

Eviction Policy

Document ID/Version:	V1			
Executive Lead (Owner):	Executive Director of Customer Services			
Policy Author:	Assistant Director of Customer & Neighbourhoods (Paradigm) Director of Customer Services (Settle)			
Strategic alignment:	This policy aligns with the requirements of the regulatory Consumer Standards (Safety & Quality, Transparency & Accountability, Neighbourhood & Community, and Tenancy Standards). This policy also supports wider Government and legislative requirements.			
Review frequency:	Every 3 years	☒	Other (state period)	
Previous review date:	Paradigm November 2025/Settle September 2025			
Date policy approved:	19 March 2026			
Policy approved by:	Executive Board			
Next policy review date:	March 2029			
IMPACT ASSESSMENTS				
Equality Impact Assessment				
Completed? ☒	No	☐	Yes	☒
	If not required, state reason:			
Resident Impact Assessment				
1) Is this one of the agreed policies requiring resident consultation?	Yes	☒	No	☐
2) If yes, please confirm resident consultation has taken place	☒	Briefly detail changes arising from resident feedback: Resident consultation initially completed in September 2025 on Settle's proposed Eviction policy with feedback received from 3 residents. Further consultation took place in February 2026 on the integrated policy. Feedback was considered and resulted in a commitment to publish a glossary of terms alongside the policy.		
APPROVAL - To show transparency and accountability, specify whether policies have been approved by the Board/Executive/Committee. Clear approval lines strengthen governance, ensuring assurance and accountability.				
Approval journey:	Executive Team	Committee		Board
		Yes	Committee name(s)	
	☒	☐	N/A	☐
Which Regulatory Standard does this Policy support?	Economic			
	Governance & Viability	Rent		Value for Money
	☐	☒		☐
	Consumer			

	Neighbourhood & Community	Safety & Quality	Tenancy	Transparency, Influence & Accountability
	☒	☒	☒	☒
Associated legislation	Protection from Eviction Act 1977 Housing Act 1985 - relevant for secure tenancies Housing Act 1988 - relevant for all other tenancies Housing Act 1996 - ASB injunctions and demotions Equality Act 2010 - defined protected characteristics Anti-Social Behaviour, Crime and Policing Act 2014 - modern ASB powers			
Associated procedures	ASB management Tenancy management Arrears management			
Where is this policy to be published?	Website	Intranet	Both	
	☐	☐	☒	

Eviction Policy

1. Policy Statement

We are committed to providing safe, well managed homes and to supporting residents to sustain their tenancies wherever possible.

We work closely with our residents from the start of their tenancy to understand their circumstances and the support that they may need to manage their tenancy successfully.

At the same time, we have a responsibility to take effective and timely action when a resident breaches their agreement. This includes situations where a resident's actions may impact others in the neighbourhood or where they have not complied with the terms of their tenancy, licence or lease agreement. Acting quickly helps stop residents from getting into too much debt and reduces the risk of significant distress being caused to others in the neighbourhood.

2. Objectives, desired outcomes and strategic alignment

The purpose of this policy is to provide a clear, fair and consistent approach to the use of eviction in cases where there has been a breach of the terms and conditions of the tenancy agreement such as, but not limited to the non-payment of rent or other charges payable under the tenancy agreement, anti-social behaviour, tenancy fraud and/or unlawful occupation by person who have no right to occupy or to succeed to a tenancy. It sets out:

- The circumstances in which we may take legal action and carry out an eviction.
- Our commitment to act reasonably, and in line with legal and regulatory requirements.
- How we will support residents facing eviction, including referral to our Tenancy Support service and the provision of timely advice on housing options before a tenancy, licence or lease ends; and
- What is expected of residents, including how they can engage with us and appeal decisions

Consumer Standards as established by the Social Housing Regulation Act 2024 set out specific requirements under the tenancy standard including the expectation that housing associations provide support to sustain tenancies to avoid unnecessary evictions. This includes a requirement to provide timely advice and assistance to residents at risk of losing their home.

We will work with residents to resolve breaches of tenancy without pursuing eviction where possible but reserve the right to take immediate action, including possession proceedings, where the breach is in our reasonable opinion serious and/or engages a mandatory ground of possession. In situations where all reasonable alternative options have been considered or are not available, we will pursue legal action. This may be required to protect our assets in cases of escalating rent arrears or to ensure that residents can enjoy their homes without disruption from anti-social behaviour. Where necessary, we will end a tenancy and recover possession of a property in accordance with all legal and regulatory requirements.

3. Scope

This policy applies to all SettleParadigm residents including tenants, licence holders,

It covers all situations where there is a breach of the Tenancy or Licence Agreement resulting in eviction proceedings being taken. The requirements of any legislation in force at the time will be

followed, and the reasons for commencing possession proceedings will include but are not limited to:

- Rent arrears (**assured tenants:** Grounds 10 and 11 and mandatory Ground 8 under the Housing Act 1988; **secure tenants:** relevant Schedule 2 grounds under the Housing Act 1985)
- Anti-social behaviour (**assured tenants:** Grounds 12 and 14 and mandatory Ground 7A under the Housing Act 1988; **secure tenants:** Schedule 2 HA 1985 ASB grounds, including the absolute ground introduced through the Anti-social Behaviour, Crime and Policing Act 2014)
- Service of a Notice to Quit (NTQ), such as in cases of abandonment or where an occupant has no right to remain.
- A mandatory ground for possession means that, providing the ground is proven and the relevant Notice is valid and correctly served, the Court is required to make an order for possession .

