies. This includes accessing advice from our Financial Inclusion Officer as well as signposting to partner agencies who specialise in support and debt advice.

## 4. Governance

- 4.1 The WPH Board and Chief Executive have overall responsibility for the implementation of this policy and compliance with the relevant legislation.
- 4.2 Delegated authority for evictions is as follows and as stated in supporting policies such as the Rent Arrears Policy and Anti-Social Behaviour Policy.

Action	Authorising Manager
Serving a NOSP	Housing Manager
Applying for possession	Director of Housing
Applying for bailiff warrant (approving eviction)	CEO

- 4.3 All evictions are reported to the next Board. In future members will also receive an annual report on eviction activity.
- 4.4 The Director of Housing has responsibility for delivering WPH's housing management service and ensuring policies and procedures related to this area are complied with.

## 5. Equality and diversity

- 5.1 WPH will ensure that this policy is applied fairly and consistently. We will not directly or indirectly discriminate against any person or group of people in line with our Equality and Diversity Policy. We will act sensitively towards the diverse needs of individuals and communities and will take positive action or make reasonable adjustments where appropriate.