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CHAPTER 6 DISQUALIFICATION

When an application for housing is made by a Housing Executive past tenant with arrears of 4 weeks or more, it is the responsibility of the receiving office to place the applicant on the Disqualification Register.

6.0 DISQUALIFICATION: RULES 49-51

The Landlord (as defined in Rule 48 paragraph 1 (1)) may disqualify an Applicant, other than a Full Duty Applicant if the circumstances referred to in any of the subparagraphs listed in 1) to 10) below exist in respect of that Applicant.

The Disqualification Rules apply to past tenants of any of the Participating Landlords as well as to certain individuals as defined in the disqualification criteria listed below.

An internal management list of persons (Disqualification Register) who meet the criteria as set out will be maintained, however, an actual disqualification may only apply where one of these persons subsequently applies for housing.

6.1 DISQUALIFICATION CRITERIA: [RULE 49](#)

These are the grounds by which a person, other than a Full Duty Applicant, may be placed on the Disqualification Register:

1. Within the past two years, a County Court has granted an Order for Possession of a dwelling belonging to a Participating Landlord which the Applicant held under a secure tenancy;

A person may be placed on the Disqualification Register if, within the past two years, he / she has been a past tenant of a dwelling belonging to a Participating Landlord and an Order for Possession for his / her dwelling has been granted on one or more Grounds as set out in the Housing (NI) Order 1983. With regard to the Disqualification Register, the Start Date should be the effective date of the Notice Seeking Possession and the End Date two years thereafter.

(The Grounds for Possession as set out in the Housing (NI) Order 1983 are listed in Chapter 10.7)

2. the Applicant owes an amount equal to or greater than four times the weekly full rent and rates in relation to a previous tenancy / tenancies of a Participating Landlord and has not made an agreement to repay the same;

Where a past tenant of a Participating Landlord has left full rent/rates arrears of 4 weeks or more, failed to make an agreement to repay the arrears and adhered to that agreement, the Designated Officer should consider placing the past tenant details on the Disqualification Register. There is no specified time limit to any

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entry to the Disqualification Register due to arrears, although in practice 6 years should be applied in line with the statute of limitation. The Start Date for the Disqualification Register should therefore coincide with the Termination of Tenancy date and the End Date should be six years thereafter.

3. The Designated Officer is satisfied, on reasonable grounds, that the Applicant was guilty of Serious Anti-Social Behaviour (as defined below) within the past two years;

Serious Anti-Social Behaviour is defined in [Rule 51](#) and is behaviour which affects another individual in his / her capacity as a residential occupier and which threatens the physical or mental health, safety or security of that individual (or the individual's household). In particular, instances of Serious Anti-Social Behaviour are as follows:

1. The sale, supply and possession of illegal drugs;
2. Harassment and intimidation;
3. Any behaviour which causes, or is likely to cause, any significant or persistent danger, injury, loss or fear to any person living, working or otherwise lawfully in, or in the vicinity of, a dwelling.

This disqualification criterion would apply where a tenant has been evicted on the grounds that he / she or any person in the dwelling has been guilty of conduct which is a nuisance or annoyance to neighbours, or has been convicted of using the dwelling house or allowing it to be used for immoral or illegal purposes. In such cases, only the tenant or joint tenants may be placed on the Disqualification Register and the Start Date would be the effective date of the Notice Seeking Possession.

In other cases, where an eviction has not occurred, Designated Officers must have sufficient factual information to consider the tenant guilty of Anti-Social Behaviour. It is therefore necessary for the Designated Officer to show that the person has been guilty of such behaviour by keeping careful records / reports of all relevant incidents. Such instances may include:

- Where legal proceedings have commenced with a view to seek an Order for Possession, but the tenant terminates his / her tenancy before going to Court. In this case, the Designating Officer should use the Termination of Tenancy date as the Start Date for the Disqualification Register and the End Date two years thereafter;
- Where the tenant has been convicted of the sale, supply and possession of illegal drugs. In this case the Designated Officer should use the date of the relevant conviction as the Start Date for the Disqualification Register and the End Date two years thereafter.

