



Eviction Policy

Document ID:	LAN-POL-1057					
Executive Lead (Owner):	Executive Director of Customer Services					
Author (Leadership Team member):	Director of Customer Services					
Which Strategy does this support?	Landlord Resident Strategy					
Review frequency:	Every 3 years	☐	Other (state period)			
Date created:	September 2025					
Previous review date:	N/A					
Review date:	N/A					
Next review:	September 2028					
Current status:	Draft	☒	Final	☐		
IMPACT ASSESSMENTS						
Equality Impact Assessment						
STAGE 1 completed?	STAGE 2 required?	No	☐	Yes	☒	
☒		If not required, state reason:				
Customer Impact Assessment						
1) Is this one of the agreed policies requiring resident consultation? Please refer to: Our policies - Settle		Yes	☒	No	☐	
2) If yes, please confirm resident consultation has taken place		☒	Briefly detail changes arising from resident feedback: The policy has been updated with further detail on what some of the legal terminology means.			
APPROVAL						
Approval journey:	Executive Team	Committee				Board
		ARC	DAC	Ops	NRC	
	☒	☐	☐	☒	☐	☐
Date approved:	15 th October 2025	21 st October 2025				
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	The Housing Act					

	The Protection from Eviction Act 1977 Torts (Interference with Goods) Act 1977
Associated procedures	See section 5 for all relevant procedures.
Does this policy contain delegated authority?	N/A

Eviction Policy

Introduction

Our purpose is to give residents a firm foundation on which to build their lives. Our vision is a safe, comfortable, and affordable home for every household. 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 proportionate 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 to prevent residents from building up unsustainable levels of debt and reduces the risk of significant distress being caused to others in the neighbourhood.

Eviction is considered a last resort, we will work with residents to avoid this where possible, however we recognise that there are occasions where we have exhausted all options and legal action must be taken. This may be necessary to protect our assets in cases of escalating rent arrears, or to enable residents to live with quiet enjoyment of their homes, free from anti-social behaviour. Where necessary, we will take steps to end a tenancy and recover possession of a property in line with legal and regulatory requirements.

Purpose

The purpose of this policy is to provide a clear, fair and consistent approach to the use of eviction in cases such as rent arrears, anti-social behaviour, tenancy fraud and non-successors. It sets out:

- The circumstances in which we may take legal action and carry out an eviction;
- Our commitment to act reasonably, proportionately and in line with legal and regulatory requirements;
- How we will support residents facing eviction, including referral to our Tenancy Support Partners 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.

Scope

This policy applies to all Settle residents including tenants, licence holders, shared owners and leaseholders.

It covers all situations where there is a breach of the Tenancy or Lease Agreement resulting in eviction proceedings being taken, including:

- Rent arrears (Grounds 10 and 11 and mandatory Ground 8 for possession under the Housing Act 1988)
- Anti-social behaviour (Grounds 12 and 14 and mandatory Ground 7a for possession under the Housing Act 1988)
- Service of a Notice to Quit (NTQ), such as in cases of abandonment or non-successors.

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 eviction.

Section 2 – Policy

2.1 Policy Principles

We 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 clear information on paying rent, adhering to tenancy terms, and maintaining positive behaviour in the neighbourhood. We encourage residents to contact us if they have any queries or concerns regarding their tenancy or lease at the earliest opportunity and we will respond accordingly with the appropriate advice and support.

When offering a tenancy, we check if the resident requires any support to manage their tenancy. We 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 Partners and external organisations, such as social services or local partner organisations, as appropriate to help residents sustain their tenancy and prevent eviction.

We will only offer affordable rent tenancies to applicants who demonstrate through an affordability assessment that it is financially manageable for them.

We understand the impact of eviction action, which we will only take as a last resort – either where procedural steps have been exhausted or where the severity/risk of the situation requires it.

2.2 Policy Detail and Outcome

We will seek eviction where there is evidence that a resident has not adhered to the terms of their tenancy, lease or licence agreement. This may involve the resident, other household members, or visitors and can include:

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

We will also act where there are unlawful occupiers or squatters on the property or land. This includes:

- 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/occupation charges if former occupants return after eviction.

Eviction may also occur where:

- A resident refuses to vacate property required for regeneration or redevelopment (where permitted under the agreement).
- A superior landlord requests the property to be returned as per contractual agreement.

Evictions will follow the approval process outlined in the related procedures, which are listed below in Section 5, ensuring fair and proportionate 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.

Shared Owners will be treated as assured tenants unless otherwise specified in the lease. We will liaise with mortgage lenders (if applicable) and local authorities for support and advice.

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

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 a Neighbourhood Coach or Manager not involved in the original decision and outcomes communicated to the resident within 10 working days. There is no further right to appeal, however the resident can submit a defence with the Court should legal proceedings continue.

We will seek to recover costs of evictions from residents, including arrears, property damage, legal costs, and other related expenses. Exceptions may apply where eviction is due to landlord requirements on a leased property.

Residents are encouraged 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.

Section 3 – Roles and responsibilities

3.1 Key Roles and Responsibilities

- This Policy is intended for all residents and colleagues.
- Neighbourhood Income team manage evictions relating to rent arrears
- Neighbourhood Team manage evictions for breaches of tenancy relating to housing management and Anti-Social Behaviour
- Tenancy Sustainment manage evictions in Temporary Accommodation
- Home Ownership manage evictions for Leaseholders and Shared Owners
- The Operations Committee, which operates under the jurisdiction of the Board, is responsible for approving and monitoring this policy.
- Settle's Executive Director of Customer Service has strategic oversight of this policy.

Section 4 – Compliance and Enforcement

4.1 Compliance

- All cases where legal action is taken follow the Court process, ensuring the action is fair and proportionate and legal requirements have been met.

- The decision to escalate action to eviction follows the approval process outlined in the relevant procedure and is reviewed by the Director of Customer Services, to ensure all internal policies and procedures have been followed.
- Evictions are logged on our housing management system as a reason for termination, allowing for monitoring and reporting on the number of evictions conducted. This information forms part of the Consumer Standards annual self-assessment which is reported to the Operations Committee and Board.

Section 5 – Related Policies, Procedures and Key Documents

Related Policies

- Anti-Social Behaviour Policy
- Income Recovery and Arrears 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

Section 6 – Review, Approval, Publication

6.1 Review and Approval

This Policy will be reviewed every 3 years, or sooner should there be a material change, or if a more frequent review is required.

Section 7 – Document Control

Document Name	Eviction Policy
Approval Date	22 nd October 2025
Approved By	Operations Committee
Version Number	V1.0
Version History	

Impact Assessment Evidence					
EQUALITY IMPACT ASSESSMENT ATTACHED		Stage 1		Stage 2	
		☐		☒	N/A ☐
CUSTOMER IMPACT ASSESSMENT RESIDENT FEEDBACK		Attached ☒		N/A ☐	
PUBLISHING REQUIREMENTS					
INTERNALLY	☒	WEBSITE	☒	Settle Connect	☐

OFFICE USE ONLY	
RELEVANT 'APPROVAL LOGO' ADDED TO COVER	☐
Keywords for search function	