



Comhairle Chontae Uíbh Fhailí
Offaly County Council



Tenant Handbook



Tenant Handbook



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Offaly County Council

Introduction

Dear Tenant,

On behalf of Offaly County Council, I am delighted to welcome you to your new home.

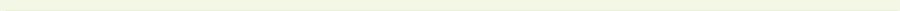
This tenant's handbook will assist you in answering any queries you may have about your tenancy with the Council and sets out the roles and responsibilities of both the tenant and the Council as landlord. The handbook provides useful information on the housing services provided by the Council, for example, housing maintenance, rent, loans, etc.

When you are allocated a dwelling you become more than just a tenant, you become a member of the community in which you live. The Council encourages you to make this house your home and to become actively involved in your estate and your wider community.

I wish you every health and happiness in your new home.

Anna Marie Delaney

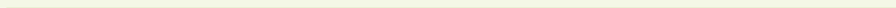
CHIEF EXECUTIVE
OFFALY COUNTY COUNCIL
2018



Tullamore M.D.
057 9352470

Edenderry M.D.
046 9731256

Birr M.D.
057 9124900



How to contact us in Offaly County Council

Municipal Districts

Birr Municipal District

Wilmer Road, Birr,
Co. Offaly. R42 X271
(057) 912 4900
birrmd@offalycoco.ie

Edenderry Municipal District

Edenderry Town Hall,
Edenderry, Co. Offaly. R45 K766
(046) 973 1256
edenderrymd@offalycoco.ie

Tullamore Municipal District

Acres Hall, Cormac Street,
Tullamore Co. Offaly. R35 WV59
(057) 935 2470
tullamoremd@offalycoco.ie

 /offalycoco
 @offalycoco

Fire Services

Firestation HQ

(057) 932 7410
firestat@offalycoco.ie

Opening Hours

Planning

Monday to Friday 9:30am to
4.00pm
(057) 935 7414
planning@offalycoco.ie

Motor Tax

Monday to Friday: 9:30am to
3:30pm
(057) 934 6800
motortax@offalycoco.ie

All other offices

Monday to Friday 9:30am to
4.00pm

Out of Office Hours

For urgent issues call
1890 750 750

Water/Waste water 1890 278 278

For details of all local authority
services visit **offaly.ie**



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Moving into your new house



Pre tenancy training

Before getting the keys of your new home, all new tenants or existing tenants transferring from one local authority house to another, must attend a Pre-tenancy information session. At the pre-tenancy information session, staff will explain the conditions of your tenancy in detail to you. Staff will inform you about what is allowed and not allowed with regard to you being a tenant of Offaly County Council. Staff will also explain any policies that are in operation in relation to the tenancy of your new home.

Getting your keys

Following the pre-tenancy information session, you will receive your keys once you have:

- Paid your deposit
- Completed your pre-tenancy training
- Signed your tenancy agreement
- Returned all relevant documents

Checklist for moving into your home

Gas and electricity

Contact the relevant service providers for gas and electricity to either set up a new account or transfer your existing account to your new address. Make sure you take a final meter reading at your old address and one in your new home to ensure you are not charged for gas and electricity that you have not used.

Refuse collection

Contact your local refuse company to order a 'wheelie bin' or let them know of your new address if you already have a bin.

Connection of TV and telephone

Contact the relevant service provider for connection/installation of your telephone line and/or television connection.

Insurance

Organise household contents insurance. Offaly County Council will insure the structure of your new home but does not insure your furniture, clothing, or personal belongings against fire, theft, vandalism and accidental damage. It is important that you take out home contents insurance

An post

Make sure to inform AN POST that you have moved home and let them know your new address.



Your tenancy agreement



Some key points contained in your Tenancy Agreement

- Your Rent and any other charges must be paid in full each week.
- The house in your Tenancy Agreement must be used as your main home.
- You must not pass the Tenancy to anyone else.
- You must not take in lodgers, or sub tenants including family members or partners without prior permission from Offaly County Council.
- You must give the County Council full details of your income and all other household members incomes. (People who live in the house with you and who have any income).
- You must not make any structural alterations to the property without getting written permission from Offaly County Council including erecting aerials / satellite dishes.
- You are responsible for all internal decoration, damage to fixtures / fittings, breakage of glass.
- If you will be away from your house for more than six weeks in a row you must let the County Council know.
- The property must not be used for business purposes of any kind and no trading signs may be erected on or around the property.
- You must keep the house and garden in good condition and any boundaries / walls / fences surrounding the property
- You must have a refuse disposal service in place. Rubbish must not be allowed to accumulate in or around the property or yard/ garden, whether or not it is in bin bags.
- You can keep a domestic pet (cat or dog - apart from dangerous dogs as identified under the Control of Dogs Act) so long as they don't cause nuisance to your neighbours. If you do have a dog, you must have a dog licence.
- If you do have a dog, you must ensure the dog wears a collar / is microchipped and is kept under control at all times. Dog collars should have the owners name and contact information on it.

- You must not keep poultry, birds, pigs or horses in or around the property.
- You are responsible for fire safety in your home (checking smoke alarms, cleaning chimneys).
- No gasoline / flammable liquids can be stored in or around the property or in communal areas of apartment complexes.
- You are required to park vehicles in a manner which does not cause obstruction to users of the road / pathways and you must not park vehicles on green areas or in a manner which blocks other residents or emergency services from accessing the estate or other properties.
- You must not permit any caravan to be parked at or around the property without consent from the Council. Application can be made to Offaly County Council to keep a caravan at the property. The Council will only consent to caravans being kept for touring purposes only and will not allow caravans to be kept for accommodation purposes. You must be a tenant for 6 months before being eligible to apply to retain a caravan at the property.
- You are responsible for the behaviour of every person (including children) living in or visiting the property. You and your household members or anyone visiting your home must not cause any annoyance, disturbance or nuisance to your neighbours.
- You must give authorised staff of the County Council access to your home if repairs, maintenance or inspections need to be carried out. Staff will give you adequate notice that they intend to call to your home.
- You must co-operate with Offaly County Council in any estate management initiatives being organised in your area.
- If you wish to end your tenancy you must give the County Council four weeks' notice in writing; pay any outstanding rent arrears; sign a termination of tenancy agreement and hand over your keys.

Your Rent



The Council will assess your rent and deal with any queries you may have about your account, methods of payment, dealing with arrears etc. Some general questions are answered below, but you can always contact the housing department at any time with any question you may have about your rent.

How much Rent do I Pay?

Your rent is calculated using the County Council's Differential Rent Scheme. This means that your rent is calculated by looking at the amount of income coming into your household and the make-up of your household (number of people/children dependents etc.). If you would like more information on the Differential Rent Scheme you can contact the Housing Department. The amount of rent you pay will be reviewed each year. You will be sent a rent review form which you must complete and return to the housing section. This process is compulsory, if you don't return the completed form you may have a penalty rent applied to your account. It is important that you complete these forms correctly each year when requested by the County Council and any other time there is a change of income or family composition in order to ensure that any such changes are reflected in your rent.

How Do I Pay My Rent?

Offaly County Council offers many different ways to pay your rent:

- Household Budget Scheme (direct weekly deductions from social welfare payment)
- Direct Debit / Standing Order
- Cheque/postal order (no cash) through the postal system
- In person at the Cash Office: Cash/ Laser Card/ Credit Card
- Card payment services through An Post.

The Household Budget scheme is the recommended method of payment for those on Social Welfare. Through this scheme, the rent amount is deducted weekly from your Social Welfare payment and credited to your rent account. Please note Rent cannot be deducted through the Household Budget Scheme for people in receipt of the following Social Welfare payments:

- Disability Benefit
- Carers Allowance
- Old Age Pension.

