

### **ASB Case Study – Tenant Committee meeting 22.1.26**

Mr M moved into a flat during July 2020 when Covid\_19 restrictions meant we were unable to meet prospective tenants in person. There was no indication of prior anti-social behaviour but we were made aware that he had support needs arising from a mental health issue.

In October 2020 the first complaints were received from neighbours about loud music from the property and multiple disruptive visitors.

CHS approached the tenant and Mr M's stepmother confirmed that due to his mental health issues she was his legal appointee and would handle any communication. There were no further complaints from neighbours during 2020 or 2021 so we did not consider ending the starter tenancy.

In 2022 Mr M acquired a puppy. No permission was requested and as this is a first floor flat where dogs are unsuitable the legal appointee was contacted to advise no permission would be given. We offered support to help Mr M move via Home Link to a property more suitable to keep pets.

This was the start of a long correspondence with the legal appointee who objected to CHS's stance and refused to deal with the Housing Officer. This made oversight of Mr M's tenancy very difficult until his step-mother later stepped away from her appointeeship.

Direct communication was then reinstated with Mr M and he was advised he must re-home his dog following persistent complaints from neighbours. CHS reached out to Hunts District Council for support as Mr M was regularly walking his dog off the lead and allowing it to foul the local area, despite an open spaces order that dogs must be on a lead at all times. We began working closely with HDC's enforcement officer leading to a Community Protect Notice being served on Mr M, which was breached and followed by a Community Protection Order.

Meanwhile the Housing Officer worked with local residents to gather information, conducting home visits, lots of phone calls and emails and supplying diary sheets to neighbours regularly for assessment.

Mr M received 3 formal warning letters and we were conscious that due to Mr M's enduring mental health issues we were obliged to give careful consideration to the proportionality of our actions and to assess his needs under the Public Sector Equality

Duty (Equality Act 2010). The case was raised at Huntingdonshire Problem Solving Group where we learned about agencies that he had been directed by the court to engage with; Mr M had not engaged with any of them.

With ongoing complaints from neighbours about the nuisance caused by the dog, in October 2024 a Notice of Seeking Possession was served and in November 2024 an application was made to court for a possession hearing. We had to adjourn the first possession hearing as Mr M was very ill and was transferred to a rehabilitation unit. During this time it was very difficult to get information about his condition and the likelihood of him returning to the flat because none of his family would communicate with us.

The Housing Officer managed to get in touch with his natural mother, who was initially very helpful and told us he would be moving to supported living from the rehab unit and that he intended to serve notice on his flat. However after a few weeks, with no warning, Mr M moved back to his flat and complaints from neighbours began again the same weekend.

An application for a reinstated possession hearing was made and with the help of updated witness statements a 14-day possession order was granted by Peterborough Court. Mr M was present in court and represented by his mother who told the court that Mr M required supported living and was staying with her along with his dog. The possession order was made with the requirement that Mr M's dog should stay with his mother in the meantime – which didn't happen.

After 14 days an application was made to the court for an eviction warrant. A severe shortage of bailiffs means that we waited some time for an eviction date and during this time residents told us Mr M continued to take the dog out and cause a nuisance, however the eviction has now happened and Mr M is no longer at the flat.

This case demonstrates the complexity of taking action in many ASB cases including health & disability considerations, the length of time it can take to resolve them and the importance of multi-agency working. Some people may think it's quite a severe step to evict someone for having a dog, however the problems caused by having a dog where it wasn't suitable meant it was very difficult for neighbours. Our approach is always to give people a chance to put things right however in this case it became clear that wasn't going to happen, and we felt we owed it to them to take action.

We're interested in any feedback you might have about this case – and we're also looking for volunteers to help us to review the ASB policy which is due to be re-approved in the summer – please let me know if you'd like to get involved.