



Anti-Social Behaviour and *your* area

Does Dublin City Council have a Strategy (Overall Plan) for dealing with Anti-Social Behaviour ?

- **Yes** – on 1st November 2010 Dublin City Council formally adopted its **Anti-Social Behaviour Strategy** in accordance with s.35 of the Housing (Miscellaneous Provisions) Act 2009.
- This Strategy applies to areas where Dublin City Council has **Tenancy Dwellings, Tenant (Relevant) Purchaser Dwellings, Rental Accommodation Scheme Dwellings (RAS)** and **Traveller Sites** and when the relevant provisions of the 2009 Act are commenced will apply to Chapter 4 Tenancies (currently RAS), Apartment Tenant Purchasers and Incremental Purchasers.
- The Strategy sets out the Council's **overall plan** in dealing with issues of Anti-Social Behaviour and includes Objectives, Policies, Procedures, Customer Care, Health & Safety, Legislation, etc. This leaflet is a brief summary. The full content can be viewed on our website at www.dublincity.ie.

Mission Statement

- Dublin City Council **will not tolerate Anti-Social Behaviour**
- Dublin City Council **will investigate all complaints of Anti-Social Behaviour**
- Dublin City Council **will take all appropriate steps to help prevent and reduce such behaviour**

Dublin City Council is fully committed to tackling Anti-Social Behaviour in your area.

What is Anti-Social Behaviour ?

The Housing (Miscellaneous Provisions) Act 1997, as amended, defines Anti-Social Behaviour as follows:

- a. the manufacture, production, preparation, importation, exportation, sale, supply, possession for the purposes of sale or supply, or distribution of a controlled drug (within the meaning of the Misuse of Drugs Acts 1977 and 1984)
- b. any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, alarm, loss or fear to any person living, working or otherwise lawfully in or in the vicinity of a house provided by a housing authority under the Housing Acts 1966 to 2002 or Part V of the Planning and Development Act 2000, or a housing estate in which the house is situate or a site and, without prejudice to the foregoing, includes
 - i. violence, threats, intimidation, coercion, harassment, or serious obstruction of any person,
 - ii. behaviour which causes any significant or persistent impairment of a person's use or enjoyment of his or her home, or
 - iii. damage to or defacement by writing or other marks of any property, including a persons home.

What Does This Mean ?

Briefly, this means:

- No drug dealing
- No violence or threats of violence
- No harassment or abuse
- No intimidation or causing fear or alarm
- No graffiti or damage to property
- No nuisance annoyance or disturbance
- No loud music / noise of any kind

There is an obligation on you, the tenant, tenant (relevant) purchaser or licensee, to ensure that neither you, nor any member of your household or visitor, engage in Anti-Social Behaviour of any kind. Engaging in Anti-Social Behaviour can seriously effect you and your tenancy, home or licence.

What is Dublin City Council's Main Objective ?

- The first and primary Objective of Dublin City Council is to **Prevent and Reduce Anti-Social Behaviour** within its areas.

How can the Council Prevent & Reduce Anti-Social Behaviour ?

Dublin City Council will:

- **Investigate** all complaints of Anti-Social Behaviour
- **Interview / challenge / caution** the alleged offenders
- **Pursue legal remedies**, including court orders for exclusion and eviction, particularly in respect of drug dealing, where appropriate
- **Vet all applicants** for housing re. Anti-Social Behaviour
- Consider **refusal / deferral of a letting** of a dwelling re. Anti-Social Behaviour
- Consider **refusal to sell** a dwelling re. Anti-Social Behaviour
- Adopt a **multi-agency approach** and liaise with other agencies such as An Garda Síochána
- Engage with An Garda Síochána re. the **removal of squatters** from Council dwellings where the individuals are or have engaged in Anti-Social Behaviour and refuse to leave
- Provide **local Area Housing Offices** where dedicated staff are deployed to receive and investigate complaints of Anti-Social Behaviour in that particular area (see back of this leaflet for addresses and tel. numbers)
- Provide **Pre-Tenancy Training Courses** for all new tenants – attendance is obligatory
- Provide a **Mediation Service** for neighbour disputes – this can help prevent disputes escalating into serious Anti-Social Behaviour

- Provide a **Housing Welfare Service** that can assist tenants and offer advice and support including referrals to other agencies
- **Engage with communities** through our Community Development Section
- Head up **Regeneration Projects** and **Precinct Improvements**

How do I make a Complaint ?