What If My Circumstances Change?

You must keep the Council informed about changes in your family circumstances. This means you must tell us when someone in your house:

- Gets a job
- Becomes unemployed
- Moves in (permission is needed for this)
- Starts claiming a social welfare payment
- Is born
- Dies
- Leaves home
- Reaches 18 years of age.

What If I Don't Notify the Council When My Circumstances Change?

When the Council become aware of the change in your circumstances, your rent will be reassessed and your rent will be backdated to when your circumstances changed. This may result in rent arrears being charged to you. Also if you do not complete the rent assessment form and return it to the County Council you will be breaching your tenancy agreement and further action may be taken against you.

What If I Miss a Payment?

If you do miss a rental payment, you should contact Offaly County Council Housing Section and make an agreement to repay the arrears as soon as possible. Missed payments are called Rent Arrears. The housing section will support you to repay the rent arrears.

What Will Happen If I Get Into Rent Arrears?

Offaly County Council will write to you setting out the arrears on your account and ask you to make up any payments you may have missed. Offaly County Council may ask you to come to the Housing Section offices to discuss the matter and put in place an arrangement to pay the arrears. Usually this would mean you pay your weekly rent plus an amount from your arrears every week. If you do not do this and the debt increases, we will take further action. The Council's general policy in relation to rent arrears is that all tenants should have a clear rent account at all times. Rent accounts are monitored regularly and Offaly County Council will take the following steps when a Rent Account falls into arrears.

PRE- WARNING LETTER

- A Pre-Warning Letter will be issued to tenants when arrears first come to the attention of the county council. This letter is to make you, the tenant, aware that Offaly County Council is aware of the arrears situation.

FIRST WARNING LETTER

- When an account falls into arrears of four or more weeks a 'First Warning Letter' will be issued.

SECOND WARNING LETTER

- If within 3 weeks of a first warning letter being issued the rent arrears have not been cleared a Second Warning Letter will be issued.

FINAL WARNING LETTER

- A Final Warning Letter is issued when no action has been taken following 'First and Second Warning Letters'. If the situation regarding rent arrears has not been addressed within 3 weeks of the Second warning letter, the Final warning letter will be issued.

Notice to quit

- If no response is taken within 10 days of issuing a 'Final Warning Letter' a 'Notice to Quit' (end of tenancy) will initially be recommended. If there are children within the tenancy the file will be referred to the Council's Social Worker for statutory notification to the HSE. Any tenant(s) who are about to be served a 'Notice to Quit', will be requested to attend for interview with a Housing Authority where the seriousness of the situation will be outlined. Failure of the tenant to attend will be noted and recorded on the file and may be used in the future as an indication of the tenant's concern on the matter. The tenancy agreement stops four weeks after the Notice to Quit is issued and Offaly County Council will request repossession of the property. Offaly County

Council Staff are always available to support you if you are having trouble paying your rent, it is important you contact us so we can help.

Application for court order

- From the date the tenancy stops, (four weeks from issue of 'Notice to Quit') if you fail to hand over possession of the property, an application will be made to the District Court for an 'Order for Possession' by the Council's Law Agents under Section 62 of the Housing Act, 1966, for an 'Order for Possession'.

Recovery of dwelling

- Following the 'Court Order for Possession' and on failure of the tenant to surrender the house, the Council's law agents will be instructed to forward the 'Warrant to the County Registrar for Execution'. The County Registrar is obliged to obtain and hand over vacant possession of the dwelling to the Council, who will then arrange to secure the dwelling. At eviction stage of this legal process the tenant is still responsible for the arrears including the legal costs.

Payment of Arrears and Deferred Payment

- During the time of warning notices, or Notice to Quit proceedings the Tenant will be required to clear all arrears by the stated dates. However, if the council are satisfied that the tenant is in difficulty and is unable to clear the rent arrears in full an alternative payment arrangement in instalments may be agreed. This is based on a minimum amount of €10 onto the weekly rent until such time as the account arrears are cleared. If this payment agreement is broken, the payment option will be cancelled and the procedures listed above will be resumed. If you are on a weekly Social Welfare Benefit payment and are required to enter into a Household Budget payment plan, where you cancel this plan it will be considered a missed payment by Offaly County Council. These alternative payments arrangements will be available only once.

Mediation and Engagement with the Tenant

- At all stages of the arrears process you will be encouraged to meet with staff from the Housing section to put in place suitable arrangements to resolve the situation.

Living in your new home and estate



When you become a tenant you also become a member of the community in which you live. The Council encourages you to become actively involved in your estate. Outlined below are some of the conditions and responsibilities you have with regard to your home and your community. You must live in the property as your only home. You must let the Council know and if you are going to be away from the property for more than 6 weeks in a row and you must provide the Council with the following information:

- The date you intend to leave
- The date you intend to return
- The arrangements you have made for paying the rent and for looking after the property, including garden/s and disposal of household rubbish
- The address and phone number where the Council can contact you.

Looking after the property

- You must take care of the property, including the Council's fixtures and fittings and make sure that your visitors and other people using or living in the property do the same
- Keep your property and gardens clean, tidy and rubbish free
- Do not cause or allow any shared area or communal area of the property / estate to become untidy or unclean
- Keep the inside of the property reasonably well decorated
- Tell the Council, as soon as possible about any problem that the Council is responsible for repairing (see sections to follow).

Looking after your garden

You are responsible for your individual garden and you are expected to keep this in a reasonable condition at all times. There are set minimum standards for gardens which are:

- All garden areas should be kept tidy and free of litter and rubbish
- Grass should be kept at a reasonable height and weeds should be kept under control

- Paths and access routes should be kept clear
- Permission is required before putting up/removing boundary structures or fencing
- No trees should be planted / cut down which could be harmful to the property or adjacent properties.



Improving my home



Before you carry out any changes or repairs to your home you must get written permission from Offaly County Council. Offaly County Council operates a Tenant Improvement Works Policy whereby you must apply for permission to the Council to carry out any construction / maintenance / repair works. There is an application form available from the Housing department and all works must be carried out by a reputable tradesperson who is insured and works must be carried out in accordance with the requirements of the Safety, Health and Welfare at Work (Construction) Regulations 2013.

Any alterations to the following will require permission:

- Walls
- Stairs
- Windows
- External doors
- Light fittings
- Heating systems, boilers and radiators
- Built in wardrobes/cupboards
- Bathroom suites (sinks/baths/toilets)
- Kitchen units
- Plumbing
- Electricity

Some examples of alterations:

- Knocking down walls
- Installing a new kitchen
- Installing a new bathroom
- Replacing/installing an electric shower
- Replacing/removing a fire place

- Replacing internal and external doors and windows
- Erection of an aerial or satellite dish on the outside of the property
- Decorating the outside of the property
- Installing gates, security cameras
- Installing an alarm system
- Installing a pre-pay electrical meter



Repairs and maintenance



The Council are generally responsible for the structural element of your home. This includes roofs, floors, external doors, chimneys, walls and window frames (not glass) and fascia's and soffits provided they become defective due to wear and tear and not as a result of wilful or malicious damage. The Council is responsible for all repairs to wiring and electric fittings provided by the Local Authority but where damage has been caused to them the tenant may be held responsible and may be required to pay the cost of replacement. Tenant responsibilities are outlined at Pre-Tenancy Training prior to allocation of a tenancy.

