

Tenancy Fraud Policy

2016-2017



Policy Reference:

Policy/HM006 Issue 3

Approved by:

Senior Management Team

Date approved:

25/05/2017

A Scope and Objectives

This policy sets out how bpha will prevent, identify and address housing tenancy fraud. Preventing fraudulent misuse of bpha housing stock is a priority for bpha as when it occurs it impacts on the management of the property, affecting bpha's ability to efficiently use and maintain its properties for their intended social purpose.

We will ensure that our employees are knowledgeable and appropriately skilled to identify or tackle tenancy fraud. Our policies ensure that tenancy fraud is monitored and procedures are in place to provide guidance for employees.

B Policy Statement

bpha will work in partnership with other agencies to prevent, investigate and deter people from committing tenancy fraud.

Tenancy fraud falls into four main areas:

1. Not using the property as the sole or principle home including abandoning the property, unlawfully subletting the property and succeeding or assigning the tenancy/lease without the landlord's permission after the legal tenant/lessee has left the property or died.
2. Unauthorised exchange and assignment.
3. Obtaining or attempting to obtain a home using false documents i.e. claiming to be someone else, forged passports, or false statements such as claiming to be homeless.
4. Obtaining or attempting to obtain a home under false declaration of income and assets.

Prevention, Detection and Tackling Tenancy Fraud

1. Prevention

bpha will:

- Obtain photographs of residents as part of the application process.
- Visit new starter/fixed term tenants at least twice a year in the first year of the tenancy. Check the members of the household against the allocations paperwork and update the system with any changes.
- Only disclose confidential information where consent has been given in writing beforehand.
- Ensure that where suspicions or concerns are raised around tenancy fraud appropriate investigations are carried out.
- Be proactive in communicating our firm approach to the prevention and detection of tenancy fraud through our customer and corporate communications and via social media.

2. Detection of Tenancy Fraud

bpha will:

- Take all reports of tenancy fraud seriously and from any source i.e. residents, members of the public, other agencies and employees.
- Ensure employees who deal with customers will be briefed on tenancy fraud appropriately.
- Verify customer details to proactively identify an indication of fraud.
- Work in partnership with other agencies to data share and validate tenancy details.

3. Tackling Tenancy Fraud

bpha will investigate fraud using a wide range of methods. These include:

- Completing home visits and verifying occupants in the property.
- With the consent of the resident home visits may include looking in each room, cupboards and wardrobes checking for signs of occupancy.
- Using credit reference/data exchange agencies to check household members, establishing residency and to trace individuals where there is evidence to suggest they may be living elsewhere or committing fraudulent activity.
- Home Agents may request to check utility bills or check meters to see if utilities are being used.
- Sub tenants unaware of their status may be asked to give evidence against the tenant.
- Requesting information from other agencies such as the police through the appropriate information sharing channels.



The appropriate legal remedies will be utilised following thorough investigations including possession action and/or referral to the relevant local authority to consider criminal proceedings.

4. Data Sharing

bpha will share information about our residents with external credit referencing agencies, other housing providers and local authorities in order to detect fraud in line with The Data Protection Act of 1998.

C Regulatory and Legal Considerations

The Prevention of Social Housing Fraud Act 2013

The Human Rights Act 1998

The Data Protection Act 1998

The Safeguarding Vulnerable Groups Act 2006

Housing Act 1996

Anti-Social Behaviour Policy 2016/17

Data Protection Policy 2016/17

D Monitoring, Reviews and Evaluation

This policy will be kept up to date and amended accordingly to reflect any changes in response to revised legislation, regulatory guidelines and standards.

The number of tenant fraud cases will be monitored

E Associated Documents and Procedures

- HM011 - Rent collection- General Needs Procedure
- HM012 - Current Rent Arrears Control - AST, Intermediate Rent Procedure
- HM013 - Current Rent Arrears Control - Shared Ownership Procedure
- HM050 - Equity Loan Management
- Health and Safety Policy
- Lone Working Procedure
- Anti-Social Behaviour Policy
- Allocations Policy

Status	Version – 3.0
Responsible	Head of Housing Management Services
Equality impact issues	None identified
Next review date	2 May 2019