

Anti-Social Behaviour Code

Under the Housing Act 2004 Licence Holders of Houses in Multiple Occupation which are required to be by the local authority must take reasonable steps to tackle anti-social behaviour within their stock.

The following conditions sets out what is expected of landlords to meet the 'reasonable' test for tackling anti-social behaviour.

1. The Written Statement of the Terms of the Tenancy.

- i. As a part of any new tenancy agreement, every written statement of the terms of the tenancy provided to the occupier under these licence conditions must include an express prohibition on anti-social behaviour. This should refer to (ii) to (v) below.
- ii. Anti-social behaviour is anything which causes:
 - a nuisance or annoyance to other occupiers and nearby neighbours,
 - harassment to anyone in the local area (because of their race, colour, nationality, ethnic origin, sexuality, sex, religion, politics, age, medical condition, or disability) or
 - violence (including domestic abuse) against any person (including the landlord or persons acting on their behalf).
- iii. Anti-social behaviour also includes:
 - interfering with security or safety equipment,
 - using the property (including all communal areas bin stores, yards and gardens etc) for any criminal, immoral or illegal purpose, including buying, selling or using any illegal drugs, or storing or handling stolen goods, or
 - damaging any part of the premises.
- iv. It is also anti-social behaviour to encourage anyone else to carry out or threaten to carry out any of the above. The occupier, under the terms of the tenancy, is responsible for the behaviour of themselves, their family and their visitors.
- v. The terms of the tenancy should also state that the landlord will not tolerate anti-social behaviour and include a warning that legal action against the occupiers breaching the terms of tenancy may be taken. This could lead to them losing their accommodation and not being re-housed within Plymouth.

2. Dealing with Anti Social Behaviour

- i. The Licence Holder is required under these licensing conditions to keep a register of all complaints received by the landlord from occupiers.
- ii. The register will contain the following information:

- Date of complaint
- Name and address of complainant
- Details of the complaint
- Name and address of the alleged 'perpetrator'
- Action taken by the landlord to resolve the problem

(Note action could include making contact with the 'alleged perpetrator' face to face or by letter or both)-

- iii. The Licence Holder should encourage the complainant to complete diary sheets as a record of the frequency and seriousness of the incidents.
- iv. When considering action against occupiers who are allegedly in breach of the terms of tenancy, and prior to taking enforcement action, the Licence Holder shall inform and consult with the Plymouth City Council's Anti-Social Behaviour Unit, 0845 605 2222.
- v. The licence holder shall inform the police or City Council's Anti-Social Behaviour Unit where he has reason to believe that a criminal offence has been, or is being, committed on the premises.

3. Signs

The Licence Holder shall affix in a prominent position, within the communal area, a sign containing a statement that the Licence Holder will not tolerate anti-social behaviour and to encourage the reporting of those responsible, including a telephone number or an address to which complaints should be made. This sign shall be replaced if it is torn, defaced or removed.