

M&G Affordable Living RP Limited (“MAL”)

Eviction Policy

Landlord: MAL Affordable Living RP Limited “MAL”

Version: MAL 1.0

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Authors: Director Asset Management

1. Our policy statement.

1.1 This eviction policy outlines the principles MAL and its managing agents follow to manage evictions. The policy is designed to comply with legal and regulatory guidance, and the Regulator of Social Housing’s Tenancy Standard.

Eviction will generally be an act of last resort, taken when any other action would be inappropriate, or when all efforts to tackle breaches of the tenancy agreement have been exhausted.

2. Policy Objectives

2.1 The key objectives of this policy are:

- To comply with all current regulatory guidance and the law.
- To ensure, where appropriate, that eviction is the last resort with alternative interventions explored and pursued at an early stage to prevent unnecessary evictions.
- To ensure appropriate support, advice and guidance are provided to residents being evicted at all stages in the process.
- To work with partners to safeguard children and vulnerable people.
- To treat residents in a fair and non-discriminatory way, in accordance with our Equality and Diversity Policy.

3. Policy

3.1 Evictions must be based on clear legal grounds, such as serious rent arrears (e.g., Ground 8 under the Housing Act 1988)¹, anti-social behaviour, or breach of tenancy conditions. Mandatory grounds are used only in serious cases. The eviction process depends on the type of tenancy agreement, each type may have different notice periods and legal protections, common tenancy types include:

- Assured tenancy
- Assured shorthold tenancy²
- Introductory or starter tenancy³
- Secure tenancy

3.2 Common reasons for seeking possession include:

- Substantial or persistent rent or service charge arrears.
- Violations of the terms of the tenancy agreement, such as subletting without permission.
- Causing a nuisance or annoyance to neighbours or committing criminal offenses.
- Using the property for illegal purposes, like drug dealing.
- Not using the property as a main home (e.g., living elsewhere for an extended period)

¹ Following the implementation of the relevant sections of the Renters’ Rights Act 2025 on 1 May 2026, section 21 ‘no fault’ evictions will be abolished.

² From 1 May 2026, assured shorthold tenancies will become assured periodic tenancies e.g. rolling tenancies following the implementation of the relevant sections of the Renters’ Rights Act 2025.

³ From 1 May 2026, ‘Introductory’ or ‘starter tenancy’ will become assured periodic tenancies e.g. rolling tenancies following the implementation of the relevant sections of the Renters’ Rights Act 2025.

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- Giving false information to obtain the property.
- Allowing the property to fall into a state of disrepair or neglect.

3.3 Support and Intervention

Our managing agents will aim to support and sustain tenancies and to avoid eviction proceedings unless ending the tenancy is assessed as the only reasonable course of action.

Our managing agents will seek to ensure that tenants understand the terms of their tenancy agreement and the consequences of breaching these terms. This information will be communicated at tenancy sign up meetings and in information given to tenants e.g. in the Tenants Welcome Packs, via the ARK app, and on our website.

When the managing agent become aware of a breach, or possible breach of the tenancy agreement, the managing agent will make reasonable attempts to intervene at an early stage, and to investigate and consider the individual circumstances of each tenant, including any vulnerability. Vulnerabilities may be linked to age, disability, mental health, ethnicity and other factors.

For rent arrears, the managing agent will seek possession only where appropriate preventative methods have failed to resolve the problem. We will not normally seek possession where the tenant is maintaining an agreement to repay arrears unless there are other breaches of tenancy in addition to rent arrears.

4. Authorisation

Before any proceedings can be commenced authorisation must be sought by the relevant managing agent leads for both housing and income related matters. The relevant Income Manager must have reviewed the income aspects first.

The relevant managing agent leads will review the case to ensure that all appropriate actions have been carried out in line with the managing agent’s policies and procedures and relevant legislation.

Further authorisation must then be obtained from clients, where requested, before proceeding can be issued.

5. Legal Proceedings

Before starting court proceedings, the managing agent will follow the Pre-Action Protocol for Possession Claims by Social Landlords, which includes:

- Informing the tenant of the issue (e.g. rent arrears)
- Offering support or alternatives (e.g. repayment plans)
- Steps required to resolve the issue without court action

A formal written notice (Notice Seeking Possession or NOSP) will be sent to the tenant and include the following information:

- The reason for eviction
- A date when legal action may begin
- The tenant’s rights to challenge the eviction

If the issues have not been resolved, the managing agent will:

- Apply to court for a possession order
- The court will review the case and may grant an order for eviction

If the tenant does not leave the property, the managing agent will:

- Apply for a warrant of possession
- Court bailiffs will carry out an eviction

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Prior to a household being evicted the managing agent will seek to discuss housing options and assistance that can be provided, including signposting to other agencies/services. The managing agent will inform the Local Authority Homeless department of the eviction, including the date of the eviction, and will work to any agreed local protocols.

Where there are dependent children or elderly or vulnerable persons a referral may also be made to the appropriate Social Services Department (Children’s Services, Adult Social Care).

6. Policy review.

We will review this policy at least every two years to make sure it remains relevant and accurate, or more frequently where:

- Legislation, regulation or industry changes require otherwise, making sure that it continues to meet our aims and industry best practice.
- We identify any problems or failures in this policy or procedure as a result of customer, colleague or stakeholder feedback, complaints, or findings from an independent organisation.
- We become aware of any circumstances which may affect the content of this policy.

7. Key legislation (but not limited to)

- Housing Act (1980) & (1985)
- Housing Act 1988
- Regulator of Social Housing Regulatory Framework and Standards
- The Equality Act 2010
- Housing and Regeneration Act 2008:
- Anti-Social Behaviour, Crime and Policing Act 2014:
- Data Protection Act 2018 and UK-GDPR
- Renters’ Rights Act 2025

8. Version Control

| Version | Checked by | Amendments | Date of Approval | Review date |
|---------|--------------------------------|---------------------|------------------|-------------|
| V1.0 | Director Fund Management | Policy adoption. | Feb. 2026 | Feb. 2028 |
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