4. Policy Principles

Policy Principles

We will work with residents from the start of their tenancy to make sure they understand their responsibilities and the potential consequences if these are not met, including the risk of losing their home. This includes providing clear information on paying rent, keeping to tenancy terms, and not to engage in, permit, or encourage any form of antisocial behaviour. We will encourage residents to contact us if they have any queries or concerns regarding their tenancy, lease or licence agreement at the earliest opportunity and we will respond accordingly with advice and support.

When offering a tenancy, we will check if the resident requires any support to manage their tenancy. We will consider factors such as health issues, substance misuse or financial difficulties to ensure additional support can be provided where needed. Where support is needed, we will work with our Tenancy Support service and external organisations, such as social services or local partner organisations, to help residents sustain their tenancy and prevent eviction.

We will only allocate Affordable Rent tenancies to applicants who show, through an affordability assessment, that the rent is financially sustainable for them.

Policy Detail and Outcome

We will seek possession eviction where there is evidence that a resident has not kept to the terms of their tenancy, lease or licence agreement. The breach of the agreement may be due to the actions of a resident, household members or visitor and may include:

- Non-payment of rent.
- Abandonment of the property.
- Anti-social behaviour.
- Other breaches of the tenancy, lease or licence agreement.

We will act where there are unlawful occupiers or squatters on the property or land. Such action may include:

- Engaging the police to remove unlawful occupiers from residential land under s144 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012.
- Issuing squatter possession proceedings for non-residential land, with costs charged to the occupiers.
- Pursuing possession and use and occupation charges if former occupants return after eviction.

Eviction may also occur where:

- A resident refusing to vacate a property required for regeneration or redevelopment (where permitted under the tenancy or lease agreement).
- A superior landlord requests the property to be returned as per contractual agreement.
- A relevant ground of possession exists under the Housing Act 1985, Housing Act 1988 (as amended) or under any subsequent relevant legislation that may come into force during the currency of this policy.

Evictions will follow an approval process outlined in the related procedures, which are listed below ensuring fair decision-making for each tenure type. Before eviction, we will:

- Follow the Pre-Action Protocol, which sets out the steps we are expected to take before starting court proceedings, to meet all legal and contractual requirements.
- Carry out a Proportionality Assessment to consider any disabilities or vulnerabilities.
- Provide advice, signposting and referrals to alternative housing options and support services.
- Complete a pre-eviction risk assessment.
- Liaise with the Court and Bailiffs as required.

For shared owners and leaseholders, mortgage lenders will be informed (if applicable), and forfeiture action may be taken if payments are not kept up to date.

For secure tenants, the prescribed secure tenancy notice will be used where required and proceedings will follow the Housing Act 1985 process.

Residents receiving a Notice of Seeking Possession including mandatory Grounds or Notice to Quit can request a review. The resident will be advised of this right and the ways in which an appeal can be made in the cover letter of the Notice. Reviews will be led by an Assistant Director not involved in the original decision and outcomes communicated to the resident within 10 working days.

Where relevant, Notice of Seeking Possession includes notices served under the Housing Act 1988 for assured tenants and the prescribed notice under section 83 Housing Act 1985 for secure tenants.

There is no further right to appeal, however the resident can submit a defence with the Court should legal proceedings continue.

Where possession is sought under discretionary arrears grounds residents already have multiple engagement, support and decision points built into the arrears recovery process, so a separate formal review stage is not required.

We will seek to recover costs of evictions from residents, including arrears, property damage, legal costs, and other related expenses.

Residents will be advised to seek independent legal advice and maintain communication with us throughout the eviction process. This ensures they can access support and advice up until leaving the property.

If any items are left in the property, the Tort procedure will be followed, ensuring we act in line with The Torts (Interference with Goods) Act 1977. We will ask that forwarding details are provided to enable continued contact and the management of any former debt.

5. Equality, Diversity & Inclusion

- We are aware that evictions can disproportionately impact low-income individuals and families who may struggle to meet rental payments and can contribute to higher eviction rates among low-income households.
- We will apply the Eviction Policy fairly to all individuals regardless of their race, ethnicity, gender, disability, or familial status or any other protected characteristics.
- Our proportionality assessment includes consideration of the Equality Act 2010, any vulnerabilities, the impact on household members and whether any alternatives to eviction are available.
- We will advise customers as to their rights during the eviction process and use our signposting service for individuals with limited financial resources who may face challenges in obtaining legal assistance, to avoid unequal outcomes in the eviction process for example signposting them to Shelter or a legal advice centre.

