

WICKLOW COUNTY
COUNCIL



Comhairle Chontae
Chill Mhantáin

TENANT'S HANDBOOK

LÁMHLEABHAR na dTIONÓNTAÍ



INTRODUCTION

In this tenant handbook, Wicklow County Council, as Landlord, takes the opportunity to introduce you to, or remind you of, the range of services available to you as tenant. This handbook is an important element in the flow of information between the Council and its tenants. It will allow the Council to convey more and better information on the role of the Council and the structures within which that role is exercised.

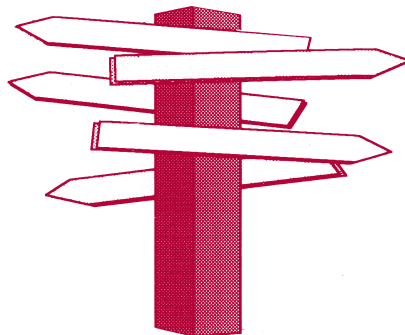
How can I contact the Council?

You can write to us at:

**Wicklow County Council,
County Buildings,
Wicklow.**

**Telephone 0404-20100
Direct Line 0404-20120**

- You can call without appointment to our public housing counter between 9.00a.m. and 3.30p.m., where matters concerning you may be discussed with experienced housing staff.
- You may require an appointment if you wish to see a particular member of staff.
- We want to make sure that there is a two-way flow of information, and we provide comprehensive customer service for this purpose. If you have something to say, we want to listen.
- In addition to the handbook, there is a range of leaflets available to you. For your added convenience, a list of contact telephone numbers including emergency numbers is included in this handbook.



TENANCY CONDITIONS

The conditions of your tenancy are set out in detail in your Tenancy Agreement. For your convenience, the main points are summarised below.

- Rent must be paid in full every week.
- The Rent Collector or other person authorised by the Council has the right to enter and inspect the dwelling (during normal working hours).
- The tenant shall pay all other bills in respect of the premises during the tenancy.
- You must not take in lodgers or sub-tenants.
- The dwelling must be used as your main place of residence.
- You must not, save with the consent of the Council, cease to reside in your dwelling for more than six weeks in any one year.
- The dwelling must not be used for business purposes of any kind.
- You must look after the dwelling properly.
- You must not make alterations to it without the Council's permission.
- You and your household including visitors shall not cause nuisance, annoyance or disturbance to neighbours.
- Only domestic pets may be kept and these must be kept under control.
- You must submit full details of income and household circumstances of every occupant of the dwelling.
- You must return your Differential Rent Form when requested.
- You must give 4 weeks notice when surrendering the tenancy.
- You must insure all contents of the house.
- Wicklow County Council operates an Anti-Social Behaviour Policy. Anti-Social Behaviour will not be tolerated.

Tenants evicted for breach of these conditions will be regarded as having deliberately rendered themselves homeless and will not be re-housed.

The description of the Tenancy conditions above is not a legal interpretation. If you have any questions on the Tenancy conditions you should feel free to contact the Council.

Since the printing of this handbook it is possible that the standard Tenancy Agreement may have changed either in structure or content or both. If the description in the Handbook contradicts or conflicts with the Tenancy Agreement that you signed, then the Tenancy Agreement that you signed is definitive.

HOUSING OPTIONS

The Council aims to provide suitable accommodation to qualified applicants in accordance with the Council's Scheme of Letting Priorities. We allocate dwellings in a fair and reasonable manner. In doing so, we hope we have satisfied your housing needs. Changes in your circumstances may require you to review your needs and you should advise the staff of the Housing Department where there is a change in circumstances. Your housing needs may need to be reviewed and you should, therefore, be aware of all the housing options open to you.

Can I transfer to another Council house?

Yes: Where you have been a tenant of a particular dwelling for at least one year. You will be considered on your individual merits, having regard to the availability of vacant dwellings, the numbers on the housing lists and the numbers of applicants categorised as emergency applicants in accordance with the 1988 Housing Act.