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4. The Designated Officer is satisfied, on reasonable grounds, that the Applicant wilfully caused substantial damage to relevant accommodation, which the Applicant was occupying at that time, and that the damage was caused within the past two years;

For this purpose, “Relevant Accommodation” as defined in [Rule 50](#), is where:

1. The property belongs to a Participating Landlord; or
2. The property belongs to an agent of a Participating Landlord; or
3. The Applicant, at the relevant time, was occupying the accommodation in consequence of the discharge by the Housing Executive of its interim / temporary accommodation duties under the Housing (N.I.) Order 1988.

It is at the discretion of the Designated Officer to determine if any damage is ‘substantial’. Consideration should be given to the nature and extent of the damage, the availability of the property for letting, whether recoverable charges for repairs have been raised against the tenant and recovery of same is being pursued or, in the case of property where the person was not a secure tenant, whether criminal proceedings have been initiated to recover the costs of repair.

Details of any such damage and the costs of repair / recovery should be kept on file as evidence. With regard to the Disqualification Register, either the date of the Termination of Tenancy or the relevant date of the incident should be used as the Start Date and the End Date two years thereafter.

5. The Designated Officer is satisfied, on reasonable grounds, that the Applicant abandoned a tenancy of a Participating Landlord within the past two years without giving due notice to the Landlord of that accommodation;

This criterion should only be used where the Landlord has followed the Abandonment of Tenancy Procedures through to the termination of the tenancy. With regard to the Disqualification Register, the Start Date should be the Termination of Tenancy date and the End Date two years thereafter.

6. The Designated Officer is satisfied, on reasonable grounds, that the Applicant is currently squatting, or has squatted during the past two years, in a dwelling belonging to a Participating Landlord;

Where an illegal occupation has taken place, it is important that the following procedures are followed before considering the person for inclusion on the Disqualification Register.

The illegal occupant should be first considered for housing to determine if the landlord is able to legalise the tenancy or not. The following procedures should be followed:

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- a. Illegal occupant completes an application form if not already done so;
- b. The Housing Executive carries out a homelessness investigation and makes a decision;
- c. If the homelessness decision is positive, the Applicant will be considered for housing and the person's name will not be placed on the Disqualification Register. If the Landlord is unable to legalise the tenancy of the illegal occupant in the dwelling in question, an Order Seeking Possession should be initiated. Successful Court action does not affect the person's homelessness status;
- d. If the homelessness decision is negative, then the person should be considered as a pointed Applicant for the dwelling in question. Where an offer of the tenancy of the property cannot be made, the Landlord should issue an Order Seeking Possession. In this situation, the name of the illegal occupant should then be considered for entry to the Disqualification Register.
- e. If the Landlord subsequently awards a legal tenancy of the property in question, the Applicant's name should not be placed on the Disqualification Register.

Where applicable, the Start Date for the Disqualification Register will be the date when the illegal occupation occurred and the End Date two years thereafter.

7. The Designated Officer is satisfied, on reasonable grounds, that the Applicant, within the past two years, has assisted or acquiesced in another squatting in a dwelling, belonging to a Participating Landlord, of which the Applicant was the tenant / licensee;

This criterion applies where the tenant, or a person illegally occupying property belonging to a Participating Landlord, fails upon leaving that property to give vacant possession to that Landlord and as a consequence squatting takes place. The Start Date for the Disqualification Register will coincide with the date when the property became vacant i.e. usually the Termination of Tenancy date and the End Date two years thereafter.

Where a tenant is subsequently able to regain vacant possession for the Landlord, his/her entry on the Disqualification Register should be cancelled.

8. The Designated Officer is satisfied, on reasonable grounds, that within the past two years, the Applicant has engaged in violent behaviour while placed in relevant temporary accommodation;

This criterion will apply where a person has engaged in violent behaviour or in threats of violence against any owners of such accommodation, staff working in

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this accommodation, other residents or person visiting the premises. Relevant accommodation is defined in 4) above. This criterion may also apply where a person has been evicted from such relevant accommodation. It is important that factual information is kept along with any statements made by witnesses or staff. With regard to the Disqualification Register, the Start Date to be used would be the date of the incident and the End Date two years thereafter.

