



# Anti-Tenancy Fraud Policy

<b>Approved by</b>	Operations Committee
<b>Effective date</b>	October 2018
<b>Review date</b>	October 2021
<b>Policy developed by</b>	Neighbourhood Services Manager
<b>Associated procedure</b>	None

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# Introduction

## 1. Purpose

- 1.1 This policy provides the framework for Connexus to prevent, identify and address tenancy fraud within our tenanted stock.
- 1.2 Scope: The policy applies to the whole of the Group. This means Connexus Homes Limited, (ultimate parent) and all of its subsidiaries.

## 2. Problem to solve

- 2.1 As a responsible landlord we have a duty to make best use of public resources and ensure our homes are properly managed and are occupied by people legally entitled to live there.
- 2.2 Tenancy fraud can present itself in various forms and can occur at any stage of a tenancy. The following list is not exhaustive but includes the main types of tenancy fraud;
  - Fraudulently obtaining a tenancy ( e.g. through misrepresentation of identity or circumstances).
  - Non-occupation by the tenant as their principal home.
  - Unlawful subletting.
  - Wrongly claimed succession.
  - Unauthorised assignments.
  - 'Key selling' ( where the tenant leaves the property and passes on the keys in return for a lump sum payment or favour).
  - Not notifying the landlord when the tenant moves out or passes away.

## 3. Method

### Tackling Tenancy Fraud

- 3.1 We will thoroughly investigate all reports of tenancy fraud and will take the appropriate action to prevent it. We will do this by:
  - At allocation stage, checking a potential tenant's application form to ensure that all questions have been answered and a detailed address history has been provided.
  - At sign up, explaining subletting and the consequences of breaching tenancy conditions in respect of this clause and in respect of using the property as their only or principal home.
  - Having photo ID on file in order to cross reference the identity of the occupant in the future.
  - Undertaking a new tenancy visit shortly after sign up to check that the correct person have taken up occupancy.

- Conducting visits on households when triggered by a complaint, enquiry or other matter to verify that the residents are the intended occupants.
- Carrying out a visit and/or checks to following receipt of a RTB/VRTB/RTA application.
- Using a range of publicity methods to raise awareness of tenancy fraud amongst customers, the public and partner agencies.
- Advertising how tenancy fraud can be reported confidentially.
- Publicising cases where we have successfully gained possession of a property or prosecuted persons for tenancy fraud.
- Reporting all confirmed instances of tenancy fraud to Audit and Risk Committee.

### **Investigation and Enforcement**

- 3.2 Following a report of possible tenancy fraud, we will use all channels available to us to investigate the allegation. This may be by using existing information sharing protocols or websites such as National Anti-Fraud Network.
- 3.3 Where tenancy fraud is proven we will use our powers under the Prevention of Social Housing Fraud Act 2013.
- 3.4 Prior to taking criminal or civil action we will review and apply the relevant tests to evidence collated and consider whether an allegation of tenancy fraud can be substantiated, taking legal advice if necessary.
- 3.5 Without prejudice to any criminal action we may consider taking, the relevant notice may be served to terminate the tenancy if it is considered that, on the balance of probabilities, tenancy fraud has occurred.
- 3.6 Where enforcement is deemed necessary we may consider;
  - Serving a Notice to Quit on the tenant and formally ending their tenancy.
  - Seeking possession of the property.
  - Prosecution for recovery of profit or damages.

## **4. Measurement**

- 4.1 Any allegations will be recorded, investigated and stored on the tenancy file for future reference. Any proven tenancy fraud will be reported to Audit and Risk Committee detailing the action that has been taken.