Mutual Transfer

Where you and another tenant have reached agreement that you wish to swap dwellings, your application for a mutual transfer will be considered where you are both satisfied with the dwelling you are transferring to and where this is to the satisfaction of Wicklow County Council.

The Council's reasons for having a transfer policy are: -To Make the best use of dwellings, to eliminate overcrowding and to satisfy the special needs of individual tenants where possible.

Can I transfer with a tenant of another Local Authority?

Yes: This is possible, assuming consideration is also being given by the second Local Authority.

Can I change the name on my tenancy?

Yes of course you can. If you want to do so, for example, in the case of a death, legal separation, etc., you should contact the Housing Department, Wicklow County Council.

In the case of a death, a Death Certificate will be required and it will be necessary to have a new Tenancy Agreement signed.

In the case of a Joint Tenancy whereby one tenant wishes to have their name removed this will require that person to present himself/herself to the Housing Department with photographic id. and to complete a "Surrender of Tenancy" form which will be witnessed by a member of the housing staff and it will also be necessary for the remaining tenant to sign a new Tenancy Agreement. It is recommended that the person seeking to remove his/her name from the Tenancy

Agreement should seek legal advice.

WE WILL CONSIDER ANY OF THE ABOVE IF YOUR HOUSE IS IN GOOD CONDITION AND YOUR RENT PAYMENT RECORD IS SATISFACTORY AND WHERE THERE HAS BEEN NO ANTI-SOCIAL BEHAVIOUR

In the case of a Transfer/Surrender of Tenancies all fixtures even those installed by the tenant are to remain in the property i.e. Shower Units, Fireplaces, Bathroom Fixts, Fitted Kitchens, Radiators, side gates etc. The tenant will be liable for the cost of any necessary repairs prior to the re-letting of the property.

Can I buy my house?

You may buy your dwelling under the Council's Tenant Purchase Scheme depending on your income and providing you have been a tenant for at least twelve months. The house is valued by an independent Estate Agent. The scheme provides for a maximum discount of 30% of the market value of the house i.e. 3% for each year of tenancy to a maximum of 10 years.

However, if you are the tenant of a one bedroomed dwelling intended for Senior Citizens, or in a flat accommodation, you are not eligible to purchase your dwelling.

Can I surrender my house and buy a private house?

Yes: The Mortgage Allowance Scheme is designed to assist you should you wish to acquire a private house and surrender your existing house to the Local Authority. The allowance is paid to the lending agent over a five-year period and reduces the mortgage repayments each year on a sliding scale. Please ask for details at the Housing Section.

Can I build my own house?

Yes, this is possible, if you wish to give back your own existing Council house. Wicklow County Council may provide you with a housing site at low cost. Full details of the "Low Cost Housing Sites" scheme are available from the Housing Section.

Will the Council assist me in carrying out improvements to my house?

Yes. Where you are a tenant applying for medical reasons, or on grounds of overcrowding, the Council may consider carrying out improvements or alterations to your house. Full details of these schemes are available from the Housing Section.

What is Shared Ownership?

The Shared Ownership Scheme is a scheme, which is designed to enable persons

on low incomes, who would not otherwise qualify for a mortgage to buy a house of their choice. The Applicant initially acquires a share (minimum 40%) and rents the remainder from the local authority, with an undertaking to acquire the remaining equity within a 30-year period. Further details of this Scheme are available from Housing Section.

Can I get a loan from the Council to buy or build my own house?

Yes. Income limits and other eligibility criteria apply. Full details are available from the Housing Section.

TENANT PARTICIPATION - ESTATE MANAGEMENT

When you were allocated your house by the Council you became more than just a tenant. You became a member of the Community in which you live. As such, the Council encourages you to become actively involved in your estate, and is eager to hear your views and suggestions on how it can be improved.

As part of its Tenant Participation programme in several estates, the Council is working hand in hand with residents to give them a greater say in how their estates are run. We are in the process of organising regular meetings, estate walkabouts and identifying priorities and agreed solutions. We are listening to what you have to say. It is your estate and it is hoped that through your involvement both the Council and the residents can gain, by making it a better place in which to live.

