



Comhairle Cathrach na Gaillimhe  
Galway City Council

Anti-Social Behaviour

Housing Strategic Policy Committee, 25<sup>th</sup> February 2022

## Galway City Council Housing Tenants

2,400 tenancies in 170+ estates



### Tenancy Agreement

- Legal contract between the local authority and the tenant(s)

### Tenant Handbook

- Flow of information between the local authority and the tenant. Updated in 2021

### Local Policy

- Estate Management Strategy 2019-2023
- Anti-Social Behaviour Strategy 2017

### Legislation

- Housing (Miscellaneous Provisions) Act 2014
- Constitutional Law & Human Rights Legislation

## Dealing with complaints

- Varying levels of nuisance and anti-social behaviour
- Very different households and circumstances
- Housing Estate Liaison Officers, mediation, meetings, warning letters
- Liaison with other support agencies e.g. An Garda Síochána, Health Service Executive and TUSLA etc.
- Statutory tenancy warning
- Voluntary surrender of tenancy
- Involuntary termination of a tenancy

## **Local authorities can secure possession of their dwellings under the Housing (Miscellaneous Provisions) Act 2014 where:**

- **There has been a serious or repeated breach of a condition of the tenancy agreement, including non payment of rent**
- **The dwelling has been abandoned by the tenant**
- **There is no tenancy in the dwelling and the dwelling is occupied by a person without lawful authority**

## Breach of Tenancy

- Tenancy Warning under Section 7, 8 and 9
- Detailed information on the breach is required (including dates of specific incidences)
- Tenant has a right to appeal the Tenancy Warning, including an oral hearing
- If breach continues or is repeated within 12 months, can apply for a Possession Order under Section 12
- Council must set out the grounds for the application & evidence must meet the standard required by the courts
- Judge will make the decision to grant or refuse the Possession Order
- Can have a stay on the Order
- Exclusion Order may be granted for one individual and not the entire household

Galway City Council will instigate legal proceedings in cases of persistent and serious anti-social behaviour where there is clear evidence of a confirmed breach of tenancy.

## ASB Complaints and Actions Taken 2021:

**Number of complaints received** **461**

- **Number of complaints resolved** 329
- **Number of formal letters** 178
- **Number of Tenancy Notifications Issued** 19
- **No of Statutory Warnings issued** 13
- **No of Demands for Possession** 10
- **No of repossessions for anti-social behaviour** 3