

Appendix 1



**STROUD  
DISTRICT  
COUNCIL**  
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# Tenancy Fraud Policy

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February 2017

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Tenant Services

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**Next document review by:** To be Confirmed

**Reviewed by:** Patricia Andrade, Tenancy Management

**Approved by:** *To be Confirmed*

## **1. The Purpose of the Tenancy Fraud Policy**

For the purpose of this policy, the term 'tenancy fraud' covers subletting, obtaining housing by deception, wrongful claims for succession and key selling (where a tenant is paid to pass on their keys in return for a one off payment). In addition, applications to exercise 'Rights to Buy' council housing might be subject to dishonesty leading to tenants obtaining property by deception, as opposed to tenancy fraud.

Whilst cases of tenancy fraud (including dishonesty) are relatively small in number in the Stroud district, the majority of tenants legitimately occupying council housing, tenancy fraud presents a serious challenge to the Council. It potentially hampers its ability to effectively manage its housing stock. It also prevents the Council from ensuring that as much as possible of its social housing is available for those in most housing need, which is particularly important given the Council's oversubscribed housing waiting list.

To help prevent the fraudulent use of and access to Council owned dwellings, the Council's approach to dealing with tenancy fraud is set out in this document

## **2. Financial & risk implications**

- Tenancy fraud can impact of our ability to meet housing need, contributing to higher temporary accommodation costs, where homeless families cannot be housed without undue delay and families bidding for accommodation, whilst potential homes options are denied to them because stock is wrongfully occupied
- The costs of repossession can be high, hence the importance of prevention
- Reputational risk may be a problem, if we do not have a robust policy

## **3. SDC's Approach on Tenancy Fraud**

In delivering an effective response to tenancy fraud, we will apply the following key principles:

### **3.1 Prevent it**

The Council considers that preventing fraud is a cost efficient way to tackling tenancy fraud. Consequently, officers will check the accuracy of information provided by applicants for social housing. Further checks will be undertaken when tenancies are signed and during the tenancy to ensure that material changes of the tenant's household circumstances are reported to the Council.

Applicants for housing and tenants are required to provide appropriate evidence of identity and their correct household composition and membership.

In evidencing the above, the council will request verification checks at various stages, these include:

- When an application for social housing is made
- When you sign up to a new tenancy
- As part of a 'tenancy audit', (we will undertake random checks to ensure that the person(s) living in one of our homes is the true and legal tenant)
- If you apply for an assignment, exchange or succession of your tenancy

- Changes to the tenancy such as household composition or a request for an addition to the tenancy
- If you make a Right to Buy application

We will normally expect you to provide photographic evidence of identity (such as a passport or driving license), but if these are not available we will seek relevant documents such as might provide clear evidence of identity. These may include, but are not restricted to:

- Medical card with National Insurance Numbers
- P45, P60 or pay slip
- Evidence of your payment of benefits from the DWP
- Bank account details
- Birth, marriage, adoption certificates
- UK certificate of naturalisation

### **3.2 Detect it**

We will regularly monitor information we are legally entitled to access, including that of shared data with government agencies focusing on tenancy and housing benefit fraud, credit rating and financial agencies, other social landlords and legally constituted and recognised anti fraud partnerships, such as the Gloucestershire Tenancy Fraud initiative. We will also monitor our own tenancy and property records to identify alerts, trends and issues we may point to examples of fraud.

### **3.3 Investigate it**

We will undertake thorough investigations, where necessary, in partnership with relevant statutory agencies such as the Police, DWP, Border Agency, etc. This may include the interviewing of those being investigated, under caution, unless of course, on a case by case basis, this function is considered best held by statutory agencies such as the Police, etc.

### **3.4 Pursue**

Where tenancy fraud has been detected and thoroughly investigated we will consider the following actions:

- Civil action by the serving of either Notice of Seeking Possession (NOSP), Notice to Quit (NTQ) and Notice of Possession Proceedings (NOPP) for the repossession of unlawfully obtained accommodation.
- Criminal action where appropriate.

We will always take enforcement action where fraud has been detected.

## **4. Responsibility for and review of this policy**

The person accountable for the delivery of this policy is the Head of Housing Management.

This policy will be reviewed regularly with any notable changes reported to the Housing Committee for approval, as and when appropriate.