It is widely recognised that tenants themselves know better than anyone the strengths, opportunities, weaknesses and problems that exist in their estates. The involvement of tenants in the management of their estate can lead to improvements in the standard of an estate, can help to prevent the deterioration of an estate, and can assist in 'turning around' a problem estate.

How can I become involved?

The Council is now expanding its current Tenant Participation programme and we want to help establish an active Estate Forum in your estate. If you and your neighbours are interested in having a real say in improving your local environment, being directly involved in estate matters generally, why not find out by ringing our Estate Development Officer at 0404-20120. This officer will offer you all the advice and assistance that you may require in setting up your Estate Forum. This officer will establish a presence on the ground, and will be available to meet with the tenants and tenant associations on a regular basis, and to respond to tenant queries. The aim is to improve the overall co-ordination of services in estates, including maintenance and cleaning. It will also achieve better communication between tenants and the Council.

It will give you direct access to all Council services, assist you to organise local clean-ups, arrange for local talks on environmental matters in your schools, allow you to become more involved in the decision making process that affects you and your estate. You can telephone the Housing Estate Development Officer at County Buildings, during normal office hours.

INSURANCE

Is my house insured by the Council?

The Council insures the structure of all rented houses against fire, flood and storm damage. IT DOES NOT INSURE THE CONTENTS. It is strongly advised that you take out your own content insurance. In the case of fire, flood or storm damage the Council will replace the structure but not the contents. If windows are broken as a result of burglary, the windows are not insured.

Should you decide to buy your house, or if your house is a "vested cottage", you then become responsible for both structural and contents insurance.

HOUSING REPAIRS

The Housing Department is responsible for the management and control of the Council's Housing Estates including structural repairs to rented dwellings. The administration of the maintenance function is conducted from the Housing Department at headquarters while the direct labour unit is based in the Councils Offices which are located at Wicklow, Arklow Tinahely, Blessington and Greystones.

How long will it take for repairs to be carried out?

All maintenance complaints are categorised as:

- | | | |
|---------------|---|--|
| (i) Emergency | - | These are repairs carried out where there is a possible danger to human life. |
| (ii) Urgent | - | These are repairs carried out quickly to avoid damage to the house. |
| (iii) Routine | - | These are medium priority repairs. |
| (iv) Cyclical | - | These are low priority works that are more efficiently dealt with during the cyclical maintenance programme every 5-7 years. |

The following are examples of the types of repair in each category:

Emergency	-	Smoking fuseboard Faulty sockets
Urgent	-	Tiles falling off roof Leak under sink unit No water in hot tap Burst pipe
Routine	-	Replace fire cheeks Replace toilet cistern (if cracked through fair wear and tear)
Cyclical	-	Leaking gutters Rotting fascia board

What should I do if the repairs team call to my house while I'm not there?

If the repair team calls to your house and cannot gain access, they will leave a card with a contact number for the Depot. You should telephone the Depot and leave details of the most appropriate day/time to call again.

Will the Council carry out any repair I want?

No. A clear division of repair responsibility between the Council and its tenants has been defined.

What type of repairs am I responsible for?

Each tenant, on the signing of his/her tenancy agreement, assumes responsibility for repairs of a non-structural nature.

Will I be responsible for servicing my gas boiler?

No. The Council will carry out an annual inspection and works to ensure the safety and effectiveness of the system i.e. only on those systems that have been installed by the council.

Will I be responsible for servicing my oil boiler?

No. Every two years the Council will carry out an inspection and works required to ensure the effectiveness of the system i.e. that is, only on those systems that have been installed by the council.

Can I erect a garden shed?

Yes. You can install a wooden garden shed to a maximum floor area of 4m² and to a maximum height of 2m. The erection of any other structure should have the prior written approval of the Council.

The following are examples of the types of repairs for which you are responsible:

INTERNAL REPAIRS

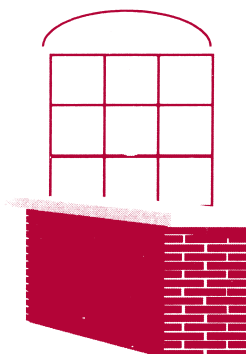
You are responsible for:-

- Internal plaster cracks
- Repairs to or replacement of cupboards, kitchen units and other doors, hinges, handles, locks, catches and drawers.
- Curtain rails and window boards.
- Chimney sweeping
- Repairs arising from condensation damage.
- Wall and floor tiles.
- Internal woodwork such as floors, doors and skirting boards.
- Ventilator covers.
- Replacing broken windowpanes.

