



## CAERPHILLY HOMES TASK GROUP – 17TH SEPTEMBER 2015

**SUBJECT: ANNUAL REVIEW OF THE TENANCY REVIEW PANEL**

**REPORT BY: INTERIM CHIEF EXECUTIVE**

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### 1. PURPOSE OF REPORT

- 1.1 To provide an update to The Caerphilly Homes Task Group on the outcomes of cases presented to the Tenancy Review Panel.

### 2. SUMMARY

- 2.1 The Tenancy Review Panel was set up in June 2014. This report provides information on the cases presented to the panel from June 2014 to May 2015. During this period 51 cases were considered by the panel.
- 2.2 A recommendation was made to the Chief Housing Officer in all of the 51 cases that an eviction warrant should be applied for.
- 2.3 The recommendations were agreed by the Chief Housing Officer and eviction warrants were applied for in all cases.
- 2.4 This report provides further information on these cases including reasons for the application of the eviction warrant and outcomes of the execution of these warrants.

### 3. LINKS TO STRATEGY

- 3.1 **Improving Lives and Communities: Homes in Wales (Welsh Government, 2010)** which sets out the national context on meeting housing need, homelessness, and housing-related support services.
- 3.2 **Caerphilly Delivers (Single Integrated Plan, 2013): P2:** *“Improve standards of housing and communities, giving appropriate access to services across the county borough.”*
- 3.3 **People, Property, Places: A Housing Strategy for Caerphilly County Borough** provides the context for the provision of housing and related services in the county borough.

### 4. THE REPORT

- 4.1 It was agreed at a Council Meeting on 19<sup>th</sup> November 2013 that a Tenancy Review Panel would be introduced to scrutinise proposed eviction decisions prior to progressing cases to court and make recommendations to the Chief Housing Officer.
- 4.2 The first meeting of the panel took place on 19<sup>th</sup> June 2014.

- 4.3 During the period 19<sup>th</sup> June 2014 to 1<sup>st</sup> June 2015 - 51 cases were considered by the panel. The table below details the reasons for these applications.

<b>Reason of application for warrant</b>	<b>Number of applications</b>
Rent Arrears	41
No access to carry out gas servicing	5
Anti social behaviour issues	2
Illegal occupant	2
Unsatisfactory garden condition	1
<b>Total number</b>	<b>51</b>

- 4.4 A substantial amount of support is offered to tenants by our Tenancy Support Officers prior to the cases being presented to the panel. In addition, in many cases additional independent support is also offered by outside agencies such as the Citizens Advice Bureau and Shelter. Cases are only referred to the panel when all avenues of support and assistance have been exhausted and the breach of tenancy is still ongoing.
- 4.5 The panel recommended in each of the 51 cases highlighted above that an application be made to the County Courts for a warrant of possession of the properties. These recommendations were agreed by the Chief Housing Officer.
- 4.6 An application to the County court was made in each of the 51 cases and eviction dates received.
- 4.7 Eviction dates were obtained on the 51 cases however only 33 evictions actually progressed and the properties taken back. When an eviction date is received tenants have the right to apply to the County Court to have the eviction warrant set aside. In cases of rent arrears tenants may pay the debt or a lump sum to reduce the balance which would also result in the eviction being set aside. The table below provides further details on the outcomes:

<b>Reason for application of warrant</b>	<b>Outcome – evicted</b>	<b>Outcome – set aside by court Eviction not carried out</b>	<b>Outcome – paid in full/part paid Eviction not carried out</b>
Rent arrears	24	9	8
Failure to allow access for gas servicing	4	1	0
Illegal occupant	2	0	0
Anti Social Behaviour breach	2**	0	0
Garden conditions	1	0	0
<b>TOTALS</b>	<b>33</b>	<b>10</b>	<b>8</b>

\*\* One of the anti-social behaviour evictions resulted in the property being returned as part of a closure order and the eviction was not formally carried out as the tenant left as a result of the closure order

- 4.8 The household make up of the 33 tenants evicted from their properties is shown in the below table.

<b>Reason for application of warrant</b>	<b>House hold – family Eviction carried out</b>	<b>House hold – single Eviction carried out</b>	<b>House hold – couple Eviction carried out</b>	<b>Totals</b>
Rent arrears	6	15	3	24
Failure to allow access for gas	1	3	0	4

servicing				
Illegal occupant	0	2	0	2
Anti Social behaviour breach	1		1	2
Garden conditions	1	0	0	1
TOTALS	9 **	20	4	33

*\*\* In 5 of the 9 cases there were dependent children as part of the household. In each of these 5 cases the tenant had left the property prior to the eviction being carried out.*

- 4.9 When the evictions were carried out in 88% (27) of cases the tenants were not there and had either abandoned the property or left prior to the eviction. In many cases property conditions were very poor and showed evidence of other breaches of tenancy i.e. non occupation, anti-social behaviour and unsatisfactory property conditions.
- 4.10 It is important to note than none of the cases presented to the Tenancy Review Panel involved tenants affected by the spare room subsidy (“bedroom tax”) or the benefits cap. No eviction warrants have been requested for tenants where rent arrears have arisen as a direct result of these welfare changes.
- 4.11 Tenants of Caerphilly Homes who are affected by welfare reform changes receive ongoing support from Tenancy Support Officers. These officers have a specific role created in October 2012. They discuss with tenants the impacts of the benefits changes and choices available to them, also providing them with the relevant support.
- 4.12 Tenants have been assisted by the Tenancy Support Officers to apply for discretionary housing payments to help them to meet the additional costs relating to the welfare reform changes. It must be pointed out however that there are increasing demands on the Discretionary Housing Payment budget with the amount available in Caerphilly County Borough this year (2015/16) reducing from £428k to £381k.
- 4.13 A report was presented to Policy and Resources Scrutiny Committee on 2nd June 2015. This report sought approval on a revised policy for administration of the discretionary assistance fund. The report stressed that Discretionary Housing Payments are principally short term financial support towards long term sustainable solutions.
- 4.14 It is hoped that we can continue to support tenants and report that no eviction cases have been presented to the panel for tenants whose arrears are a direct result of the welfare reform changes. However this will be increasingly challenging over the forthcoming years with additional pressures being placed on the Discretionary Housing Payment fund and further changes being rolled out to the welfare system.

## **5. EQUALITIES IMPLICATIONS**

- 5.1 There are no equalities implications associated with this report.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 The total rent arrears in the 32 cases where eviction warrants were executed amounted to £76,350. These are now classed as former tenant arrears and recovery work will continue to collect these outstanding amounts.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 There are no personal implications associated with this report.

## **8. CONSULTATIONS**

8.1 There are no consultation responses that have not been reflected in this report.

## **9. RECOMMENDATIONS**

9.1 That this report is noted for information.

## **10. REASONS FOR THE RECOMMENDATIONS**

10.1 To ensure members of the Caerphilly Task Group are aware of the work and outcomes of the tenancy review panel

## **11. STATUTORY POWER**

11.1 There are no Statutory Powers associated with this report.

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WHQS Project Board