



## ***Domestic Violence Procedure***

### **1. Introduction**

- 1.1 We believe that none of our tenants should live in fear of violence from a spouse or partner, former spouse or partner or other member of their household, and will take steps to assist and support any person suffering from or threatened with violence.

### **2. Policy**

- 2.1 This procedure only relates to Co-op homes permanent and short life tenants.

### **3. Procedure**

- 3.1 Receive a request from a tenant for assistance or support as a result of domestic violence.
- 3.2 Arrange an interview with the victim within one working day of receiving a report of DV. Wherever possible and or requested the interview should be carried out by an officer of the same sex or cultural background.
- 3.3 At the interview be sensitive to the needs and state of the person. In order to determine the advice or assistance provided find out:
- Whether they can or are willing to remain at the property
  - Who is living at the property – if there are children, what are their ages and who will they be residing with
  - The status of the tenancy
  - Whether the couple are married or cohabiting and whether there are any children
  - Whether both parties are still living at the property
  - What action they have or are intending to take against the perpetrator
  - If they are in rent arrears

The person needs to be informed fully of their rights and obligations and the implications of action they take. These include:

- Contacting LBRUT housing needs, CAB or a solicitor for independent advice
- Contacting LBRUT to make a homeless application
- Options for transferring the tenancy. Either through a court order or under our procedures
- If they are the tenant or joint tenant their rights and obligations for the tenancy including the payment of rent.



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Where appropriate and with the permission of the victim contact external agencies such as the police, EMAG if necessary, domestic violence help lines and local borough websites

The victim will be advised of action open to them in both the short term and long term. This will include remedies such as injunctions and ouster orders as well as action we can take under the Housing Act 1996.

- 3.4 If the victim is unable to return home and cannot stay with friends or relatives they should be referred to the local authority or a women's refuge.
- 3.5 If the victim is able to remain in their home temporarily but requests re-housing the case should be referred to the Housing Manager to be considered as a management transfer. See the emergency re-housing procedure.
- 3.6 After the interview record the action taken and or agreed.
- 3.7 The case needs to be monitored and reviewed regularly until the Housing Manager is satisfied that it has been resolved through re-housing or other means.

### **4 Guidance Notes**

- 4.1 The victim may be able to remain in their home either on a temporary or permanent basis if additional security measures are provided such as locks. These will fitted on an emergency basis. Treat people experiencing a relationship breakdown in a similar way to those experiencing domestic violence.
- 4.2 Local Authorities have a legal obligation to respond to situations of domestic violence – Housing Act 1985 Part 3.
- 4.3 Where there is a joint tenancy, consider the use of the Greenwich v McGrady devise where the victim serves NTQ on us ending their joint interest in the tenancy. However, they should be advised to seek legal advice before pursuing this action.
- 4.4 Where there is sufficient evidence action should be taken to evict the perpetrator if they are a Co-op Homes tenant.