The tenant is typically responsible for:

- Damage to fixtures including internal doors and their handles, locks and hinges.
- Repairs to or replacement of damaged cupboards, wardrobes, kitchen units and their doors, hinges, handles, locks catches and drawers other than normal wear and tear.
- All internal decoration.
- Chimneys should be cleaned at least twice yearly.
- The tenant is responsible for damage caused to windows and external doors and their hinges, handles, locks, bolts, letterboxes and door knockers other than normal wear and tear.
- Rear entrances, side entrances and fuel house doors and their fittings which should be treated and maintained annually.
- Replacement of broken glass in windows and doors.
- Damage to window stays, catches and restrictors.
- Draught proofing and floor covering.
- Maintenance of gardens and hedges.
- Repair to fences, gates and boundaries which should be treated and maintained annually.
- Repairs to electrical appliances, fires and heaters and plugs which are not installed by the local authority (Where it is the tenant's responsibility to repair an electrical fitting or installation, other than the replacement of bulbs and fuses, the work should be carried out by a qualified and competent Electrical Contractor).

- Replacement of fuses and light bulbs.
- Routine maintenance of fire baskets, front frets, replacement of hearth and surround tiles and for all damage to units not caused by fair wear and tear.
- Routine maintenance of toilet bowls, baths, sinks and wash hand basins except where defective through wear and tear.
- Repairs of seats, chains, handles, washers and stoppers for toilets, baths and sinks.
- Clearing of blocked internal traps where the problem is attributed to the tenant.

INTERNAL REPAIRS

- Internal plaster cracks
- Repairs to replacement of damaged cupboards, wardrobes, kitchen units and their doors, hinges, handles, locks, catches and drawers
- Curtain rail and window boards, Hat and coat hooks and boards
- Chimneys should be cleaned twice yearly (contractors must be registered and insured)
- Repairs arising from condensation damage
- Repairs to wall and floor tiles
- Internal woodwork such as floors, doors and skirting boards
- Ventilator covers
- Internal decoration

EXTERNAL REPAIRS

- Maintenance of gardens and hedges - all hedging surrounding the property should be kept trimmed and maintained
- Repairs to, or replacement of fences and garden boundary walls erected by council and by tenant
- Repairs to, replacement of, and re-erection of front gates, side gates or doors leading to garden areas, including their support frames
- Clothes lines
- Fuel sheds or outhouses (where supplied); including roof repairs and repair or replacement of doors, locks, door handles or catches
- Ensure gullies and gutters are kept free of silt, leaves and other deposits

ELECTRICAL REPAIRS

- Lamp holders and plugs
- All repairs to electric appliances, fires and heaters not installed by the council
- Replacement of light bulbs and any bulbs that may be required for pilot lights

If the Council undertakes repairs resulting from wilful or neglectful damage, the cost of such repairs will be charged to the tenant. In cases where there are recurring false or malicious repair requests being logged by tenants, the Council may introduce a standing charge to cover call-out costs.

Council Responsibilities

Routine, urgent or emergency maintenance repairs are dealt with by relevant Clerks of Works on a day to day basis Typical valid repairs include damage caused by normal wear and tear and include for example:

- **Plumbing** related services: heating not working, leaks, no hot water, repairs to cylinders, radiators, waste traps, boilers, fire bricks etc. Annual boiler servicing will be considered under routine maintenance
- **Electrical** related services include repairs to: ELCB units, fuse boards, smoke alarms, heat detectors, sockets, switches, wiring, extractor fans etc.
- **Structural/External** related repairs include: windows (not glass) and door repairs, seals, floors, walls units.
- Works to **driveways**, gates, roof tiles / slates, fascia and soffit board repair (unless otherwise stated).

Only interior/exterior fixtures or fittings supplied by Offaly County Council will be repaired/replaced

Typical repairs the Council are responsible for

INTERNAL REPAIRS

- Gas servicing to Council installed heating systems
- Copper cylinder replacement
- Electrical repairs with the exception of those outlined as tenant's responsibilities
- The repair of light switches where damaged through normal wear and tear
- The repair of the electrical connections to the water heating cylinder
- Repair or replacement of immersion heater
- Repairs to burst pipes in the dwelling caused by frost or freezing temperatures
- Replacement or repair of waste pipes inside the dwelling
- Clearing airlocks in pipes
- Replacement or repair of taps on sink unit and wash hand basins
- Replacement or repair of ball cock or other water flotation control devices
- Attic tank replacement, all service pipe work
- Replacement of fire backs
- Repair/replacement of baths where damaged due to wear and tear

Repairs will only be undertaken where the damage is not malicious

EXTERNAL REPAIRS

- Repairs to roofs due to storm damage
- Repairs to gutters and down pipes, fascia and soffits
- Chimney repairs
- External plastering

- Replacement of windows, hall and back door, frames and sashes through decay.
- Sewerage / main drain repairs
- Repairs to footpaths / driveways / steps where subsidence has occurred
- Clearing of blocked house drains unless otherwise stated.

Categories of Repairs and Timeline for Completion

Response Timescales will apply to different categories of maintenance repairs.

CATEGORY	TIMESCALE	EXAMPLE
Emergency	24 hours	Smoking fuse board, faulty sockets, Burst Boiler
Urgent	1-5 working days	Leak under sink unit, no water in hot tap, heating systems
Routine	28 working days	Replace fire bricks/back
Planned	5-7 years	Replacement windows, doors, central heating, subject to funding

How to make a repairs request

If an item in your home is damaged or not working you should check as to whether it is your own responsibility by referring the Tenants Handbook. If it is The Council's responsibility, then you should report it to your local Municipal District Office or to the housing section of the Council. The contact numbers are contained in the Contacts Section at the front of this handbook.

What happens?

Upon receipt of a repair/complaint we will investigate the matter ourselves and assess firstly that we are responsible for the repair. If the repair is not our responsibility, we will let you know directly. Where a repair is our responsibility we will attend to your request as soon as possible. You should remember that we prioritise repairs dependent on how urgent the particular item of work is. Every time you make a maintenance request, your rent will be checked. With the exception of emergencies, maintenance works or improvement works will not be carried out if your rent account is in arrears.

A repair may be your responsibility. In certain circumstances we may carry out the work and charge you the cost. An arrangement will need to be made agreeing to either pay for the work before the works are carried out or through increased rent payments. You will be informed of the cost of the works prior to commencement of works.

Reporting Details of Fire or Storm damage

Damage arising from storms, burst pipes, or fires, should be notified ***immediately*** to the Council.

Local Authority Access to the Property

The Council may on occasion need to access your property to carry out repairs or other necessary maintenance works, safety checks, or house condition surveys. You must allow the Council access to the property at reasonable notice for these purposes. If a repair team calls to your house and cannot gain access, they will leave a note and you may need to contact the Council again. In cases such as emergencies, such as gas, water or sewage leaks or where the buildings or electrics are unsafe the Council can enter the property without giving you notice, whether you are there or not, in order to inspect the property and carry out repairs to deal with the emergency.

Protecting our staff

Offaly County Council is committed to customer care, but is also concerned about the safety and wellbeing of our staff. It is a condition of your tenancy agreement that you do not threaten or abuse, (including verbal abuse), council staff or anyone working on the Council's behalf. In addition to this, tenants should not call to the housing office whilst under the influence of drugs or alcohol.

Insurance

The Council only insures the structure of the house. It does not insure any of the contents of the property that belong to you (e.g. furniture, decorations and personal belongings). You are therefore required to take out contents insurance to protect these items against damage caused by fire, water leaks, flooding, vandalism, theft, burglary, criminal damage or accidental damage. The Council is also not responsible for repairs to the property caused by criminal damage. This should be all included in your insurance policy.

