



22 September 2025

Dear Applicant

Our Ref: FOI 892

Your request for information received on 08 August 2025 has been handled under the Freedom of Information Act 2000 (FOIA).

Request

Under the Freedom of Information Act 2000, I am writing to request the following information in relation to tenants of the Northern Ireland Housing Executive (NIHE) properties in Stradowen Drive, Strathfoyle, covering the period from 01/05/2019 to the present:

Number of complaints

How many complaints have been made against NIHE tenants in Stradowen Drive during this period relating to:

Nuisance or anti-social behaviour?

Drug-related activity within the property?

Other?

Where these complaints originated from?

Repeat complaints

Of the complaints received since 01/05/2019, how many relate to the same tenant or household?

If available, please indicate how many tenants have had:

More than one complaint,

More than three complaints,

And how many tenants have been the subject of ongoing or repeated complaints over a period of time.

NIHE response to complaints

What actions has the NIHE taken in response to these complaints? Please include details of steps such as:

Verbal or written warnings

Acceptable Behaviour Contracts (ABCs)

Tenancy support interventions

Legal action or court proceedings

Collaboration with PSNI

How many of these cases have involved NIHE collaboration or partnership with the PSNI for police reports or crime references especially for recurrent behaviour.

Evictions

How many cases have resulted in eviction, a Notice of Seeking Possession, or legal proceedings (possession order or EJO) due to breaches of tenancy agreements relating to nuisance or drug-related activity?

How many of these cases involved repeated breaches by the same tenant?

Eviction process

What is the NIHE's standard procedure for beginning the eviction process when a tenant is found to be in breach of their tenancy agreement?

What specific types of evidence does NIHE require to initiate this process (e.g. witness statements, police reports, number of complaints, severity of incident, etc.)?

Please provide the above data broken down by year, if available

Our response

1. Number of complaints

How many complaints have been made against NIHE tenants in Stradown Drive during this period relating to:

Nuisance or anti-social behaviour? <10

Drug-related activity within the property? <10

Other? <10

Where these complaints originated from?

Due to low numbers, we are not able to provide details in relation to these specific complaints as this is considered exempt under FOI Act Section 40(2) – Personal Information of a third party and disclosure would contravene data protection principle (a) in Article 5 of the UK GDPR.

2. Repeat complaints

Of the complaints received since 01/05/2019, how many relate to the same tenant or household? <10

If available, please indicate how many tenants have had:

More than one complaint,

More than three complaints,

And how many tenants have been the subject of ongoing or repeated complaints over a period of time.

Due to low numbers, we are not able to provide details in relation to these specific complaints as this is considered exempt under FOI Act Section 40(2) – Personal Information of a third party and disclosure would contravene data protection principle (a) in Article 5 of the UK GDPR.

3. NIHE response to complaints

What actions has the NIHE taken in response to these complaints? Please include details of steps such as:

Verbal or written warnings

Acceptable Behaviour Contracts (ABCs)

Tenancy support interventions

Legal action or court proceedings

Due to low numbers, we are not able to provide details in relation to these specific complaints as this is considered exempt under FOI Act Section 40(2) – Personal Information of a third party and disclosure would contravene data protection principle (a) in Article 5 of the UK GDPR.

4. Collaboration with PSNI

How many of these cases have involved NIHE collaboration or partnership with the PSNI for police reports or crime references especially for recurrent behaviour?

Due to low numbers, we are not able to provide details in relation to these specific complaints as this is considered exempt under FOI Act Section 40(2) – Personal Information of a third party and disclosure would contravene data protection principle (a) in Article 5 of the UK GDPR.

5. Evictions

How many cases have resulted in eviction, a Notice of Seeking Possession, or legal proceedings (possession order or EJO) due to breaches of tenancy agreements relating to nuisance or drug-related activity?

Due to low numbers, we are not able to provide details in relation to these specific complaints as this is considered exempt under FOI Act Section 40(2) – Personal Information of a third party and disclosure would contravene data protection principle (a) in Article 5 of the UK GDPR.

How many of these cases involved repeated breaches by the same tenant?

Due to low numbers, we are not able to provide details in relation to these specific complaints as this is considered exempt under FOI Act Section 40(2) – Personal Information of a third party and disclosure would contravene data protection principle (a) in Article 5 of the UK GDPR.

6. Eviction process

What is the NIHE's standard procedure for beginning the eviction process when a tenant is found to be in breach of their tenancy agreement?

