

## **ASBO Matters in the county court**

A Landlord (LL) may ask the court to evict you if you, someone in your household or a visitor has been or are involved in Anti-social behaviour. Examples of Anti-social behaviour as listed on the Police.uk website include the following:

- Nuisance (examples may include, being rowdy, shouting, swearing, fighting) to neighbours
- Vandalism, graffiti
- Drinking on the street
- Littering, abandoning cars
- Begging and vagrancy
- Fireworks misuse
- Inconsiderate or inappropriate use of vehicles, threatening your landlord/ their staff
- Fireworks misuse
- Prostitution related activity

### **Rules for evicting someone on the basis of Anti-social behaviour**

The council will first try to resolve the issue without the need for obtaining court anti-social behavior orders. The tenant or perpetrator should be given the opportunity to defend or explain their actions and if necessary, the council may issue warning notices/letters regarding their future conduct. It is hoped that the matter could be resolved at this early stage without further action being taken.

If the conduct persists, and when trying to evict you the council must specific follow rules to do so. The types of rules differ depending on the nature of your tenancy.

The council will first try to obtain an ASBO order against the tenant. Once the order has been obtained and the tenant is in breach of the order, the landlord will then cite one of the mandatory grounds for possession and the absolute grounds for possession for anti-social behavior.

It is important to seek legal assistance immediately. It is worth noting that you may qualify for legal aid if you're on a low income. You will nevertheless automatically qualify for legal aid if you receive the following:

- Universal credit
- Income support
- Income based Jobseeker's allowance (JSA)
- Income related employment and support allowance (ESA)

Pension credit guarantee