General

You are responsible for the following items:

- Removal of refuse from internal and external areas around the dwelling
- Removal of all materials inside and out including attic spaces upon vacating the property
- Costs incurred by Offaly County Council in removal of materials to carry out repairs may be charged to the tenant.

Exceptional Circumstances

The Council will consider requests for repairs, which are your responsibility only in exceptional circumstances where it is impossible for you to do so. If you are an old age pensioner, and/or you are unable to look after your house, you should contact the housing maintenance section for more assistance and advice. In these instances, work may be carried out on a chargeable basis.

Note: The Council shall ensure that, any project / works / construction / maintenance / repairs to the dwelling, which arise in accordance with its responsibilities under the Letting Agreement, and performed upon its direction, are carried out in accordance with the requirements of the Safety, Health and Welfare at Work (Construction) Regulations 2013.



Safety in your home



Electricity

- Know the location of the fuse board so that circuits or power can be switched off in case of an emergency.
- Do not overload electric sockets with appliances.
- Use properly sized fuses on all electrical appliances.
- Do not tamper with wall sockets, wall switches, the fuse board, or any part of the electric installation in the house.
- Switch off isolator switches (Disconnect switch) before moving any electrical appliance such as a fridge or washing machine.
- Make sure that electrical plugs of all appliances are removed from wall sockets before going to bed at night.
- Avoid installing electrical appliances in external sheds.

Fire

Smoke and Carbon Monoxide Alarms

Offaly County Council homes are equipped with smoke alarms. It is your responsibility to notify the local authority immediately if you have a defective alarm. Where the alarm is mains operated with battery backup, or solely operated by battery, the tenant must replace the battery. Tenants must not interfere with, paint over, or remove any fitted alarm or detector.

- Press test button of all smoke alarms once per week to check for correct operation.
- Replace batteries on smoke alarms / heat sensors when not working.
- It is recommended that a fire blanket and First Aid kit is stored in Kitchen.
- Standard pots or saucepans are not recommended for cooking chips due to the risk of life loss from fire. If you do use a chip pan, never leave it unattended and never overfill it.
- Never smoke in bed.
- Close all doors to all rooms at night time.

- Be sure to keep matches, candles and lighters out of reach of children and position candles away from draughts and curtains.
- Do not leave children alone in the dwelling.
- Where small children live in the house, ensure that a securely fitted patent type child fireguard is in place at all times around lit open fireplaces, gas fires and electric fires.
- Ensure that fireguard is placed around all open fires before going to bed at night.
- Ensure that gas fires and electric fires are turned off before going to bed at night.
- Check flexible hoses regularly for signs of wear and tear.
- Clean the chimney at least twice a year.

In the event of a fire, get out, stay out and dial 999 or 112 immediately.

Gas

- Know the location of the shut off valve for the gas supply to the boiler and cooker.
- Do not tamper in any way with gas boiler or any gas appliances.
- Make sure that wall vents are fully open at all times in rooms with open gas fires / solid fuel fires.

If you smell gas in your house

- Ensure gas appliances haven't been left on and unlit.
- Don't smoke or use a naked flame.
- Don't unplug or switch anything electrical on or off.
- Open windows or doors.
- If the appliances are off but the smell persists, turn off the gas supply at the meter and contact Bord Gais.

Emergency contact numbers

**FOR BORD GAIS 1850 20 50 50
24 HOUR LINE**

**IF YOU CAN'T GET THROUGH,
DIAL 999**

Do not use a phone in the immediate area of the gas leak, either call from outside of the property or use a neighbour's phone if necessary.

Plumbing

- Know the location of the stopcock and know how to turn off the water supply in the case of an emergency such as a burst pipe.
- If you have turned the water off the next thing is to try to prevent further damage to the house and your belongings - if leaking water might threaten your homes wiring, turn off your electricity at the fuse board; to reduce water damage use the simple solution - grab a bucket and put it under the leak.
- If you are going on holidays, make sure that stopcock is turned off before leaving the house.
- When the house is unoccupied in very cold weather make sure to leave background heat on (or set the timer to come on for a few hours each day and night) to prevent pipes freezing – it is a good idea to open the attic hatch door to allow heat to penetrate the attic where water tanks are stored.

Carbon Monoxide

- Carbon monoxide is a poisonous gas that has no colour, taste or smell and is produced when any fossil fuel such as gas, coal, oil or wood is burnt without enough oxygen.
- The symptoms of carbon monoxide poisoning are similar to those of flu and other virus infections and include aches, drowsiness, weakness, headaches and nausea.
- If anyone in the home has any of these symptoms while a gas appliance is being used, you must stop using the appliance until it has been checked and you should consult a doctor.

What can I do to avoid carbon monoxide?

There are lots of things you can do to prevent carbon monoxide from building up in your home.

- You should install a carbon monoxide detector.
- You can buy carbon monoxide detectors from most hardware shops and DIY stores.
- You should make sure any new appliance fitted by an approved installer is serviced at least once a year.
- You should make sure that flues and chimneys are checked and swept to remove any blockages.
- You should make sure that permanent ventilation openings are kept clear.

Condensation in your home

To avoid mould forming in your home and affecting your belongings, you need to avoid creating condensation. Condensation is created when the moisture in the air from everyday living such as cooking, washing, hot baths and drying clothes reaches a cold surface (such as a wall or window) and some of the water in the air is left behind. This dampness encourages mould to grow.

How to prevent condensation in your home

- Minimise moisture production in the home and try to keep it to certain areas of the house (Kitchen, Bathroom, Utility room).
- Prevent moist air travelling to other rooms by keeping doors closed when showering/bathing cooking or drying clothes.
- Open windows regularly particularly when cooking/bathing is finished to allow the moisture to escape.
- Provide some level of constant heating. It is better to turn on your heat low, for a long time, than to turn the heat on high for a shorter time.
- Dry clothes outdoors when you can, if using a tumble dryer provide venting to the outside of the house.
- Try to avoid drying clothes on radiators
- Keep air vents open and do not block them
- Keep windows open regularly when at home
- If you do notice mould growth in areas of your home, treat with anti-mould solution.



Pets



- You are permitted to keep domestic pets only at your home, such as cats and dogs, as long as they do not become a nuisance to your neighbours
- You must make sure that you keep your pets under control. You must not keep any animal which is wild, dangerous, poisonous or livestock
- You must not cause a nuisance by breeding any animals, birds or poultry at the property
- You must not allow animals to foul on footpaths or in communal areas of your property / estate
- If you do not look after your pet appropriately the Council may ask you to remove it from the property.

Dogs

- At all times, dogs must wear a collar bearing the name and the address of the owner inscribed on it or on a plate, badge or disc. Failure to have collar identification on a dog can result in an on-the-spot fine issued by a Dog Warden
- Keep the dog under control at all times, other than when the dog is on its owner's premises
- Prevent the dog from worrying livestock. In this regard, it is imperative that the dog is under your control at night, and that you know where the dog is
- Give your name and address when requested to do so by a Dog Warden
- Stray dogs are dogs that are in a public place and are not accompanied by the owner or a responsible person. Dogs that are not under proper control are also considered stray dogs. You can receive an on-the-spot fine if your dog is not under proper control. Stray dogs may be seized by the Dog Warden and the Gardaí and brought to a dog pound. These dogs may be put down or rehomed if their owners do not claim them within 5 days. If your dog has strayed or is missing, you should contact the local dog pound directly to check if your dog is there. Before you collect it, you will have to pay a re-claim fee and produce a current dog licence. If you do not have a current dog licence, you must get one before collecting your dog

- Dog Wardens have the power to request the name and address of a person suspected of an offence under the Control of Dogs Act. They also have the power to seize and detain any dog and to enter any premises with 5 or more dogs, other than a residence, to seize and detain a dog. You are guilty of an offence and can be arrested by a Garda if you obstruct a dog warden in the course of his or her work, refuse to give your name and address or give a false name and address.