DOORS AND WINDOWS

You are responsible for:-

- External and internal locks and handles.
- Window stays, catches and restrictors.
- Draught proofing of doors and windows.
- Replacement of broken glass.
- Permavents where fitted.
- Letter boxes.
- Timberwork on windows should be painted by the tenant on a regular basis (maximum interval of 5 years).
- No change of colour to exterior of dwelling or to windows and doors without prior permission



EXTERNAL REPAIRS

You are responsible for:-

- Maintaining gardens and hedges in a tidy condition.
- 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.
- Fuel sheds or outhouses –
- Cleaning of silt, leaves or other deposits from gutters.

ELECTRICAL REPAIRS

You are responsible for:-

- Fuses, except main fuse.
- Repairs to all appliances
- Replacement of light bulbs.



N.B. Please note all electrical repairs to be carried out by a qualified/competent electrician (other than the replacement of bulbs and fuses). Where such a Contractor carries out electrical work in a Council dwelling, the name and address of the Contractor must be sent to the Housing Section together with a brief description of the work carried out. It is essential that the person carrying out the works is qualified, otherwise your house insurance may be invalidated.

PLUMBING REPAIRS

You are responsible for:-

Cleaning of gully traps.

Clearing of blocked house drain where a dwelling is served by a single drain and the apportioned cost of clearing a combined drain.

Repair of waste pipes inside the dwelling.

Replacement or repair of toilet seat, chains and handles.

N.B. All plumbing repairs to be carried out by a qualified/competent Plumber. This is essential as there is potential to cause further damage during repairs. Where such a Contractor is employed to carry out plumbing works in a Council dwelling, the name and address of the Contractor must be sent to the Housing Section together with a brief description of the work carried out.

COOKING AND HEATING APPLIANCES

You are responsible for:-

Solid fuel, gas or other heating or cooking appliances installed by the tenant(s).

The basket/grate in all fireplaces and the replacement of glass panels in doors of room heaters. Damage caused to room heater by improper use.

GENERAL

You are responsible for the repair of any wilful or malicious damage and if the Council undertakes repairs resulting from such damages, the cost of such repairs will be charged to the tenant(s).

You are responsible for repairs to doors, windows, fixtures and fittings in the dwelling caused by destruction or damage by burglary, housebreaking, larceny or theft.

The Council will examine the position of your rent account on the receipt of a maintenance request and the Council will undertake to carry out those repairs, for which it has responsibility, only when you have a clear rent account.

REQUESTS FOR REPAIRS

If you have any queries about maintenance, you should contact the local area office in your area; the telephone numbers are given at back of handbook.

RENT

Your rent will be assessed on an annual basis in accordance with the Differential (Income Related) Rent Scheme. The Housing Section will deal with any queries, which you may have about your account, methods of payment, etc. Some general questions are answered below but you can call the Housing Department at any time to make more specific queries in relation to your account. It is important that you know your account number before calling us.

How can I pay my rent?

It is the Council's policy to provide its tenants with as broad a range of payment methods as possible. Payments can currently be made by the following methods:

- Revenue Collector
- In person at the Council's Housing counter or at Revenue Section
- Standing Order
- Postal System (No cash)
- Credit transfer
- Wage deductions
- Household Budget Scheme (details from Housing Section)
- Credit Union (account operated by MABS)

Please ensure your rent account number is clearly written on whatever transaction you use.

How is my rent calculated?

Your rent is calculated based on the Council's Differential Rent Scheme, which is income related. The Council reviews its scheme on an annual basis.

Rents are based on household income in a manner which ensures that the amount of your income charged as rent is reasonable and does not lead to undue financial difficulties.

What if my circumstances change?