9. The Designated Officer is satisfied, on reasonable grounds, that, within the past two years, the Applicant has been guilty of violent behaviour towards the staff of any Participating Landlord;

This criterion applies to any person who has been engaged in violent behaviour or has made threats of violence against staff connected with housing or any aspect of the work of any of the Participating Landlords. It is important that factual information is kept along with any statements made by witnesses or staff. With regard to the Disqualification Register, the Start Date to be used would be the date of the incident and the End Date two years thereafter.

10. The Designated Officer is satisfied on reasonable grounds that, within the past two years, the Applicant has knowingly made a false statement or has knowingly given false information or has knowingly withheld information, in order to obtain an allocation of housing from a Participating Landlord.

Certain past tenants may have been evicted under Ground 6 of the Housing (NI) Order 1983. Where such an eviction has taken place, that person's name may be placed on the Disqualification Register under this criterion. In all other instances, unless there is sufficient evidence to take the tenant to court, this criterion should not be applied. With regard to the Disqualification Register, the Start Date would be the effective date of the Notice Seeking Possession and the End Date two years thereafter.

6.2 ADMINISTRATION OF DISQUALIFICATION REGISTER

The Disqualification Register is an internal management list of persons who meet the criteria as set out in Rule 49 of the Housing Selection Scheme. The Disqualification Register plays an important role in the Disqualification policy in that, without an updated register, future housing applications cannot be matched against entries. Applicants may therefore be allocated accommodation when in fact they might have been disqualified from receiving offers.

6.2.1 RESPONSIBILITY OF EACH PARTICIPATING LANDLORD

Each Participating Landlord will be responsible for determining if an individual is to be placed on the Disqualification Register on the basis of the disqualification criteria as outlined above.

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Each Participating Landlord is responsible for entering the details of its own past tenants or illegal occupants onto the Disqualification Register. The information held on the Disqualification Register may be seen by any of the Participating Landlords. However, only the initiating Landlord may update each individual case.

The Disqualification Register is an internal list of persons who, if subsequently, apply for housing may be disqualified. When a person is initially placed on the register a disqualification letter can be produced if there is a contact address for the former tenant.

It is the responsibility of each Participating Landlord to ensure that there are procedures in each office to identify persons who should be placed on the register at the earliest possible time after either the Termination of Tenancy date or the relevant date of the offence. These cases will mostly consist of past tenants with arrears, or as a result of Eviction or Abandonment etc

6.2.2 COMPLETION OF INPUT FORM (SEE APPENDIX 6.1)

Each identified person's details should be keyed on to the Disqualification Register using the Input/Amendment form (Appendix 6.1). This form needs to be completed and approved by a Senior Designated Officer, for each entry to the Register. To access the Disqualification register designated officers should click on the person menu and "select disqualification register".

If the participating landlord has the ability to store the supporting documentation electronically then there is no requirement to keep a paper record. However, if it is not possible to create an electronic file, then it is recommended that a separate file be opened for each case so that the input form and any supporting evidence is kept together and readily accessible. Other landlords may require copies of such information when considering disqualifying an Applicant for their accommodation.

6.2.3 JOINT TENANTS

Where there is a joint past tenancy that meets the disqualification criteria, a separate input form needs to be made for each joint tenant.

6.2.4 PAST TENANT ARREARS CASES

For persons who have been placed on the Disqualification Register as a result of owing 4 or more weeks full rent / rates at the Termination of Tenancy, their Past Tenant account should be checked regularly to ensure that the disqualification criterion is still applicable. Where as a result of an adhered to agreement to

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repay, the arrears fall below four weeks full rent / rates, the entry on the Disqualification Register should be cancelled / removed by the initiating Landlord.

