



# Anti Tenancy Fraud Policy

<b>Approved by SMT</b>	31 <sup>st</sup> October 2024
<b>Approved by Committee/Board</b>	N/A
<b>Effective date</b>	31 <sup>st</sup> October 2024
<b>Review date</b>	31 <sup>st</sup> October 2027
<b>Policy developed by</b>	Senior Housing Manager
<b>Consultations</b>	N/A
<b>Associated procedure</b>	N/A

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# Version Control

Version	Author	Date Published	Next Review	Comments
1.0	Housing Services Manager	01 Mar 22	31 Oct 24	Revised policy
1.1	Senior Housing Manager	31 Oct 24	31 Oct 27	Revised policy

## 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.
  - Fraudulently making an application for Right to Buy or Right to Acquire

### 3. Method/s

- 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 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 home visit or telephone call following receipt of a right to buy or right to acquire application. In addition, we will carry out a soft credit check using the National Anti-Fraud Network system. The purpose of this is to check the information it holds matches the ID that we have, identify any linked addresses, aliases or adverse credit.
- 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 investigated, recorded on the central fraud register 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

Appendix 1 – Equality Impact Assessment Form

## Equality Impact Assessment Form

<b>Strategy / policy / procedure / service / function / project being assessed</b>	Anti Tenancy Fraud Policy
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<b>Stage 1 Lead officer</b>	[REDACTED]	
<b>Date of assessment</b>	24 <sup>th</sup> October 2024	
<b>Date for next review</b>	Upon policy review	
<b>Reason for assessment</b>	Update of policy due to expiry and the Voluntary Right to Buy (VRtB) scheme launched by the Government in 2018 concluding in 2021.	
<b>Agreed and signed off by lead officer's line manager</b>	<b>Manager's signature</b> [REDACTED]	<b>Date</b> 24/10/2024

<b>Stage 2 Aims of the service / function / policy/project under assessment</b>	This policy provides the framework for Connexus to prevent, identify and address tenancy fraud within our tenanted stock.	
<b>Main stakeholders / beneficiaries</b>	All tenants of Connexus.	
<b>Who is likely to be affected by the service/ function/ policy/project?</b>	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.	
<b>What are the arrangements for monitoring and reviewing the actual impact of the service/function/policy/project?</b>	The policy is reviewed every 3 years and measurement is outlined within the policy at section 4.	

Stage 3 Collect and evaluate the evidence				
Key questions	Positive impact	Negative impact	No specific impact on any one group	Evidence
Does the policy or service have a positive or negative impact on any racial groups? Describe how and which.			X	
Does the policy or service have a positive or negative impact on individuals where English is not their first language? Describe how and which.		X		Mitigation is that copies can be translated, and translation services are available to ensure the policy is understood.
Does the policy or service have a positive or negative impact on women or men? This includes Transgender people / Trans people. Describe how and which.			X	
Does the policy or service have a positive or negative impact on people with disabilities? Describe how and which.			X	
Does the policy or service have a positive or negative impact on people of a particular age? (e.g. children, young people, older people). Describe how and which.			X	
Does the policy or service have a positive or negative impact on people with particular sexuality / sexual orientation? Describe how and which			X	

Key questions	Positive impact	Negative impact	No specific impact on any one group	Evidence
Does the policy or service have a positive or negative impact on people in terms of marriage/civil partnership status? Describe how and which			X	
Does the policy or service have a positive or negative impact on people with a particular religion or belief? Describe how and which			X	
Does the policy or service have a positive or negative impact on people in terms of pregnancy/maternity? Describe how and which			X	
Is it possible that the service/function/policy could discriminate or unfairly disadvantage those that do not have access to digital equipment?		X		Mitigations - A hard copy of the policy can be made available in print for those unable to view the actual policy on the Connexus Website or receive a copy via e-mail.
Is it possible that the service/function/policy could discriminate or unfairly disadvantage or cause an individual/community financial hardship?			X	

Outsourced services	
If delivery of your strategy, policy, project or service is partly or wholly provided by external organisations / agencies, please list any arrangements you plan, to ensure that they promote equality and diversity.	<p>As per 3.2 of the policy, 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.</p> <p>We may also seek legal support/advice for those cases we wish to pursue as outlined at 3.5.</p>



<b>Relations between different equality groups</b>	
Does your assessment show that a policy, project or service may have a differential impact between any discrete groups? If yes, please explain how this issue is going to be tackled.	N/A

**Stage 4 – Summary of replies from individuals and stakeholders consulted, including any previous complaints on equality and diversity issues about the policy or service**

Specific consultation with customers has not been sought at this time due to the nature of the required amendments.

**Stage 5 – Options resulting from this equality impact assessment, including measures necessary to minimise or remove any adverse impact and better promotion of equality and diversity. Consider any alternative solutions**

The ability for Connexus to capture customer disabilities, and the reasonable adjustment/s that would be required to consistently support them is built into the Connexus Reasonable Adjustment Policy which would be taken into account during any intervention.

**Stage 6 – Arrangements for regular monitoring of the impact of the policy, project or service**

Section 4 (Measurement) within the policy describes how the policy will be monitored.

The Policy has a set review date, at which point it will be reviewed and a refreshed EIA completed.

**Stage 7 – Any actions and outcomes, including how these are to be communicated both internally and externally as required**

- Updated policy once approved will be uploaded to the relevant sections of the Intranet.