You should keep the Housing Section informed of any change in household circumstances. For example, you should submit a revised Differential Rent Form should any of the following occur:

- A person in your household gets a job
- A person with an income joins the household
- A person in the household starts claiming Social Welfare
- There is a death in the household
- There is a birth in the household

You can notify us of these changes by contacting the Housing Section. Your new rent will be assessed from the date of receipt of the revised Differential Rent Form.

What if I don't notify the Council when my circumstances change?

Failure to furnish this information can result in you becoming liable for the full rent backdated to when the change took place.

What if I don't return my Rent Assessment form?

Your rent will automatically increase by a penalty rent which will be determined by the Council.

What if my rent falls into arrears?

If you have missed payments, you should contact us immediately before the situation gets out of hand. You can clear your arrears over an agreed period provided you adhere to the agreement. In the majority of cases such arrangements take the form of the weekly or monthly payment plus an agreed contribution towards the arrears. You will be required to commit yourself to such agreements by signing undertakings to meet the agreed payments. It is imperative that you enter an agreement to clear your account immediately.

Will the Council take me to Court?

Yes, if you refuse to come to a reasonable agreement or if you do not keep the agreement, the Council will serve a Notice-to-Quit & Demand for Possession. The Council will then proceed to court action. This action will lead to your eviction. You will be responsible for legal costs incurred and will not be considered for housing again by the Council.

Is the Council likely to take my house from me?

Yes. If we take you to Court, we will actively seek an eviction order. Evictions are unpleasant and traumatic but can be avoided if you keep a clear rent account, maintain the property well and do not engage in anti-social behaviour.

TENANCY CONDITIONS

The conditions of your tenancy are explained in your Tenancy Agreement. For your convenience, these are summarised below in question and answer format.

1. How does my Tenancy operate?

- You must live in the house as your main home and nowhere else.
- You must not use the house, garden or shed for business purposes.

- You must not pass the tenancy of your home to anyone without our permission.
- You must give the Council four weeks notice if you wish to surrender your house.

What are my responsibilities in relation to rent?

- You must pay your rent and any other charges when they are due.
- You must give the Council full details of all household income.
- You must return your rent assessment form annually and any other time there is a change of income.

Can I take in Lodgers and Sub-tenants?

No. Not without written permission from the Council.

Am I responsible for the garden or just the house itself?

- You are responsible for both. You must make sure that you, other people living with you including children, and any visitors to your home, look after your home and your garden in a reasonable manner. This also includes maintenance of walls, gates or fences.
- Each householder is obliged to keep free of litter the footpath or pavement adjoining their property and also any road gutter on or at the side of such pavement. Refuse should be left for collection in a manner, which ensures that it does not become litter.
- Any laneway/walkway adjoining your house should be kept in a clean condition and should not be used for dumping.

Must I carry out all repairs?

- You are responsible for your boundary fences.
- You are responsible for redecorating the inside of your house.
- You are also responsible for any breakage of glass in the windows and any damage to the fixtures, fittings or structure of the dwelling.
- You must also carry out any minor repairs necessary including those works mentioned previously.
- You are responsible for keeping your gutters cleaned.
- You are responsible for the cleaning of paths within the curtilage of the dwelling i.e. soil, leaves, moss or other growth.

Can I make alterations to my house?

- You must get our agreement before starting any improvements, alterations or additions.
- You may also need planning permission for certain works.

What happens if I disturb my neighbours?

If neighbours are being disturbed by activities in your house you should ensure to discontinue your activities which have caused the disturbance immediately. If you are unable to overcome your problems you should bring the matter to the

attention of the Council rather than letting the problem continue.

In particular this means:

NO DRUGS

NO CRIMINAL ACTIVITY

NO VIOLENCE OR THREATS OF VIOLENCE

NO HARASSMENT OR ABUSE

Can I keep pets in the house

You may keep domestic pets, such as cats or certain dogs (see list) to a maximum of two, as long as they do not become a nuisance to your neighbours. Particular care should be taken to control your dog on bin day.

