



# Tenancy Breaches Policy

September 2025

| Version | Date             | Annual Review Date |
|---------|------------------|--------------------|
| 1       | 3 September 2025 | 2 September 2026   |

*Please note: Tenancy Breaches Policy will need to be reviewed once the Renters Rights Act receives Royal Assent*

## Introduction

All Quercus Housing residents should live in a safe, warm and secure home that is well maintained. A tenancy breach occurs when a resident violates a term of their tenancy agreement, which is a legally binding contract.

## Tenancy Breaches

Quercus Housing as a Landlord can take action to address breaches, which may include issuing a Notice, seeking Court Orders for possession, or pursuing legal remedies depending on the severity and nature of the breach.

Some breaches may be more obvious than others eg rent arrears. Other breaches may not be realised until they are brought to the attention of the Landlord for example a neighbour making a complaint about a tenant.

It may be that an informal approach of talking to the resident resolves the issue, if so then this should be followed up in writing to confirm the discussion and outcome. Or taking a more formal approach at the outset by putting the issue in writing could be used.

If the situation is serious enough, there may be a case to take legal action; for Quercus Housing to pursue the resident through the County Courts and ask for damages to cover costs to repair the damage or clear the rent arrears, for example. If no reasonable solution can be found, then Quercus Housing may decide they need to evict the residents and, in this scenario, they would need to serve Notice as appropriate to end the tenancy and, if necessary, obtain a Court Order.

## Rent Arrears

If a resident is having problems paying their rent the most important thing to do is to contact the Property Management Company.

The Property Management Company will be able to discuss the problems they are experiencing and offer practical help and advice.

The Property Management Company will work with the resident to resolve the rent arrears. Rent payments and arrears payment plans can be made through the following ways:

- By direct debit or standing order
- [Pay your rent online](#)
- Over the telephone by calling the Property Management Company
- You can pay by credit card, but this is not recommended as a charge is made for paying by this method and you could be charged interest

However, if arrears continue to rise a Notice will be served advising of the intention to proceed with Court action to recover the debt and obtain a Possession Order,

which may ultimately lead to the resident being evicted from their home.

Appendix A sets out the Quercus Housing Eviction Protocol that the Property Management Company will follow.

### Anti Social Behaviour

The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as:

*“Conduct that has caused, or is likely to cause, harassment, alarm or distress to any person, or conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises or conduct capable of causing housing-related nuisance or annoyance to any person”.*

The term is used to describe actions that unreasonably interfere with or could interfere with a resident’s normal use and enjoyment of their home, garden or neighbourhood.

There may be a fine line between anti-social behaviour and disputes between neighbours over relatively minor inconveniences, although these may, if persistent, become anti-social behaviour.

Anti-social behaviour examples include:

- Noise nuisance, eg loud music, persistent shouting/rowing
- Pet nuisance/uncontrolled animals
- Damage to property/buildings, street furniture, trees, hedges, plants
- Blocking means of escape by using communal areas and balconies for personal storage
- Dumping rubbish and fly-tipping
- Abandoned vehicles
- Car Parking
- Intimidation and harassment

Examples of what is not Anti-social behaviour:

- Cooking odours
- Clash of personalities, lifestyles including cultural differences
- Clash of personalities
- Noise transference due to poor sound installation

There is a clear link between anti-social behaviour and crime. Nuisance can escalate if not dealt with, and this can erode people’s sense of attachment to where they live.

Quercus Housing will work with other agencies such as Kent Police, where anti-social behaviour escalates or overlaps with criminal acts.

If the problems residents are experiencing is a dispute between neighbours and they are unable to remedy the situation they should contact their Property Management Company.

If the anti-social behaviour a resident is experiencing is of a criminal nature it needs to be reported to Kent Police directly. This can be done by calling their 101 number or by using their [online reporting tool](#) and in emergencies, always call 999.

However, if the anti-social behaviour persists a Notice will be served advising of the intention to proceed with Court action to recover the debt and obtain a Possession Order, which may ultimately lead to the resident being evicted from their home.

Appendix A sets out the Quercus Housing Eviction Protocol that the Property Management Company will follow.

### **Tenancy Breaches follow up Action**

A report will be prepared for the Board on a quarterly basis advising of the number of tenancy breaches, the outcomes of the completed investigations and details of any formal action being taken.