- If you are a victim of Anti-Social Behaviour from a Dublin City Council tenant, tenant (relevant) purchaser or licensee (Traveller site), or from a member of their household, you can **contact your local Area Housing Office** to make a complaint – addresses and telephone numbers are listed at the back of this leaflet.
- You will be asked to go along to your local Area Housing Office so that a **detailed record of your complaint** can be made.
- If you believe the behaviour complained of is of a **criminal nature** you should also contact **An Garda Síochána**.
- If you inform us that you are in fear of reprisal and wish to have the complaint treated **in confidence** then you can be assured that your identity will not be disclosed to the person against whom the complaint is made (respondent).
- If information received from the complainant, or if the complaint itself, **would tend to identify a complainant** who requests confidentiality then he / she will be made aware of this and asked if they wish an investigation to proceed.

When will my Complaint be Investigated ?

- An investigation will be initiated **within fourteen days** of its receipt, resources permitting.
- In deciding whether or not to investigate complaints inquiries may be made to establish, where possible, that the complaints are **made in good faith**, and are not vexatious or malicious. In this regard **anonymous complaints** are treated with caution.

How will my Complaint be Investigated ?

- Complaints of Anti-Social Behaviour are usually **received and investigated, in accordance with our Strategy, from the local Area Housing Office** – in the case of Traveller specific accommodation, investigation is initiated from the Traveller Accommodation Unit (see back of leaflet).
- If, following investigation, we believe there is **substance to the complaint**, immediate action will be considered. Dublin City Council will also consider any representations or submissions made to it by or on behalf of the respondent to the complaint. Appropriate action can include a range of options such as a **Warning** or recommendation for **Mediation**, or in more serious cases, **Excluding Order** or **Eviction** proceedings.

Always respect your neighbours' property and their right to peacefully enjoy their home.

What is an Excluding Order ?

- Dublin City Council can apply to the District Court for an order, known as an Excluding Order, in accordance with the Housing (Miscellaneous Provisions) Act 1997 as amended, against a member of the household (except the Tenant), or a person directly connected to the dwelling who is or has been involved in Anti-Social Behaviour. The person can be excluded from the dwelling and the vicinity of the dwelling for a period of **up to 3 years**. The Tenant or Tenant (Relevant) Purchaser can also apply for the Excluding Order, including against a joint Tenant where the application is by a Tenant.
- The Excluding Order provision currently applies to **Tenancy Dwellings, Tenant (Relevant) Purchaser Dwellings** and **Traveller Sites** and when the relevant provisions of the 2009 Act are commenced will apply to Chapter 4 Tenancies (currently RAS), Apartment Tenant Purchasers and Incremental Purchasers.
- Where an Excluding Order has been granted against a person it is an offence for that person to breach it. The penalty on conviction is a **fine** not exceeding €1,905 or a **term of imprisonment** not exceeding 12 months, or both.

In order to achieve success in tackling Anti-Social Behaviour in your area we need your help. This is *your* place, *your* community, *your* home.

Dublin City Council's primary objective is to prevent and reduce Anti-Social Behaviour within its areas.

What are Eviction Proceedings ?

- Dublin City Council can **terminate the tenancy** of a dwelling by the service of a **Notice to Quit and Demand for Possession**.
If the dwelling is not surrendered by the date specified on the Notice then the Council can apply to the District Court for a **warrant for possession**.
Following the issue of the warrant the occupier can be evicted. This procedure is generally referred to as eviction proceedings.
- Eviction proceedings can currently be applied to **Tenancy Dwellings** and **Traveller Sites**. Eviction proceedings can also be initiated in relation to **RAS** dwellings although the procedure may be different.
When the relevant provisions of the 2009 Act are commenced eviction proceedings can be initiated against Chapter 4 Tenancies (currently RAS).

What about ASBO's ?

- Anti-Social Behaviour Orders, which are processed and enforced by An Garda Síochána, deal with **Anti-Social Behaviour in all areas** and not just estates where the Council has one or more dwellings under its control. For more information please contact An Garda Síochána.

