

## Kingham Fuel Allotment – Inspection and Eviction Appeals Procedure

Adopted by Kingham Fuel Allotment on 19 June 2019

### Introduction

Kingham Fuel Allotment requires allotment holders to abide by the terms of the tenancy agreement, will check allotments regularly to ensure that allotments are maintained properly, and will terminate tenancy agreements if the terms are being breached. Allotment holders have the right to appeal the inspection or termination notice using the Appeals Procedure

### Procedure

#### Inspection or termination notice sent to allotment holder

The inspection or termination notice sent to the allotment holder informs the allotment holder that there is an Appeals Procedure available to them if they wish to dispute the notice.

The tenant has fourteen days from the date of the notice to appeal the notice.

The appeal must be sent in writing to the Clerk of the Trustees using the “Inspection and Eviction Appeals Form”.

The following information must be provided:

- a. Reason(s) for lack of improvement
- b. Reason(s) why the termination notice should be withdrawn
- c. An improvement plan with timescales

#### Receipt of Inspection and Eviction Appeals Form

On receipt of an Inspection and Eviction Appeals Form, which must be received within fourteen days of the issue of the notice, a meeting of the Appeals Committee will be convened. The meeting will be held and a response sent to the allotment holder within one month.

#### Appeals Committee

The Appeals Committee will be made up of at least three Trustees. Trustees who undertake inspections or those who declare family interests shall not be part of the Committee. The Clerk of the Trustees will attend the meeting and take minutes, but take no part in the discussions apart from to answer factual questions on the process.

#### Appeals Preparation

Before the Appeals Meeting the following shall be provided to the Appeals Committee:

- a. Inspection evidence
- b. Copies of letters/notifications sent to allotment holder regarding inspections
- c. Copies of any letters/emails from the allotment holder regarding inspections
- d. Copy of the tenant’s Inspection and Eviction Appeals Form

The Appeals Committee may request further information from the tenant or Trustee Allotment Inspectors if required.

#### Appeals Meeting

The Appeals Committee shall make a determination based on the evidence provided. The determination will be minuted. The decision of the Committee is final.

The allotment holder will be informed of the decision in writing within fourteen days of the Appeals Meeting.