6.2.5 CANCELLATION / REMOVAL OF PERSONS FROM THE REGISTER

A person's name and details cannot be physically removed from the Disqualification Register. After the End Date on the Disqualification Register has expired, the details will remain and be held as an historical record on the Register. Designated Officers, however, may wish to bring forward the original End Date where the Disqualification criteria no longer apply so that the case is no longer a 'live' Disqualification Register case. This procedure may be carried out in the following circumstances:

- a. Where the person has cleared all outstanding arrears or reduced the arrears to less than four weeks full rent /rates (in exceptional circumstances, tenants who have made regular payments towards any such arrears over a period of time may have their 'live' disqualification entry closed);
- b. Where the person has cleared all recoverable charges (repairs) charged to him / her as a result of wilful substantial damage to relevant accommodation;
- c. Where the person, as an Applicant for housing, is awarded Full Duty Applicant (FDA) points (every effort should still be made to encourage the Applicant to make arrangements to reduce his/her arrears, however, the inability to clear arrears will not prevent such an Applicant from being considered for housing);
- d. In other circumstances where the Designated Officer is satisfied that the disqualification criteria should no longer apply.

Only the initiating Housing Executive District or Housing Association can amend their particular entry on the Disqualification Register.

Any case keyed onto the Disqualification Register by mistake should be dealt by keying the End Date on to HMS (see Exercise 28F of the HMS Step By Step Guides)

6.2.6 AMENDMENTS TO DISQUALIFICATION REGISTER CASES

Each initiating Housing Executive District/Housing Association Office is responsible for making amendments to any case it has registered. Such amendments may include the following: -

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- a. Change of current address;
- b. Changes to NINO, DOB;
- c. Changes to Screen Comments for e.g. to state that arrears have reduced or been cleared to £...
- d. Bring forward the End Date to a 'current date' and effectively remove/cancel the live entry (details will remain for historic reasons but will not affect any future housing applications).

6.3 APPLICATIONS FOR HOUSING FROM PERSONS NAMED ON THE DISQUALIFICATION REGISTER.

Under the current Housing Selection Scheme arrangements, all applications for housing will be dealt with by the Housing Executive.

When a person applies for housing the "Disqualification Tab" within their person details should be checked for any entries on the Disqualification Register

It is important that the Housing Executive District Office is satisfied that the information held on the Disqualification Register is accurate at this time. Past tenant arrears cases may need to be checked with the relevant Accounts Section within the initiating Housing Executive District/Housing Association Office.

Where a new housing application matches an entry on the Disqualification Register, the Housing Executive District Office will note this on the front of the Applicant's file 'On Disqualification Register' and will carry out the housing assessment.

If a different Housing Executive District / Housing Association Office has input the entry on the Disqualification Register then:

- a. The new address of the Applicant needs to be forwarded on a separate notification form (see Appendix 6.2) to the initiating office for updating the address held on the Disqualification Register. Upon receipt of this information, the initiating office should amend the current address details and, where applicable, notify the relevant Accounts Section where the entry is due to past tenant arrears.
- b. The notification form also enables the assessing Housing Executive District Office to request information on the reasons for entry on the Disqualification Register. Where such information is requested, the initiating office should copy and return relevant details as quickly as possible to enable the assessing office to make a decision regarding disqualification of the housing application (see below).

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6.3.1 DECISION TO DISQUALIFY

Where a housing application is received any entries to the Disqualification Register will have to be investigated and a decision reached as to whether or not the Applicant should be disqualified. The disqualification will, if agreed, take effect from the Start Date (tenancy termination date) on the Disqualification Register.

Where a new Applicant has been identified as being on the Disqualification Register, their housing need still has to be assessed before any disqualification decision can be made.

