**Eviction Procedure**

Evictions will generally be an act of last resort, taken when any other action would be inappropriate or when all efforts to tackle breaches of the tenancy/licence agreement have been exhausted.

However, there may be circumstances, for example extremely serious anti-social behaviour, a serious indictable offence being committed or using a property for illegal or immoral purposes when eviction may be considered the only appropriate action, and be sought at the outset.

Eviction is the recovery of occupied accommodation managed or leased by Broxbourne Council

**Key Points**

**Eviction will be considered and must be referred for consideration and authorisation to the relevant Senior Manager (see footnote) in the following circumstances:**

Where the occupier is a licensee and has breached the terms specified in the licence agreement as grounds for eviction

Evictions must be authorised by the appropriate Senior Manager

The Manager will review the case in detail to ensure that all appropriate actions have been carried out in line with Procedures and relevant legislation, including the Mental Capacities Act. Authorisation will be obtained using the organisational standard form Notification Of Eviction (Appendix 1),

Mr/s xxxxxxxxx

Room x

Xxxxxxxxxxxx

Xxxxxxxxxxxx

xxxxxxxxxxxx

Dear Mr/s xxxxxx

**Pre eviction notice**

I am serving you with a pre-eviction notice as you in breach of your licence agreement.

**Your current rent arrears amount to** **£xxxxxxxx as of xxxxxx**

The Council will terminate licence to occupy for the following reasons

1. persistent failure to pay charges
2. rent arrears amounting to **£xxxx as of (DATE)**

I have been trying to contact you regarding your current rent arrears but have been unsuccessful.

Due to the fact I haven’t been able to contact you, I have arranged an appointment for you.

You must respond to this letter by attending the Council offices at the 3rd floor at Bishop’s College, Churchgate, Cheshunt EN8 9XG on (DAY) (DATE) @ 0:00pm to discuss your rent account with an officer from the Hostel Team & an Officer from the HomelessTeam.

**The above appointment can be rescheduled if you are unable to make it. Please contact me on the number above to do this.**

If you fail to attend the appointment or respond to this letter you will be served a **notice to leave your temporary accommodation on (DAY) (DATE) @ (TIME)**

**If you are served an eviction notice, the Council will discharge homelessness duty to you. This means that The Council will no longer have a duty to provide accommodation for you.**

Yours sincerely,

Hostel and Temporary Accommodation Officer

**NOTIFICATION OF EVICTION**

**To**: Homeless Advise Team

**From**: Hostel Team

**DATE**:

**We are in the process of seeking eviction for the following property**

Tenants Name:

Address:

Other Household Members:

Level of Arrears:

**Please outline below a summary of the circumstances of the case and actions. Include a brief overview of any written correspondence, telephone and face-to-face discussions. The rent arrears state at £as at today’s date.**

|  |
| --- |
|  |

**Are there any special circumstances in respect of the tenant(s) or any household member’s vulnerability or are there any safeguarding issues?** (If yes give details of action taken)

e.g.: If there are vulnerable children or adults involved have Children/Adult Services or other support services been informed?

|  |
| --- |
|  |

Hostel Manager signed:

Housing Needs Manager signed:

**Senior Managers Checklist**

**All Circumstances reviewed yes No**

Details of discussion and any comments

**Approved**

**Signed by Senior Manager**

**Date:**