The following breeds of dog are not allowed to be kept: American Pit Bull Terriers, Bulldogs, Bull Mastiff, Doberman Pinscher, English Bull Terrier, German Shepherd, Japanese Akita, Japanese Tosca, Rhodesian Ridgeback, Rothweilers, Staffordshire Bull Terrier, or any type of dog known as a "Ban Dog" (or Bandog) or any strain or crosses of those breeds described above.

Horses, poultry, pigs and birds are not domestic animals. Keeping any of these is a serious breach of your tenancy agreement.

Under the Control of Dogs Act 1986, every dog should be licensed. A licence is available from any Post Office.

Must I insure the house?

As stated previously it is advisable to insure the contents of your house.

ANTI-SOCIAL BEHAVIOUR

Wicklow County Council adopted a Policy on Combating "Anti-Social Behaviour" on the 12th January 2004, a copy of which can be obtained from the housing department.

The Housing (Miscellaneous Provisions) Act, 1997 defines Anti-Social Behaviour as either or both of the following: -

- a) *The manufacture, production, preparation, importation, exportation, sale, supply, possession for the purpose of sale or supply, or distribution of a controlled drug (within the meaning of the Misuse of Drugs Act 1977 and 1984).*
- b) *Any behaviour which causes or is likely to cause any significant or persistent danger, injury, damage, loss or fear to any person living, working or otherwise lawfully in or in the vicinity of a house provided by a housing authority, or a housing estate in which the house is situated and includes violence, threats,*

intimidation, coercion, harassment or serious obstruction of any person.

Where acts of anti-social behaviour are proven, offending tenants and their families will have their homes repossessed. These tenants will not be re-housed by the council. The council also has the option of excluding an individual member of the family from the house depending on the circumstances.

How do I report anti-social behaviour?

If you are experiencing Anti-Social Behaviour, you may contact the Housing Section and you may be requested to complete the Council's Anti-social Complaint Form.

Anonymous complaints regarding anti-social incidents will not normally be accepted.

All information received regarding anti-social behaviour will be treated in the strictest confidence.

VACANT HOUSE

Vacant houses in an estate can become a target for anti-social behaviour. If you intend surrendering your house, you must give us four weeks notice.

If there is a vacant house in your estate, don't assume that we know about it. Please let us know immediately. You can contact the Housing Section with the details. The sooner you do the sooner we can arrange to have it re-let.

WHAT TO DO IN AN EMERGENCY

Water Leak:

Turn off the water supply under the kitchen sink and turn on all taps in order that the system may drain out. If this does not work turn off the water supply at the stopcock on the road and contact the Council.

Electrical:

Turn off the E.S.B. supply on the fuseboard and contact the Council.

Gas Leak:

Turn off the gas supply at the meter and do not light matches etc., or use any electrical appliance even a light switch. Open all windows and doors. Contact Bord Gais immediately at telephone number 1850 20 50 50.

SUMMARY OF IMPORTANT POINTS

You must adhere to your Tenancy Agreement. Please read it carefully.

It is your responsibility to insure the contents of your home.

It is your responsibility to keep the chimney cleaned.

It is your responsibility to keep your rent account up to date.

USEFUL TELEPHONE NUMBERS

EMERGENCY - Garda, Fire Brigade, Ambulance	999/112
Wicklow Area Office	0404-20173
Arklow Area Office	0402-32717
Blessington Area Office	045-891222
Tinahely Area Office	0402-38174
Greystones Area Office	01-2877911
Wicklow Town Council	0404-67327
Department of Social Welfare (Local Community Welfare Officer)	0404-68400
Money Advice & Budgeting Service (MABS)	01-6798358
Health Service Executive	
East Coast Area Wicklow	0404-68400
Arklow	0402-39624
Bray	01-2862172
ESB	1850 372 372
Board Gais (Customer Service)	1850 673 322
Board Gais (Emergency)	1850 20 50 50
Garda Siochana: Wicklow	0404-67107
Arklow	0402-32304
Bray	01-2862821
Garda Confidential Line Freephone	1800 666 111
Recycling Centres: The Murragh,	1890 22 2276
Arklow	0402-32759
Avoca	087-2288132
Rampere Landfill Baltinglass	059-6481677