Restricted Breeds of Dog

- You cannot have a restricted breed in a public place unless the dog is being led by means of a sufficiently strong chain or leash, no longer than two metres in length.
- The dog must be controlled by a person over the age of sixteen years who is capable of controlling the dog.
- A restricted breed cannot be in a public place unless the dog is securely muzzled.
- The dog must wear a collar bearing the name and address of their owner at all times.

The following are listed as restricted breeds under the Control of Dogs Regulations 1998

- | | |
|-----------------------------------|------------------------------|
| • AMERICAN PIT BULL TERRIER | • ENGLISH BULL TERRIER |
| • STAFFORDSHIRE BULL TERRIER | • BULL MASTIFF |
| • DOBERMAN PINSCHER | • GERMAN SHEPHERD (ALSATIAN) |
| • RHODESIAN RIDGEBACK | • ROTTWEILER |
| • JAPANESE AKITA | • JAPANESE TOSA |
| • STRAINS & CROSSES OF THESE DOGS | |

Breach of these regulations can incur a heavy fine or seizure of dogs or both.

Dogs Licensing and Control

Under the 'Control of Dogs Act' 1986, every dog must have a current licence. A dog licence must be renewed annually and is available from your local Post Office. You can be prosecuted if you do not have a dog licence. Dogs without a lead outside of your home may be considered 'strays' and may be impounded and a fine may be incurred. A person reclaiming a stray dog must produce a licence for the dog.

Dog Identification

Under the Microchipping of Dogs Regulations 2015, a programme of microchipping has been introduced.

- Any pup born since 1 June 2015 must be microchipped and registered on an authorised database by the time it reaches the age of 12 weeks or if it leaves the property on which it was born before the age of 12 weeks.
- Since 31 March 2016, the Regulations apply to all dogs.
- If your dog is already microchipped, you now have to register it also.

Dog fouling

- Prevent dog fouling in a public place. Dog fouling in a public place is considered an offence and subject to a fine of €150 under Section 22 of the Litter Pollution Act.
- Dog dirt is a health hazard, as it often contains round worm larvae, which causes blindness.
- Poop Scoop bags are available from Offaly County Council Offices and Libraries or by contacting the Environment Section on (057) 9357403.
- Dog dirt is a health hazard, as it often contains round worm larvae, which causes blindness. Failure to clean up your dog's waste can lead to an "on the spot fine" or a summary conviction to a fine of up to €3,000.

Dog barking

Excessive dog barking which causes a nuisance to any person is an offence. Your District Court can make an order requiring the reduction of excessive barking by a dog, can limit the number of dogs that can be kept on a premises, or can direct that a dog be delivered to a dog warden as an unwanted dog. You can make a complaint about excessive barking to the District Court under Noise Regulations. Before you do this, you must first let the dog owner know that you are making a complaint. You do this by completing a Section 108 Form under the Control of Dogs Act 1986. The Section 108 form is available from the District Court.

Cats

Your Tenancy Agreement states you can only keep pets so long as they don't cause nuisance to others. If you have cats at your property, please ensure they are neutered and that they do not cause nuisance to others. If the Council deems that your cats are causing annoyance you may be asked to remove them from the property.

Non domestic animals

It is not permitted to keep any animal, bird or livestock that is wild, dangerous, poisonous on your property. This includes chickens, pigs, goats, donkeys and horses. Any non-domestic animal will be removed from the property.

Control of horses

Under the Control of Horses Act 1996, and the Control of Horses Bye Laws 2014, authorized persons from Offaly County Council have the right to seize your horse and take it to the Pound if they suspect that your horse is:

- a stray
- causing a nuisance
- being mistreated
- not under adequate control
- posing a threat to other people or property
- posing a threat to the health and welfare of other people and animals
- not identifiable or capable of being identified
- in need of veterinary attention and is unlikely to receive this care
- in an area/kept in an area/being ridden/driven in an area where it is not allowed by the Council.

A horse includes a donkey, mule and hinny

The following advice is being offered to promote good animal welfare and to assist with control measures in the event of a disease outbreak amongst horses in Ireland

- your horse must be microchipped
- Your horse must be passported
- Your horse must be kept on a registered equine premises
- Your horse cannot be presented at a horse fair/market without being passported
- You must notify the passport organisation within 30 days of buying/selling your horse.

If your horse is not compliant with any of the above, it could be seized.

If you have any queries on the above, please contact the animal welfare helpline at call save 0761 064408 or email AnimalWelfare@agriculture.gov.ie



Waste disposal and Litter



We are all responsible for the environment and keeping our community clean and litter free. As a tenant of the County Council you must keep your home and surrounding area clear of refuse, waste and litter free. There are a number of things that you can do:

Rubbish & Refuse disposal

You are responsible for getting rid of your own rubbish and domestic waste on a regular basis. You are requested to avail of an authorised waste collection service operating in your area. Payment for this service is your responsibility. The County Council may request proof that you have proper refuse disposal in place.

On Bin Day

- Put your wheelie bin neatly on the footpath or designated collection point on bin collection day.
- Don't overfill your wheelie bin - overfilled bins attract birds, cats and rodents.
- If you lose your bin it is your responsibility to purchase a replacement bin.
- A build-up of rubbish is a breach of your tenancy agreement so it is important you get rid of your rubbish regularly.
- A build-up of rubbish can also result in further problems such as a rat and mice infestation in your home and estate.

Pest Control

Should your home become infested with mice or rats it is your responsibility to arrange pest control services in your home. You can help prevent mice and other rodents getting into your home by:

- Using a wheelie bin rather than plastic sacks.
- Disposing of your refuse regularly (do not store rubbish inside or outside of the house).
- Not leaving food for dogs, cats or birds in your gardens.

If you do have a pest problem, you should contact a pest control company as soon as possible.

Looking after the environment

Offaly County Council is committed to promoting and protecting a safe and clean environment for everyone. Through our Environment section the council is involved in a number of Environmental awareness raising programmes with schools, businesses, community groups and resident's associations throughout the county. The Litter wardens / Waste Enforcement Officers visits estates within the county on a regular basis. There is an Environmental Awareness Officer within the Council who can be contacted via e-mail at environment@offalycoco.ie or telephone 057 9357403.

Illegal Dumping and Littering

Offaly County Council may prosecute anyone who is dumping illegally. Offaly County Council has a confidential anti-litter free phone line for the public who may have information about illegal dumping. If you see someone engaged in illegal dumping phone;

1800 242 673 or e-mail environmentdept@offalycoco.ie

Under the Litter Pollution Act 2003, you are breaking the law if:

- You create litter in a public place.
- Your domestic waste (Wheelie bin/refuse sacks) is left for collection in a way that causes litter (overfilled bins, open refuse sacks).
- Litter is thrown from your car window (even if litter is thrown by someone driving or travelling in your car).
- You fail to clean up if your dog fouls in a public place.
- Disposing of your household waste in public litter bins is also an offence.

Under this law, (The Litter Pollution Act 2003) Offaly County Council has a wide range of powers to tackle the problem of litter. Offaly County Council can issue on the spot fines of €150 for any breaches of the Litter Pollution Acts. Non-payment of these fines can lead to a criminal conviction and a further fine of up to €3,000 if convicted in the District Court.