- a. Where the case is statutory homeless i.e. is awarded FDA points, then no further action can be taken regarding any disqualification.
- b. Where the case is not statutory homeless, then the assessing Housing Executive District Office must decide if the Applicant should be disqualified from consideration for Housing Executive/Housing Association accommodation. The information regarding the reasons for entry to the Disqualification Register must be investigated.
- c. If the assessing Housing Executive District Office is considering disqualifying an Applicant from its accommodation, then the "Intention Of Actual Disqualification" Disq 2 letter should be sent to the Applicant. (see Appendix 5.4) This letter gives the Applicant 14 days to comment. (see Exercise 28A HMS Step By Step Guides)
- d. After the 14 days have expired, the assessing Housing Executive District Office must decide if the disqualification should proceed.
- e. The Applicant must be notified of the decision on disqualification in writing, whether the decision is to disqualify or not.
- f. If the applicant has **not responded** to the 14 day letter or responds to say they do not object to the appeal then the assessing Housing Executive District Office should follow Exercise 28B HMS Step By Step Guides.
- g. If the applicant has responded and the decision is made to **disqualify** the Applicant, the assessing Housing Executive District Office should follow Exercise 28C HMS Step By Step Guides
- h. If the applicant has responded and the decision is made **not to disqualify** the applicant the assessing Housing Executive District Office should follow Exercise 28D HMS Step By Step Guides.

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6.3.2 WAIVER OF DISQUALIFICATION

A number of circumstances exist where a Landlord may decide that even though the Applicant had been disqualified and is 'flagged' as such on the Waiting List the actual disqualification should now be waived;

Such circumstances include:

- a. where the Applicant is making regular payments against a past tenant arrear;
- b. where the Applicant is making regular payments against a past tenant recoverable charge;
- c. where the Designated officer is satisfied that the Applicant would avail of specific care/support services to enable him/her to maintain a tenancy;
- d. in other circumstances where the Designated Officer is satisfied that the disqualified Applicant should be considered for the Landlord's stock.

Where an allocating / preference Landlord initially decides to disqualify an Applicant, and subsequently reverses that decision, the assessing Housing Executive District Office should follow Exercise 28F HMS Step By Step Guides. A letter will automatically be produced which should be forwarded to the applicant. If such an Applicant is subsequently re-housed, the Landlord who made the initial entry to the Disqualification Register should be advised of the new address to enable the register details to be updated, and any other action continued.

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6.3 LIST OF APPENDICES FOR DISQUALIFICATION PROCEDURES

6.1 Disqualification Register-Input / Amendment Form

To be used for updating the Disqualification Register either for new entries or amendments.

6.2 Notification of New Address

To be used where the assessing Housing Executive Office identifies that a new Applicant is on the Disqualification Register and where the new address needs to be forwarded to the office who initiating the Register. This pro-forma also asks for further information regarding the reasons for disqualification, these should be copied and sent by return.

6.3 Disq 1 Disqualification Register

To be used by the participating landlord when placing a former tenant on the Disqualification Register.

6.4 Disq 2 Intention Of Actual Disqualification

To be used when considering disqualifying a New Applicant for a particular landlord's accommodation. Applicants must be given 14 days to reply to this letter. Only one of the criteria may be used for the Register, however managers may use one or more of the criteria in this letter.

6.4 Disq 3 Actual Disqualification

To be sent out 14 days after Disq 2 Letter.

6.5 Disq 4 Non Disqualification

To be sent out where Landlord decides to waive the original decision to disqualify.

6.6 Disq 5 Disqualification Ends

To be sent when the landlord has decided not to disqualify the applicant.

6.7 Summary of Rules

A summary of the rules will be printed along with the first letter to applicant regarding disqualification and should be attached to it.

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APPENDIX 6.1 DISQUALIFICATION REGISTER – INTERNAL MANAGEMENT LIST INPUT / AMENDMENT FORM

START DATE	
END DATE	
FORENAME	
SURNAME	
DISQUALIFICATION REASON CODE	
NOTES	
CURRENT ADDRESS	
PAST TENANT ADDRESS	
INITIATING OFFICER	DATE
LEVEL 5 (NIHE) OR HOUSING ASSOCIATION EQUIVALENT	DATE
KEYING OFFICER	DATE
SUPPORTING EVIDENCE ATTACHED	

Summary of Disqualification Codes:

