

Unauthorised occupants and squatters

Customer summary of a Genesis Housing Group policy

This policy applies to all customers (tenants and leaseholders) who are living in homes that are owned or managed by subsidiaries of Genesis Housing Group. The policy excludes customers whose housing is managed on behalf of a local authority (Hackney & Westminster).

Introduction

We are committed to making the best possible use of our housing stock. Unauthorised occupation and squatting reduces the amount of accommodation available for households in housing need. It may reduce our rental income and may cause the Group to incur extra costs, such as legal and staff costs. It may lead to deterioration of the property and could lead to nearby properties being squatted or occupied without authorisation. Unauthorised occupants and squatters may cause nuisance to neighbours and can undermine the development of sustainable communities.

We aim to:

- prevent properties being squatted and properties being sublet where this is a breach of the customer's occupancy agreement;
- ensure that unauthorised occupants do not remain after a head tenancy is terminated;
- prevent unauthorised mutual exchanges;
- increase the possibility of discovering unauthorised occupation; and
- act swiftly and effectively to regain possession of our properties if we find squatters or unauthorised occupants are in occupation.

Definitions

An unauthorised occupant is someone who has no contractual right to occupy our property or whose continued occupation is unlawful because it is a breach of the express terms of the tenancy or lease.

A squatter is someone who has entered or remained in a property without the knowledge, agreement or permission of the leaseholder, tenant or landlord of the property. The law treats a squatter as a trespasser.

Customers' responsibilities

Tenants must not sub-let, or give up possession of, the whole of their property. In doing so, they have breached the terms of their tenancy agreement which stipulates that the property must be used as the tenant's only or principal home. Tenants who wish to end their tenancy should do so by serving a notice to quit (NTQ) on us in writing, giving us four weeks notice. Once the notice has expired, tenants must give us vacant possession of the property.

Leaseholders' responsibilities will be set out in their individual lease, which may contain clauses on sub-letting.

Preventing unauthorised occupation and squatting

We will take precautions to minimise the risk of unauthorised occupation and squatting. We will maintain comprehensive and accurate customer information, encourage customers to inform us of any change in their circumstances and to inform us if they are going away from the property for any substantial period of time. For our rented properties, we will carry out periodic tenancy checks to ensure that the legal tenant is in occupation. All staff will be alert to any properties that appear to be abandoned or illegally occupied.

We will take measures to prevent our void properties becoming squatted. We will minimise void periods and if necessary, secure empty properties using boarding or caging measures or even security alarms. We will encourage neighbours, caretakers and estate security personnel to report any suspicious behaviour around void properties to us.

Repossessing properties that have been occupied without authorisation or squatted

If we discover an unauthorised occupant or squatter in one of our properties, we will act swiftly to repossess the property. We will be wary of any act which might inadvertently create a tenancy between the association and the unauthorised occupier. Knowing acceptance of rent may be construed as the creation of a tenancy. We will make it clear that any rent accepted is for use and occupation only.

Rights of unauthorised occupants and squatters

Unauthorised occupants and squatters occupy property without our permission, but we still have certain legal obligations to them. We will not:

- harass or threaten occupants in any way;
- interfere with the services of the property; or
- use force to obtain entry to the premises except with a court order.

However, we will not carry out repairs to a property occupied by an unauthorised occupant, unless there are health and safety implications for other customers or unless effective asset management of the property requires us to do so.

We will ensure that unauthorised occupants are kept informed of any legal action we are taking and will refer them to the Local Authority Housing Advice Centre/ Homeless Persons Unit, the Citizens Advice Bureau or Law Centre for further advice and assistance. We will not advise unauthorised occupants and squatters of their rights.

Staff support

We are committed to ensuring the safety of our staff. We will provide appropriate training to help staff cope with difficult and dangerous situations and keep staff up-to-date with current best practice and legislation. When investigating cases of squatting, members of staff will not visit a property alone but will take another member of staff with them and will follow the Group's personal safety and lone working procedure.

Contact us



If you are a **PCHA customer** phone us on **020 8451 8000** or email **info@pcha.org.uk** **www.pcha.org.uk**



If you are a **Springboard Housing Association customer** phone us on **020 8475 0033** or email **info@springboardha.org.uk** **www.springboardha.org.uk**



If you are a **Pathmeads customer** phone us on one of the numbers below: Temporary housing **020 8900 4900** Octavia Hill **020 8900 4998** Key Places **020 7380 9025** or email **info@pathmeads.org.uk** **www.pathmeads.org.uk**

Company number 3802456. Housing Corporation Number L4286. Registered Office: Capital House, 25 Chapel Street, London NW1 5DT

If you need any part of this information in large print, Braille, on audio tape or explained in your own language please contact us on the number below.

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Arabic

যদি আপনি এই তথ্যগুলোর যে কোন একটির সম্বন্ধে বিস্তারিত জানতে চান, অথবা আপনার নিজের ভাষাতে ব্রেল, সিডি, অডিও টেপ-এ পেতে চান তাহলে নিম্নলিখিত নম্বরে আমাদের সাথে যোগাযোগ করুন।

Bengali

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French

જો તમારે કોઈ પણ ભાગની આ માહિતી બ્રેઈલ, સીડી ઉપર, ઓડિયો ટેપ અથવા તમારી પોતાની ભાષામાં સમજી શકો તેની જરૂર હોય તો નીચે જણાવેલ નંબર ઉપર અમારો સંપર્ક કરો.

Gujarati

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Portugese

Haddaad u baahan tahay warkan afkaaga-hooyo, afka loogu talagalay dadka aan arki karaan – afka faraha ama CD-ga ama ajeladda rekorka nala xirir. Namberkan isticmaal.

Somali

Si necesita esta información en Braille, en CD, en cinta o en su propio idioma, póngase en contacto con nosotros en el teléfono siguiente.

Spanish

Telephone 020 7563 0037 or email info@ghg.org.uk