

## Tenancy Fraud Policy

## Scope of Policy

This policy sets out the approach that the Group will take in relation to tenancy fraud.

## Applicability

The policy applies to all members of Platform Housing Group (the Group) and covers all tenures.

### 1. Policy Statement

- 1.1 This policy sets out the response of the Group should any reports of tenancy fraud arise, with an emphasis on prevention, detection, investigation and enforcement; and where required offering support.
- 1.2 The Group recognise that tenancy fraud can have a detrimental impact on the reputation of our business and impacts on our ability to efficiently manage our stock for the intended purpose of making available much needed affordable housing.
- 1.3 We seek to tackle these impacts by:
  - having robust procedures;
  - using appropriate tools to detect and eliminate fraud;
  - taking swift action to prevent fraud;
  - adopting a supportive approach to understand why fraud has taken place;
  - having a clear focus on prevention and early intervention;
  - ensuring a value for money approach is embedded in the service;
  - ensuring our employees have received appropriate training and have the relevant skills to deal with issues relating to tenancy fraud; and
  - working in partnership with other key agencies such as the Police, Local Authorities, DWP etc.

We will take a balanced approach in dealing with tenancy fraud by using a combination of prevention, detection, investigation and enforcement along with any support where required.

### 2. Context

- 2.1 Our Vision is to “Make a difference by enabling better lives through building better homes” and our Mission is to “Build a better future by investing in affordable homes, services and communities”. Our Strategic Plan 2018-23 outlines how we will deliver high quality services that support our local communities.
- 2.2 Failure to deal with tenancy fraud presents a significant reputational risk to the Group and we are therefore committed to prevent the fraudulent misuse of our homes, ensuring effective and robust management measures are in place which enable us to continue to provide much needed accommodation to those in greatest need living within our communities.
- 2.3 Tenancy fraud can have a significant financial impact on the organisation due to loss of income, unlawful lettings and sales of our homes, higher stock turnover and other related costs such as void property works/damage/legal costs as well as those associated with colleague time. Failure to deal with issues of tenancy fraud or an inability to demonstrate

investigations have taken place may present a potential for complaints or legal challenge to arise.

2.4 Tenancy fraud typically falls into one of three broad categories:

- tenants not using their property as their sole and/or principal home. They may have abandoned the property (refer to separate policy); could be unlawfully subletting the property (selling their keys) or they could have fraudulently attempted to assign or allow a succession of the tenancy without our permission (and where the tenant may have died);
- carrying out an unlawful exchange and assignment (mutual exchange); or
- obtaining or attempting to obtain housing deceptively (by providing fraudulent documentation or attempting to impersonate someone else) or by providing or false financial information about themselves.

### **3. Aims and Objectives**

#### **3.1 Prevention**

As part of our lettings process we will require all applicants to complete our online application, 'Platform Housing Move' outlining address history for the previous 5 years and requiring that at least one form of photographic identification is provided to confirm identity of all household members. Where there are concerns about address history, the Group will seek to carry out an Experian address history search (with consent from the applicant).

Set out clear terms within our Tenancy Agreements (and as part of the sign-up process) and provide guidance and information to tenants about their rights and responsibilities.

Carry out similar checks (as outlined above) where existing customers are seeking to assign their tenancy (i.e. via a Mutual Exchange) or are seeking to exercise their Right to Buy or Right to Acquire and request up to date photographic identification of all adult household members.

Visit new customers at least twice during the first year of the tenancy and cross check the identification of all household members where concerns arise.

Be proactive in communicating the Group's approach to tackling tenancy fraud through our customer and communications channels i.e. via our website and social media.

#### **3.2 Detection**

Encourage customers to report tenancy fraud and make available provision for them to do so anonymously through our website and/or via our Neighbourhood Teams.

Work in partnership with other local agencies to detect concerns of tenancy fraud and to share relevant data where appropriate as part of the investigation (and in accordance with any data sharing agreements).

Request that customers keep their household details up to date at all times (i.e. updating their account on the customer portal)

Cross checking information held within our system against any that is provided to the organisation i.e. from the DWP/Council Tax departments.

Asking customers to verify their personal details as part of security checks when communicating with the Group.