- | | |
|--|---|
| 1. Order for Possession Granted. | 6. Currently squatting or has squatted |
| 2. Arrears greater than 4 weeks. | 7. Assisted or acquiesced in another squatting. |
| 3. Guilty of Anti-Social Behaviour. | 8. Engaged in violent behaviour in temporary accommodation. |
| 4. Wilfully caused substantial damage. | 9. Guilty of violent behaviour towards staff. |
| 5. Abandonment of tenancy | 10. False statement/false info/ withheld information. |

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APPENDIX 6.2 DISQUALIFICATION REGISTER**NOTIFICATION OF NEW ADDRESS**

From _____ To _____
 NIHE/HA NIHE/HA
 Address _____ Address _____

Phone _____

Fax _____

I refer to the following disqualification entry which has been created by your office, I have checked the details regarding this entry (DOB, NINO etc) and am satisfied that the following information relates to this new housing applicant:-

Name _____ HMS Application No. _____

Disqualification Register Ref no. _____

Please note that the above person's new address is as follows:-

New Current Address to be inserted on Disqualification Register

Other Details

I am now considering the alleged disqualification of this housing application, please forward a copy of the details of the criteria used for the entry to the register.

Signed by _____ Date _____

Position in Organisation _____

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Appendix 6.3 Disqualification Register



Date

App Ref No

Disq Ref No

Dear

Under the Rules of the Housing Selection Scheme if certain circumstances exist, you may be placed on a Register of people who could be disqualified from obtaining future accommodation belonging to a participating landlord (Housing Executive or Housing Association).

As a participating landlord has decided to place you on the Disqualification Register from for the following reasons; - Arrears > 4 weeks.

Arrears more than 4 weeks in arrears- £.....

This means should you apply for housing in the near future, you may be disqualified from obtaining accommodation in any dwelling belonging to a participating landlord (Housing Executive or Housing Association).

Please contact the above office immediately to discuss the case.

Yours sincerely

Area Manager

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APPENDIX 6.4 Intention Of Actual Disqualification



Date

App Ref No

Disq Ref No

Dear

I refer to your recent request for housing (Application Number) and note that you are a person who was placed on a register of people who could be disqualified from obtaining future accommodation belonging to a participating landlord (Housing Executive or Housing Association).

In view of the allegation specified below, the Housing Executive wishes to consider whether or not it should disqualify you from obtaining accommodation belonging to a participating landlord.

The following Landlord has requested that you are disqualified because of Arrears > 4 weeks.

Clearly in considering this matter the main issues are as follows:-

1. is the allegation true, and if so,
2. should the Housing Executive treat it as a reason for disqualifying you.
3. if the Housing Executive decides to disqualify you, we will also have to decide on the period of disqualification.

The Housing Executive intends to make its decision within 14days of this letter or as soon as practicable thereafter. In making that decision, the Housing Executive will take account of any written comments which you may wish to make, provided such comments reach the Housing Executive at the address above no later than

Yours sincerely

Area Manager

APPENDIX 6.5 Actual Disqualification

Housing Executive

Date

App Ref No

Disq Ref No

Dear

I refer to your letter of [REDACTED] in which I indicated that the Housing Executive would consider disqualify you on the basis of the allegation set out in that letter, namely:
Arrears > 4 weeks.

The Housing Executive has now made its decision on that issue and in doing so has noted any comments that you have made by way of response to the above mentioned letter.

The Housing Executive has decided to disqualify you from obtaining accommodation in any Executive or Housing Association dwelling until

Yours sincerely

Area Manager

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Appendix 6.6 Non Disqualification



Date

App Ref No

Disq Ref No

Dear

I refer to your letter of _____ in which I indicated that the Housing Executive would consider disqualifying you on the basis of the allegation (include allegation ie. Arrears > 4 weeks) set out in that letter.

The Housing Executive has now made its decision on that issue and in doing so has noted any comments that you have made by way of response to the above mentioned letter.