You Should Also Know

- The Health Service Executive may **refuse, suspend or terminate a supplementary payment in relation to rent** or mortgage interest where a person has been evicted or excluded from a dwelling or where Dublin City Council has refused to let or sell or issue a licence (Traveller) on grounds of Anti-Social Behaviour or good estate management.
- It is **an offence for a person to cause any interference**, including threats, intimidation, harassment, or obstruction to an officer or employee of Dublin City Council, or a member of their family, or to a person who is to provide evidence in any proceedings under the Housing Acts 1966 to 2009. The penalty on conviction is a **fine** not exceeding €1,905 or a **term of imprisonment** not exceeding 12 months, or both.

How Can I Become a Better Neighbour ?

- Do not engage in Anti-Social Behaviour of any kind
- Ensure that members of your household or visitors do not engage in Anti-Social Behaviour of any kind
- Always respect your neighbours' property and their right to peaceably enjoy their home
- Watch out for older persons in your estate and help them in any way you can

We need your help in order to achieve success in tackling Anti-Social Behaviour in your area.

Customer Care

- In line with its customer care policy (Customer Charter 2002) Dublin City Council is committed to providing a **quality service** to its tenants and residents within its areas of responsibility in relation to addressing problems of Anti-Social Behaviour.
- If a resident is not happy with the way in which his / her grievance was handled, or the subsequent outcome, he / she **can make a complaint** to:

The Executive Manager,
Dublin City Council,
Housing & Residential Services,
Block 1, Floor 2,
Civic Offices,
Fishamble Street,
Dublin 8,

or to

Dublin City Council,
Customer Services Centre,
Block B,
Blackhall Walk,
Queen Street,
Dublin 7.

This leaflet is intended as a practical guide and is for information purposes only.

Dublin City Council – Local Area Housing Offices

Ballymun Area Office

Ballymun Civic Centre
Main Street
Ballymun
Dublin 9
T. 222 5610 / 222 5646
F. 862 1056

Finglas Area Office

Finglas Civic Centre
Mellows Road
Finglas
Dublin 11
T. 222 5400
F. 856 7016

Ballyfermot Area Office

Ballyfermot Community
Civic Centre
Ballyfermot Road
Dublin 10
T. 620 7122
F. 621 5939

Kilbarrack Area Office

Unit 18-19 Greendale
Shopping Centre
Greendale Road
Dublin 5
T. 222 8540
F. 839 1715

Cabra Neighbourhood Office

97 New Cabra Road
Dublin 7
T. 222 7400
F. 868 6727

Kilmainham Area Office

639 South Circular Road
Kilmainham
Dublin 8
T. 222 5130
F. 473 5528

Crumlin Area Office

13 St. Agnes Road
Crumlin Village
Dublin 12
T. 222 5500
F. 408 7030

Liberties Area Office

The Maltings Business Park
54-55 Marrowbone Lane
Dublin 8
T. 222 5200
F. 453 1088

Darndale Area Office

Bell Building
Darndale / Belcamp Village
Centre
Darndale
Dublin 17
T. 877 1625
F. 877 1638

North East Inner City Area Office

51-53 Lower Sean
McDermott St.
Dublin 1
T. 222 2249
F. 222 3882

North West Inner City Area Office(s)

Ashley House
182-184 Parnell St.
Dublin 1
T. 222 7319
F. 878 3552

112A O'Devaney Gdns.
Dublin 7
T. 222 7820
F. 838 2869

Traveller Accommodation Unit

Dublin City Council
Block 1 Floor 2
Civic Offices
Fishamble St.
Dublin 8
T. 222 3301
F. 222 2699

South East Area Office

Block 2 Floor 4
Civic Offices
Fishamble St.
Dublin 8
T. 222 2243
F. 222 2499

Comhairle Cathrach Bhaile Átha Cliath
Aonad um Iompar Frithshóisialta
Oifigí na Cathrach
An Ché Adhmaid
Baile Átha Cliath 8
Teil. 222 2604

Dublin City Council
Anti-Social Behaviour Unit
Civic Offices
Wood Quay
Dublin 8
T. 222 2604

www.dublincity.ie

A Dublin City Council Publication

An Irish Translation of this leaflet
is available upon request



Dublin City
Baile Átha Cliath