6. Roles and responsibilities

The **Director of Financial Operations** is responsible for authorising warrants of possession for rent arrears.

The **Senior Income Recovery Manager** is responsible for:

- Authorising mandatory notices served by Rent Recovery Officers.
- Sign court papers prepared by Rent Officers prior to issue
- Signing off proportionality assessments in applicable cases
- Signing off possession proceedings before they are issued
- Signing off rent arrears warrants

The **Assistant Director Customer & Neighbourhood** is responsible for:

- Hearing review requests/appeals following service of an NTQ, NOSP based on mandatory (non-arrears) grounds
- Authorising requests for Warrants of Possession in non-arrears cases
- Review rent arrears Warrants for Possession before they are authorised by the Assistant Director of Finance Operations or Chief Financial Officer.

The **Head of Community Safety** is responsible for:

- Authorising possession and injunction court applications made by Customer and Neighbourhood Officer and ASB Case Managers

The **Community Safety Team Manager** is responsible for authorising:

- NOSP's served on ASB for both mandatory and discretionary grounds

The **Heads of Customer and Neighbourhood** are responsible for authorising:

- NOSP's served on discretionary grounds, other than for arrears and ASB
- Signing off all non arrears proportionality assessments

The **Senior Manager of Supported Housing** is responsible for authorising:

- NTQs served at The Foyer and Lea Bridge, or in supported housing

The **legal team (either internal or externally appointed solicitor)** will:

- Review proportionality assessments (non-rent arrears cases)
- Advise on whether possession proceedings (non-rent arrears cases) should be pursued
- Complete court applications and warrant requests for non arrears possession cases

The **Rent Recovery Officers** will:

- Act in accordance with this policy to recover rent arrears
- Prepare and serve relevant notices
- Prepare applications to court for possession on discretionary grounds (rent arrears), mandatory possession (Ground 8)
- Complete proportionality assessments for rent arrears cases where applicable
- Will accurately record all the steps taken

Customer & Neighbourhood Officers, Community Safety Officers (according to who is leading on the case):

- Will act in accordance with this policy to manage tenancies and remedy breaches
- Will monitor breaches of tenancies
- Will take pre-requisite steps to obtain possession including completing proportionality assessments for non arrears cases
- Will prepare and serve the relevant notices
- Will accurately record all the actions taken
- Will inform the relevant local authority (under our commitment to refer, and in line with our data sharing agreements where they are in place) that the resident could potentially be made homeless.

The **Legal Service team** are responsible for:

- Providing legal advice and support to operational teams in connection with live or contemplated litigation.
- Ensuring SettleParadigm is appropriately represented at any relevant hearings at court, including by instructing external solicitors or counsel where appropriate.
- Obtaining external independent advice and legal services where appropriate and proportionate.
- Complete court applications and warrant requests for non arrears possession cases
- Ensuring compliance with Civil Procedure Rules, Practice Directions and directions given by a court in proceedings.
- Escalating high risk or concerning cases for senior leadership review where appropriate and proportionate.

*Authorising and serving notices will follow the correct route for the tenure: **Housing Act 1988** notices for **assured** tenancies and **section 83 Housing Act 1985 prescribed notices** for **secure** tenancies. Internal approval levels listed apply in both cases.*

7. Compliance/Key Performance Measures

Evictions are monitored and reported to Customer Leadership Team (CLT) monthly using the Power BI Dashboard. We report themes - ASB, arrears, abandonment etc, and cross reference this our Customer Support Policy to make sure we are offering support to prevent homelessness.

Approval to apply for a warrant of possession can only be authorised by the Assistant Director of Finance Operations or the Assistant Director of Customer and Neighbourhoods.

For all non arrears cases we will complete:

- A “Request to Serve Notice” form which ensures all relevant factors have been considered prior to a notice being served.
- A proportionality assessment to decide whether we should issue possession proceedings and to ensure we have considered all the facts and circumstances of the case and concluded that it is both reasonable and proportionate to issue proceedings in the case.
- The Legal Team will review all non- rent arrears proportionality assessments before they are authorised, making sure that any change of circumstance is updated before we apply for a warrant.
- All requests for reviews of legal proceedings by customers are carried out by a manager who is independent of the decision to authorise service of notice.
- The Community Safety Manager reviews referrals to look for trends in non arrears evictions and will investigate where trends change.
- Checks will confirm that the correct notice type has been used for the tenure (assured vs secure) before proceedings are issued.

8. Related Policies, Procedures and Key Documents

- Anti-Social Behaviour Policy
- Resident Arrears Management Policy
- Related Procedures
- Anti-Social Behaviour Procedure
- Mandatory Possession Procedure
- Rent Recovery Procedure
- Succession Procedure
- Tenancy Fraud Procedure
- Tenancy Support Procedure
- Tort Procedure
- Key Documents
- Landlord Resident Strategy
- Pre-action Protocol

- Tenancy Agreements
- Lease agreements

9. Version Control

Version control			
Date	Version	Approved By	Details of Amendments
March 2026	V1	Executive Board	New Group wide integrated policy