Requester has clarified:

'Would be all breaches of tenancy agreement that's leads to eviction process been followed' (not just ASB)

When the NIHE has identified breaches of tenancy conditions in a legal tenancy and wishes to seek recover the dwelling, it must in all instances serve a Notice on the tenant, setting out the grounds on which possession is sought. Where the tenancy is secure, an NSP citing the possession grounds must be set before the Court who will grant possession if the case proven to a civil standard. For introductory tenancies, no grounds for possession have to be presented to the court. The court, having satisfied itself that the Housing Executive has complied with the requirements of the Notice of Proceedings, as set out in Article 10 of the Housing (NI) Order 2003, must grant possession of the dwelling to the Housing Executive.

The EJO will enforce the judgement of the court.

What specific types of evidence does NIHE require to initiate this process (e.g. witness statements, police reports, number of complaints, severity of incident, etc.)?

'Non-occupation' constitutes a breach of tenancy conditions whereby a tenant is not occupying a social dwelling as their only or principal home; it requires court action to recover a tenancy whenever it occurs. These cases are often complex, and of long duration while the evidence is gathered to prove a case to the civil standard. It is not possible to provide an exhaustive list of types of evidence which would result in a local office launching possession proceedings. However, the local office will endeavour to ascertain the tenant's whereabouts/intentions through overt investigation and enquiries. In complex cases, the Housing Executive will carry out investigations using 3rd party information sources and both open source and specialised investigative techniques.

The following is set out, in chapter 8 of the General Housing Policy Guidance Manual, as a guideline to assist officers in establishing whether a tenant is occupying a dwelling as their only or principal home.

1. If the tenant is contacted confirm whether he or she intends to return to the property?
2. Does the current occupant(s) know the whereabouts of the tenant? Do they intend to remain in the property?
3. What reason, if any, does the current occupant(s) give for the tenant not occupying the property?
4. Is the rent being paid and are there any arrears?
5. Have the keys been returned?
6. Are there any personal possessions in the dwelling house?
7. Is the tenant claiming Housing Benefit?
8. Has the tenant made a Homeless application?
9. Is the tenant in hospital?
10. Social Services – has any contact been made with the tenant?
11. Are there any pets in the property?
12. Are there signs that the entrance doors have been opened since your last visit?
13. When did neighbours last see or hear the tenant?
14. Do relatives and/or friends know of the tenant's whereabouts?
15. Are there curtains at the windows and any sign that they are ever opened or closed?
16. Is the garden being cared for?
17. Is mail accumulating, being collected or redirected?
18. Are there signs that the refuse bins are being used?
19. Has the utility provider been contacted regarding no access information/usage?

Extensive investigations including obtaining independent, substantiating evidence is required before legal interventions such as eviction is considered for Anti-Social Behaviour cases.

There is no prescribed format as to what evidence NIHE can accept when investigating ASB. This can include, but is not limited to:

Online/Telephone reports

Incident diaries

Video footage

Reports from other neighbours/witnesses

Reports from other agencies-PSNI, Environmental Health etc

Where a tenant is found to be in breach of their Conditions of Tenancy through non-payment of rent & rates, we apply our arrears recovery/recovery of possession policies and procedures, the end result of which is eviction if the arrears are not addressed.

Stage 1 – Early arrears intervention – when it is identified that a debt is starting to accrue, contact is attempted via letter/text message/phone calls/visits to discuss with the tenant and agree a voluntary arrangement with the tenant to address the arrear.

Stage 2 – County Court Proceedings – Where agreements have not been adhered to and the debt has continued to accrue, the Housing Executive will instruct our retained solicitors to apply to County Court seeking an Order for Possession and Debt. This is granted by a County Court Judge and is normally awarded with conditions that the tenant must abide by e.g. pay their ongoing rent and rates liability plus an amount towards the arrear. If the tenant adheres to the terms of the court order, no further action will be taken.

Stage 3 – Enforcement of Judgements Proceedings – where the terms of the Order granted by County Court are breached by the occupant, the Housing Executive will apply to the Enforcement of Judgements Office (EJO). Once accepted by EJO they will set a date for eviction and carry it out.

Throughout the entire arrears recovery/recovery of possession process the Housing Executive will always attempt to make contact with the tenant with a view to getting an affordable voluntary arrangement to ensure ongoing liability and the arrears accrued are addressed. This will be done through telephone calls, text messages, letters, and visits to the property. Tenants will also be offered to avail of our Making Your Money Work Service which can refer them to our Financial Inclusion Team (a team of in-house specialist money and benefits advisors) and/or independent debt advice and other support services if required.

Both the Order at County Court, and the Application to EJO, are granted on the basis of evidence presented by the Housing Executive cataloguing the consistent non-payment of rent and rates liability, and the various attempts to resolve the issue with the tenant before escalation through the process.

This concludes our response.