Backyard burning

Burning rubbish in your garden seriously damages the environment and can damage your health and the health of your family and neighbours. The "Waste Management (Prohibition of Waste Disposal by Burning) Regulations 2009" explicitly make the disposal of waste by uncontrolled burning an offence.

This means that you or any tenant is not permitted to:

- Burn any type of waste including garden waste in your house, garden, yard, sheds or garages.
- Burn household waste by use of stoves or open fires.

Did you know!

Dumping is regarded anti-social behaviour by Offaly County Council. You put your tenancy at risk by not legally disposing of your household rubbish.



Tenant participation in estate management



When you become a tenant of Offaly County Council you also become a member of a community. Offaly County Council encourages you to get involved in your local community and is eager to hear any ideas you may have on how your estate or area can be improved. The estate management staff within Offaly County Council works alongside communities and resident's committees to improve the physical and social aspects of the estate.

The aim of Estate Management is to;

- Increase the role of residents in running their estates.
- Improve relationships between residents/tenants and Offaly County Council.
- Improve the services provided to residents by the County Council and other service providers.

What is a Residents' Association?

A residents' association is a group/committee of people who live in the same area and work together for the good of their community. They play an important role by representing the views of their community. If you wish to get involved in your local resident's committee or would like to be involved in setting up a resident's committee in your area, please contact the estate management Staff of Offaly County Council.

Support to residents' committees

Through the work of the Estate Management Staff support is given to existing and new resident's committees for the following;

- Advice to new and existing resident's committees.
- Materials to help resident's committees.
- Support in accessing funding.
- Support in developing a plan for your area.

Getting along with your neighbours

Getting along with your neighbours is an important part of community living. You should try to always respect your neighbour's privacy and not intrude on their property. You should also try to look out for your neighbours, in particular any older residents. If you think any of your neighbours are in need of help or support do contact the County Council.

Public Participation Network

The PPN is the recognised link through which Offaly County Council connects with the community, voluntary and environmental sectors to facilitate input by the public into local government. You can find out more on offalyppn.ie

How can I be a good neighbour?

- Welcome new neighbours and say hello to them.
- Respect your neighbours right to live peacefully.
- Do not engage in behaviour that offends or upsets others.
- Maintain your house and gardens.
- Make sure you and your visitors park cars safely and in a way that doesn't create difficulties for others.
- Take responsibility for your pets.
- Help neighbours who are unable to take their rubbish out by taking it out for them.
- Warn neighbours when you are going to do something particularly noisy: drilling, hammering or having a party.
- Keep noise, in or near your home, right down from 10pm to 8am.
- If you have a dog, do not leave it barking constantly in the home, or in the garden, and clear up any mess it makes.
- Make sure your children think about how their playing habits might affect neighbours.

Sometimes neighbours don't realise their behaviour is upsetting or disturbing others. Often the easiest way of resolving the matter is to tell your neighbour politely that something they are doing is causing you a problem. If the problem carries on, contact the housing section of the County Council who will advise you on how best to deal with the problem.

***‘Many good neighbours
make great communities’***

Anti social behaviour



Offaly County Council takes Anti-social behaviour very seriously. Anti-social behaviour can cause a lot of distress and upset for people and can really impact on their day to day life, and on their mental and physical health. Anti-social behaviour can always cause tension and upset for the community in general.

What is Anti-social behaviour?

Anti-social behaviour can range from very extreme behaviour such as:

- Drug dealing / Misuse
- Assault
- Violence (including domestic violence)
- Harassment / Intimidation
- Racial harassment

The following less extreme behaviour is also regarded as Anti-social behaviour by Offaly County Council

- Frequent serious disturbances
- Vandalism
- Damage to property
- Making unreasonably loud noise
- Verbal harassment / Intimidation

Problems described as nuisance problems are also considered Anti-social behaviour and will be treated as Anti-social behaviour

- Obstructing common areas or exits/entrances
- Disturbances or upset caused by pets
- Disturbances or upset caused by children/teenagers
- Dumping rubbish
- Family disputes affecting neighbours

When you become a tenant of Offaly County Council you agree to be a responsible neighbour and to respect the peace and quiet of others. Offaly County Council takes all reports of anti-social behaviour seriously. Unacceptable behaviour will be investigated and tenants engaging in anti-social behaviour and their families are at risk of having their home repossessed. Tenants who are evicted due to antisocial behaviour may have no right to be re-housed by the County Council.

Reporting incidents of anti social behaviour

If you are experiencing anti-social behaviour, or are aware of someone engaging in any of the activities listed previously don't assume the County Council are aware of the situation. Make a complaint to the Housing section in the County Council. In serious cases you should contact the Garda Síochána so they can take action if necessary.

To make a complaint about Anti-social behaviour you should, in writing:

- Give full details of the nature of the complaint. A complaints form is available from the Council or on the Councils website.
- List any times/dates/ people involved in the incidents that took place.
- Each report of antisocial behaviour will be assessed individually.
- Depending on the nature of the complaint and the evidence gathered the housing section will then decide what the best course of action is to take.

What happens if a complaint is made against me?

You will be contacted by a staff member of the housing section to give your account of any specified incidents. Once this has been done, you will be advised what, if any, action is to be taken against you.

How does Offaly County Council deal with Anti-Social Behaviour?

It is important to Offaly County Council that all tenants enjoy living in their home and their community. All tenants deserve the opportunity to live in peace and quiet. Offaly County Council has adopted a strong position in relation to anti-social behaviour through the development of our Anti-Social Behaviour Strategy.

- In most cases early intervention and support, including mediation from the County Council can resolve a problem.
- If a problem escalates Offaly County Council will take the appropriate action as the landlord.
- Statutory warnings can now be served on those engaging in Anti-Social Behaviour under the Housing (Miscellaneous Provisions) Act 2014.

- Offaly County Council has the power to evict anyone who is engaged in anti-social behaviour.
- Tenants engaging in anti-social behaviour may face legal action which could lead to the eviction of the entire family or exclusion of a member of the family from the home and the vicinity of the home.
- Alternatively, a tenant may apply for an Exclusion Order against another member of his/her household who is engaging in anti-social behaviour.

Malicious complaints

If complaints are found to be made 'maliciously' the complaint will be dismissed and no further action may be taken.

Can a tenant be re-housed if evicted from my home for anti-social behaviour?

No. If you are evicted from a local authority house due to anti-social behaviour, you will be deemed as making yourself intentionally homeless and will therefore not be given another local authority house. You may not be entitled to Housing Assistance Payment / Rent Supplement.

Owner occupiers

If you have bought your local authority house and a member of your household is found to be causing antisocial behaviour in the estate, Offaly County Council can apply to the court for an Exclusion Order to prevent that person from living in and entering the estate.

Tenancy Warnings Regarding Anti-Social Behaviour

What is a tenancy warning regarding anti-social behaviour?

A tenancy warning is a statutory warning in writing issued to a tenant(s) where the Housing Authority has formed the opinion that the tenant(s) or household member has breached a specified term of the tenancy agreement that prohibits anti-social behaviour, nuisance, or conduct likely to cause annoyance or disturbance to neighbours, or the tenant(s) from knowingly permitting a person to enter a dwelling against whom an excluding order or interim excluding order is in force with regard to that dwelling. To be issued with a tenancy warning is a serious matter with serious tenancy and legal implications which could lead to repossession proceedings. A tenancy warning is designed to prevent and prohibit anti-social behaviour however in serious cases housing authorities can bypass this process and proceed directly to the Courts to recover possession of a dwelling involved in anti-social behaviour.

