



Tenancy Fraud Policy

1. Aim of policy

This policy outlines our approach to tackling tenancy fraud to ensure compliance with legislation and regulation.

2. Scope of policy

This policy applies to all our tenancies, including lets made to new tenants, transfers, mutual exchanges, successions, assignments, right to buy/right to acquire and shared ownership.

All front line operational staff will be aware of this policy.

3. Policy statement

We have a duty to make best use of public resources and ensure our housing stock is properly managed. We are committed to prevent, detect and tackle all types of tenancy fraud including:

- Obtaining housing by deception
- Unlawful subletting
- Non- occupancy
- Wrongly claimed succession
- Unlawful assignment
- Key selling
- Temporary accommodation fraud
- False shared ownership application
- False right to buy or right to acquire application
- Housing Benefit fraud

This policy applies to all tenures.

4. Policy

We will seek to identify and co-operate with others to prevent housing related fraud, including housing benefit and right to buy fraud.

We take a 'zero tolerance' approach to tenancy fraud. Where enforcement action is pursued, this will result in the loss of the tenancy if proven and/or being referred to the: Police; UK Visas and Immigration; Local Authority.

Our approach to tenancy fraud is detailed under three main headings:

4.1 Prevention



Acquiring a tenancy by deception - At the point of application, whether for a new tenancy or change of tenancy resulting from assignment, mutual exchange or succession we will complete checks including identification, residency/ right to rent and property checks.

4.2 Detection

Tenancy fraud can be detected through the day to day activities of staff and contractors as well as information received from customers.

Furthermore we will request ID at various stages in the tenancy lifecycle which includes, but is not limited to, application for exchange, assignment, succession and changes to the tenancy including adding or removing an individual to/ from the tenancy, right to buy and right to acquire.

4.3 Enforcement

Cases of unauthorised subletting, abandonment and obtaining a tenancy fraudulently are all breaches of tenancy. Where we believe that tenancy fraud is taking place or has occurred, we will investigate or support other agencies to do so which includes assisting our Local Authority partners in the detection, pursuit and prosecution of fraud given their enhanced powers to prosecute, with the maximum penalty of a 2 year sentence and/or a fine of up to £50,000.

5. Statutory requirements

Legislation supporting tenancy fraud action:

- Prevention of Social Housing Tenancy Fraud 2013
- Housing Act 1988 as amended
- Data Protection Act 1988
- Housing Act 1985 as amended
- Law of Property Act 1925

6. Related policies

- Lettings Policy
- Housing Management Policy
- Tenancy Policy
- Money Laundering Policy

7. Monitor and review process

The application of the Tenancy Fraud policy and routine tenancy visits/ tenancy audits will be monitored by our Neighbourhood Team Leaders and managers through monthly 121s and recorded and reviewed in the performance reports.

We will monitor the number and types of suspected tenancy frauds as well as the outcomes of these investigations including the number of evictions for tenancy fraud and related costs.

At intervals we arrange for an independent audit of our procedures and records to ensure that they reflect good practice and are being followed.



This policy will be approved by the Executive and reviewed every three years.

8. References/appendices

Not Applicable

Author	Owner	Date approved	Review date
Yvonne Anderson			April 2020