Ensure that our employees have regular and up to date training in the detection and prevention of tenancy fraud.

### 3.3 **Investigation**

Carry out home visits, verify occupant's details and seek to obtain evidence of occupation (request copies of recent utility bills/meter readings).

Seek witness statements and other information from neighbours and agencies such as the Police and (as per data sharing agreements).

Carrying out credit checks (via Experian) to confirm household members residency and to trace individuals where there is evidence to suggest they are living at an alternative address.

Issues of fraud, such as abandonment, sub-letting and cuckooing (whereby a tenant is forced to leave their home or allows others to live there and undertake illegal activities such as drug dealing or prostitution against their will) will be managed directly through enforcing the terms as set out within our tenancy agreements.

### 3.4 **Enforcement**

Where evidence confirms that tenancy fraud has taken place the Group will seek to take action, specifically to enforce the terms of the tenancy agreement; which could ultimately lead to seeking possession of the property.

The Group will (where requested) support any criminal prosecutions by providing relevant evidence and/or witness statements in accordance with the Prevention of Social Housing Fraud Act 2013.

In the case of a fraudulent housing application, the Group will cancel the request for accommodation and provide (where relevant) details to the Local Authority (if the applicant was nominated).

### 3.5 **Support**

We will offer support (which may include referring onto external agencies) both those who report issues of Tenancy Fraud and who may be fearful of any potential repercussions and also to those who households may be living in a Group property that has been sub-let to them without their prior knowledge and which may render them becoming homeless.

## 4. **Policy Outline**

### 4.1 Witness support is essential in maintaining confidence with those willing to give statements and provide evidence enabling us to progress successful enforcement measures against

tenancy fraud. We will of course ensure strictest confidentiality of anyone wishing to report concerns of tenancy fraud and will act on any reports made anonymously.

We will involve and work in partnership with all relevant agencies to not only detect and prevent fraud but also in ensuring support to those reporting tenancy fraud.

We will only share or request information when appropriate and necessary to do so and in strict accordance with any data sharing agreements.

We will provide appropriate tools and training to employees dealing with cases of tenancy fraud, noting that investigations should be carefully recorded on the appropriate systems.

## **5. Equality and Diversity**

- 5.1 We are committed to fairness and equality for all regardless of their colour, race, ethnicity, nationality, gender, sexual orientation, marital status, disability, age, religion or belief, family circumstances or offending history, as referred to in our relevant Group policies. Our aim is to ensure that our policies and procedures do not create an unfair disadvantage for anyone, either directly or indirectly.
- 5.2 Equality and privacy impact assessments have been undertaken in respect of this policy and which identified no negative impacts on any person/group with a protected characteristic as a result of this policy.
- 5.3 The Group aims to meet the needs of its customers by providing an excellent service. However, it is acknowledged that occasionally things go wrong and customers may wish to complain. Should the need arise to make a complaint, please refer to the Group's Complaints, Comments and Compliments Policy.

## **6. Monitoring and Review**

- 6.1 This Policy will be reviewed every 2 years or following any significant legislative or regulatory amendments.

## **7. Associated Documents/Policies**

- 7.1 List of documents/associated policies/publications:
- Audit Commission Protecting the Public Purse 2014
  - Prevention of Social Housing Fraud Act 2013
  - Anti-social Behaviour Act 2003
  - Anti-social Behaviour Crime and Policing Act 2014
  - Crime and Disorder Act 1998
  - Youth Justice and Criminal Evidence Act 1999
  - Human Rights Act 1998
  - Data Protection Act 2018
  - Homelessness Act 2002
  - Homelessness Reduction Act 2017
  - Equality Act 2010
  - Lettings Policy

<b>Author:</b>	Sarah Sutton
<b>Version 1:</b>	Final
<b>Release date:</b>	25/06/2020
<b>Next review date:</b>	06/2022
<b>Document type:</b>	Policy
<b>Approved by:</b>	Risk and Performance Forum 17/06/2020
<b>EIA completed: (where required)</b>	Y
<b>PIA completed: (where required)</b>	Y
<b>Customer consultation: (where appropriate)</b>	N
<b>Employee Handbook amends: (where appropriate)</b>	N