This new procedure is in accordance with the Housing (Miscellaneous Provisions) Act 2014 to allow the tenant(s) fair procedures and the right to appeal findings by the housing authority and challenge any matter of fact with a Review Officer. It also affords the tenant(s) the right to present a defence in Court proceedings.

Who issues a tenancy warning regarding anti-social behaviour?

A Housing Authority has the powers to issue a tenancy warning in accordance with Part 2 Section 7 of the Housing (Miscellaneous Provisions) Act 2014. In this case, the Housing Authority is Offaly County Council, your landlord, and the tenancy warning is authorised by a Senior Official from the Housing Department.

What must a tenancy warning contain regarding anti-social behaviour?

There are strict guidelines on tenancy warnings, how they are issued and their content in accordance with Part 2 Section 7 of the Housing (Miscellaneous Provisions) Act 2014.

A tenancy warning shall be in writing and set out the specified term of the tenancy agreement that has been breached and if relevant shall include;

The nature of the breach including the name of the person responsible, and the occasion of the breach i.e. the date and time as far as practicable, and, if relevant the effect of the breach on the quality of life of other residents. The warning must also include if applicable a requirement for the tenant to remedy the behaviour by ensuring the household member involved ceases the behaviour, or does not repeat it or similar behaviour.

The consequences of a tenancy warning must be highlighted such as:

If the behaviour continues within 12 months of the tenancy warning being issued, then the housing authority may apply to the District Court to recover possession or where applicable apply for an Excluding Order. Also the tenant(s) shall be informed that the issue of a tenancy warning will be taken into account for a period of 3 years when considering whether to refuse a tenant(s) right to purchase a council dwelling under the various tenant purchase and right to buy schemes, and;

When considering whether to refuse or defer an allocation of a dwelling to the tenant(s) or household members involved in the anti-social behaviour.

The relevant purchaser(s) shall be informed that the issuance of tenancy warning will be taken into account for a period of 3 years when considering consent to sale under the various schemes.

A tenancy warning shall include a tenant(s) right to review in accordance with S10 of the Act as set out below.

A Housing Authority is obliged to protect the identity of complainants in these cases when setting out the basis of a tenancy warning whereby there is a likelihood of violence threat or fear.

Summary of the consequences of a tenancy warning

If issued with a tenancy warning you will be deemed anti-social by the Housing Authority which will affect your right to transfer, or purchase the dwelling for a period of 3 years, notwithstanding a further breach within 12 months could lead to eviction or excluding order proceedings. It will also affect any person subject to the tenancy warning who is on the Council's Housing list and can include a person seeking permission to reside in any Council dwelling or Socially Supported Housing.

Can I appeal a tenancy warning?

Yes, as previously mentioned if a tenant does not accept that a breach of the tenancy agreement has occurred as outlined in the tenancy warning then the matter can be reviewed or appealed.

How do I appeal/ review a tenancy warning?

A tenant must request a review in writing to be received by the Housing Authority within 10 working days of the issue of the tenancy warning.

The review request must contain the grounds for disputing the tenancy warning including any supporting documentation and whether oral representations are to be made by the tenant or any member of the household.

Can the time limit be extended?

Only in extenuating circumstances and at the discretion of the Chief Executive or Delegated Officer and will not exceed 20 working days from the issuance of the tenancy warning.

What happens next?

If the review request satisfies the aforementioned criteria a senior housing authority official with no involvement in the decision to issue the tenancy warning will review the case.

How is the review conducted?

The Reviewer may make enquiries with any person including other statutory agencies such as An Garda Síochána and will generally conclude the review and make a decision within 20 working days of his appointment. It is important to

note that the Reviewing Officer can accept the opinion of a Garda or Housing Official that a person is involved in anti-social behaviour if there are reasonable grounds for such belief and that any other person would be deterred or prevented by violence threat or fear from providing evidence.

If oral representations are made or the Reviewer wishes to meet the tenant or household member then a decision will be made within 30 working days of the Reviewers appointment.

The 30-day rule will also apply if the tenant or Reviewer proposes a variation to the tenancy warning for consultation and consideration purposes. There is a provision where these timelines can be overruled by mutual agreement in writing between the Reviewer and tenant.

What are the likely outcomes of a review?

The reviewer can make the following decisions:

- confirm the tenancy warning in its original terms
- vary the tenancy warning in specified terms
- annul the tenancy warning.

Am I entitled to a copy of the review?

Yes, the Housing Authority shall send a copy of the reviewer's decision, and the reasons for the decision in writing to the tenant.

Can I withdraw my review?

Yes, a review can be withdrawn if submitted in writing. However, if appropriate the Reviewer can still proceed regardless and conduct the review and the tenant(s) will be notified in writing.

The process and how repossession proceedings are instigated?

The Housing Authority will generally follow the procedures outlined below regarding tenant(s) or households involved in anti-social behaviour.

- For minor and first time offences advice or a verbal warning will be given
- For other offences a tenancy notification will be issued putting the tenant on notice that if the behaviour continues a statutory tenancy warning will be issued
- For persistent or significant offences, a statutory Tenancy Warning will be issued

- An Appeal or Review provision is available to challenge any disputed facts or the issue of a Tenancy Warning. If the behaviour continues within 12 months of the issue of a Tenancy Warning a Possession Application will be made to the District Court seeking a repossession order.

The Housing Authority can also, if it deems necessary, apply at any time for a Possession Application if there is a breach of the tenancy agreement which is having a significant or persistent detrimental effect on the quality of life of those in the locality of the dwelling and it is proportionate to do so.

The District Court will decide if a Possession Order is to be granted or in some cases may grant an Excluding Order instead.

The Housing Authority can also instigate repossession proceedings under any other enactment available to it such as the 1881 Conveyancing Act.

Are there other types of Tenancy Warnings?

Yes, Tenancy warnings also exist for Rent arrears and other breaches of the tenancy agreement with similar consequences.



Changes in circumstances



In accordance with our scheme of letting priorities Offaly County Council allocates housing in a fair way. However, we understand that changes in your household or family may mean that you need to review your housing situation. Therefore, it is important that you are aware of your housing options.

Can I transfer to other Council Accommodation?

Council tenants can apply to transfer to alternative council owned accommodation in certain circumstances:

- Where a transfer makes the best use of the property
- Overcrowding
- Where there are specific medical /compassionate reasons for a move
- Anti-Social Behaviour (only on recommendation of An Garda Síochána).

In order to qualify for a transfer, the tenant should satisfy the following requirements

- You have held the tenancy for a period of two years
- You have a clear rent account
- You have kept the Council's tenancy agreement and the property is in reasonable condition
- You have no record of Anti-social behaviour in the last two years
- In order to apply for a transfer, you must complete a housing transfer application form which is available from the Housing Section
- If you are approved for a transfer, you will be added to the transfer list for the area of your choice
- It is not possible to tell you how long before you may be transferred, as it will depend on the area you choose and the availability of houses in that area.

Will the Council alter the house I am living in to satisfy my needs?

Where there are circumstances where adaptations to your house are required to accommodate a person with a disability to continue living in that house, the Council may carry out the necessary works under the Disabled Persons Grant Scheme, subject to resources. You must complete a Housing Adaptations Form and submit it to the Housing Section for assessment. If there is a lot of work needed to make the property more accessible, Offaly County council may decide on transferring you to a different house as a better solution.

Will the Council adapt my dwelling because my house is too small?