The Housing Executive has decided not to disqualify and you will now be considered for any dwelling belonging to a participating landlord (Housing Executive or Housing Association)

Yours sincerely

Area Manager

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APPENDIX 6.7 Disqualification Ends

Housing
Executive

Date

App Ref No

Disq Ref No

Dear

The Housing Executive has previously written to you notifying you that it had decided to disqualify you from obtaining accommodation in any dwelling belonging to a participating landlord (Housing Executive or Housing Association) throughout the period specified in the notification because of the following reason.

I am now writing to inform you that the Housing Executive has decided to terminate your period of disqualification with effect from (insert date).

Please note that the disqualification may be reinstated in certain circumstances, for example if you fail to keep to an agreement to pay rent arrears or if full duty status no longer applies.

Yours sincerely

Area Manager

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Appendix 6.8

HOUSING SELECTION SCHEME RULES (Extract)

PART 4 RULES GOVERNING ALLOCATIONS

Disqualification Criteria

49. The Landlord (as defined in paragraph 1(1)) may disqualify any Applicant, other than a Full Duty Applicant if the circumstances referred to in any of the sub-paragraphs listed in 1) to 10) below exist in respect of that Applicant:-
- 1) within the past two years, a County Court has granted an Order for Possession of a dwelling belonging to a Participating Landlord which the Applicant held under a secure tenancy; or
 - 2) the Applicant owes an amount equal to four times the weekly full rent and rates in relation to a previous tenancy / tenancies of a Participating Landlord and has not made an agreement to repay the same; or
 - 3) the Designated Officer is satisfied, on reasonable grounds, that the Applicant was guilty of Serious Anti-Social Behaviour (as defined at paragraph 51 below) within the past two years; or
 - 4) the Designated Officer is satisfied, on reasonable grounds, that the Applicant wilfully caused substantial damage to relevant accommodation, which the Applicant was occupying at that time, and that the damage was caused within the past two years; or
 - 5) the Designated Officer is satisfied, on reasonable grounds, that the Applicant abandoned a tenancy of a Participating Landlord within the past two years without giving due notice to the Landlord of that accommodation; or
 - 6) the Designated Officer is satisfied, on reasonable grounds, that the Applicant is currently squatting, or has squatted during the past two years, in a dwelling belonging to a Participating Landlord; or
 - 7) the Designated Officer is satisfied, on reasonable grounds, that the Applicant, within the past two years, has assisted or acquiesced in another squatting in a dwelling, belonging to a Participating Landlord, of which the Applicant was the tenant / licensee; or
 - 8) the Designated Officer is satisfied, on reasonable grounds, that (within the past two years) the Applicant has engaged in violent behaviour while placed in relevant temporary accommodation; or

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- 9) the Designated Officer is satisfied, on reasonable grounds, that, within the past two years, the Applicant has been guilty of violent behaviour towards the staff of any Participating Landlord; or
 - 10) the Designated Officer is satisfied on reasonable grounds that, within the past two years, the Applicant has knowingly made a false statement or has knowingly given false information or has knowingly withheld information, in order to obtain an allocation of housing from a Participating Landlord.
50. For the purposes of Paragraph 49, accommodation is “relevant accommodation” if any of the following conditions apply:
- 1) the property belongs to a Participating Landlord; or
 - 2) the property belongs to an agent of a Participating Landlord; or
 - 3) the Applicant at the relevant time, was occupying the accommodation in consequence of the discharge by the Executive of its interim / temporary accommodation duties under the Housing (N.I.) Order.
51. For the purposes of Paragraph 49, Serious Anti-Social Behaviour is behaviour which affects another individual in his / her capacity as a residential occupier and which threatens the physical or mental health, safety or security of that individual (or the individual's household). In particular, instances of Serious Anti-Social Behaviour are as follows:-
- 1) The sale, supply and possession of illegal drugs.
 - 2) Harassment and intimidation.
 - 3) Any behaviour which causes, or is likely to cause, any significant or persistent danger, injury, loss or fear to any person living, working or otherwise lawfully in, or in the vicinity of, a dwelling.