In exceptional circumstances where overcrowding exists, Offaly County Council may provide additional bedroom accommodation through the provision of extensions to the existing house where:

- The Council considers there isn't enough room in the property to house you and your family in its current state
- There is insufficient room to accommodate the household within the existing form and design of the dwelling
- Where there is room to build an extension to the house
- Where there is an available budget to carry out the building works
- In most cases if the house becomes overcrowded it will be necessary for you to be transferred to a larger house using the transfer list.

Changes to Your Tenancy

Name Changes

You may wish to change the name on your tenancy. You will need to contact your housing office and send in proof of your name change. This may include:

- Marriage Certificate
- Divorce Decree /Separation agreement
- Legal Notification e.g. changes by Deed Poll.

Sole tenancy to joint tenancy

If you wish to change your tenancy to a joint tenancy, Offaly county council will give you all the information you need about having a joint tenancy. The council may also need some extra information from you to allow them to make a decision on a joint tenancy request.

Joint tenancy to Sole tenancy

Sometimes due to a breakdown of a relationship you may wish to change from joint tenancy to a sole tenancy. This change can only happen when both tenants put a request in writing to Offaly County council. All tenants requesting a change to the tenancy will receive relevant information to ensure they understand the implications of their actions. They will be advised to take legal advice and make independent informed decisions.

Addition of New Occupant

At some stage you may wish to allow another person to live with you in your home. To do this you must request the Council's approval, giving relevant details of the proposed new occupant.

When assessing your request, the council will take into account the following:

- The information you provide
- If the property is suitable to meet the needs of an extra occupant or occupants
- That your rent account is up to date and not in any arrears
- Confirmation that the person applying to move into your home is eligible for housing and does not have a property elsewhere.

Succession to tenancy

When a tenant dies, their tenancy may pass onto someone else living in the house. This process is called a succession of tenancy. If a tenant dies and the tenancy is a joint tenancy, the remaining tenant will continue as tenant taking on sole rights and responsibilities of the tenancy. If there is no spouse/partner to succeed the tenancy it may pass to another adult member of the family to succeed the tenancy. This is provided that he or she was living in the property with the deceased or departed tenant for a two-year period prior to and up to the date of the death or departure. They must have also been declared on the rent account. You should not assume that you have an automatic right to succeed a tenancy and you must contact the housing section as soon as possible and complete the relevant forms for succession of tenancy.

You should note that

- Unless you are the spouse or partner of the tenant who has died or departed, you may not have a right to stay in your current home if it is larger than you need.
- To ensure the best use of the housing stock the Council may offer you alternative accommodation suitable to your housing needs.

If two or more persons qualify to succeed a tenancy, an agreement may be reached between the parties as to who should succeed between those two parties. If no agreement can be made the Council will decide.



Buying Your Home



Incremental Purchase Scheme

What is the Incremental Purchase Scheme?

This scheme came into effect in 2016 and allows social housing tenants to make application to purchase the dwelling in which they reside from the Council.

Who is eligible?

- The person must be the tenant of the house to be sold by the housing authority and the house must be available for sale under the scheme.
- The tenant or one of the tenants in the case of joint tenants, must have been in receipt of social housing support for a minimum period of one year.
- The tenant must have income from employment in order to qualify for the scheme.
- The tenant must have a minimum reckonable income of €15,000 per annum.
- A tenant may be disqualified from purchasing a house for a number of different reasons including rent arrears and anti-social behaviour.

At the time of printing, certain properties may not be purchased under this scheme including, but not exclusively, the following:

- Houses designed for occupation by elderly persons
- Group Traveller housing
- Part V dwellings provided in private estates
- Other properties the Council do not wish to include in the scheme.

What is the purchase price of the house?

The purchase price of a house is the market value of the house for the purposes of calculating the applicable discount and will be determined by Offaly County Council.

What is the price discount?

The housing authority will give the tenant a discount of 60%, 50% or 40% off the purchase price of the house, depending on reckonable tenant income:

- A discount of 60% off the purchase price applies where reckonable tenant income is between €15,000 and €20,000;
- A discount of 50% off the purchase price applies where reckonable tenant income is between €20,001 and €29,999;
- A discount of 40% off the purchase price applies where reckonable income is equal to or greater than €30,000.

How do I pay for the house?

- The tenant is not required to pay a deposit to the housing authority as part of the tenant purchase process.
- The tenant must pay the purchase price of the house to the housing authority from one, or a combination, of the tenants own resources and/or a local authority house purchase loan.
- The tenant may also apply to other lending institutions for a house purchase loan e.g. Credit Union or Bank.

Is there a charge placed on the property?

On the sale of a house under the scheme, the council will place an incremental purchase charge on the house equivalent to the discount granted to the tenant off the purchase price. Thus, if the council gives a 50% discount to the purchaser, the incremental purchase charge will be 50% of the value of the house. The period for which the charge applies to the house (i.e. the charged period) depends on the level of the charge. The incremental purchase charge will wither away to nothing over the charged period in annual incremental releases of 2% of the value of the house, provided that the purchaser complies with the terms and conditions of the transfer order. The incremental releases for the first 5 years of occupancy will not be applied until that period has expired.

Can I sell my house during the charge period?

- The Housing Authority will have first refusal on buy-back of tenant purchased houses resold during the charging period, in which case the resale price is the current market value of the house less the value of the outstanding charge on the property.
- If the house is resold within 5 years of purchase the tenant purchaser must pay the current value of the total charge back to the Council. If later it will be the current value of the outstanding charge.

This is a summary of the scheme for information purposes only and does not include all the terms and conditions. More information is available from Offaly County Council.

Moving on and ending your tenancy



You may decide you wish to end your tenancy with Offaly County Council. Before you do end your tenancy it is important to speak to a member of staff in the housing section who can give you all the information you need to make a final decision. In deciding to leave a council property you are giving up all rights and entitlements to the property.

Moving Out Checklist

If you do decide to end your tenancy the following procedures will apply:

- Four weeks written notice must be given stating that you wish to end your tenancy.
- You should include in your notification the date you intend to leave the property.
- In the event of giving less notice than this, or handing your keys in early, may result in being charged rent for the full period.
- Arrange with the housing section for a pre-vacancy house inspection. The officer will inspect the property and outline to you what works are needed to be carried out, and the items that are your responsibility to repair, prior to you vacating the property.
- You must repair or replace any parts of your home that have been damaged whilst you have been living there.
- You must pay your rent and other charges owing on your property up until the end of your tenancy.
- You must clear out your property including the attic space and remove all unwanted furniture before you move.
- You must return all keys of the property to the Council on the day the tenancy ends.



Tenant Handbook



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Useful Phone Numbers



Emergency Numbers

Fire

For emergencies dial 999 / 112

Gardaí

For emergencies dial 999 / 112

Birr Garda Station
(057) 916 9710

Edenderry Garda Station
(046) 973 1290

Tullamore Garda Station
(057) 932 7600

Ambulance

For emergencies dial 999 / 112

Gas

Gas Networks Ireland
24 hour Emergency Response
Service 1850 20 50 50

Water

Irish Water emergency line number
1850 278 278

Money Advice & Budgeting Service

Offaly MABS

Unit 23A, The Bridge Centre,
Tullamore, Co. Offaly.

0761 07 2710
offaly@mabs.ie

Citizens Information

Birr 0761 07 6260

Edenderry 0761 07 6280

Tullamore 0761 07 6290

offaly@citinfo.ie

Doctor

Your G.P.'s number:

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Offaly County Council

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(057) 9346800 webmaster@offalycoco.ie