

Tackling Tenancy Fraud

The Bromford Strategy and Tenancy Fraud

As our strategy states – “We exist to provide affordable homes for people who can’t access market housing”.

We articulate the goals within our strategy across our five areas of strategic focus. One of which is “our relationships with customers”. As part of this, we want to improve social justice and play our part in reducing homelessness in our “big four” areas.

Identifying homes where tenancy fraud is occurring will help us ensure our housing stock is let to those in housing need and can therefore help tackle homelessness.

It has been estimated that across the UK, between 50,000 and 160,000 housing association and council homes are occupied by someone who shouldn’t live there or have obtained the tenancy fraudulently. This can cost the tax payer billions of pounds every year. We therefore know that we will have tenancy fraud in our homes too.

How Neighbourhood Coaches, and other colleagues, can help stop tenancy fraud

We want to have a relationship with each of our customers that builds mutual trust and respect; a relationship that helps our customers achieve more for themselves, their families and their communities. As our Neighbourhood Coaches are out working in their communities every day, helping customers and communities to thrive, they are best placed to notice if someone other than our customer is living in the home or if a property has been abandoned.

Each Neighbourhood Coach can really get to know their customers and communities in the area where they work. Other colleagues also visit customers’ homes to carry out repairs and so on, they may spot something that doesn’t seem right as well.

So what is tenancy fraud, and what should you look out for?

What to look out for

Tenancy fraud can present itself in a number of different ways, here are some of the most common types and some tell-tale signs:

Types of Tenancy Fraud	Examples & Tell-Tale Signs
<p>Obtaining housing by deception – where a tenancy is granted, and the tenant has given false information on their housing application.</p>	<p>The credit check shows the applicant has been known by other names.</p> <p>A credit check links the applicant to other properties they haven’t declared or shows that they have a mortgage.</p> <p>The applicant has knowingly withheld information that may have prevented them from getting a home.</p> <p>The checks identify information that the applicant should have declared and may have prevented them from getting a home.</p> <p>Collusion where two applicants want to live together but only one applies as the other has housing debt, a failed tenancy, ASB etc. and they have not declared this.</p>

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<p>Abandonment – where the tenant abandons their home and has not notified us of their intentions of not returning to the property. The tenant may be claiming housing benefit and their rent is being paid.</p> <p>(Also refer to guidance on abandonment)</p>	<p>No response when the property is visited or when customer is contacted via email, texts, voicemail or online communication.</p> <p>Poorly maintained gardens and general dilapidation of the property - possibly with complaints from neighbours.</p> <p>No change in electricity or gas meter readings. No repairs reported.</p> <p>Wheelie bins always empty and/or a build-up of mail behind the front door.</p> <p>No signs of movement/change since the last visit i.e. the curtains always closed.</p> <p>Neighbours commenting the customer is never there.</p> <p>When successful in obtaining access, there are signs that the property is not being lived in i.e. lack of furniture, lack of personal possessions or lack of food in the cupboards and fridge.</p>
<p>Unlawful subletting – where a tenant rents out their home without the knowledge or permission of the landlord. For most tenure types it is against the terms of the tenancy or other agreement to sublet the home.</p>	<p>Neighbour complaints about how many / different people are coming and going from the property. Possible complaints of ASB connected with the property.</p> <p>Tenants are not engaging when we ask to visit, such as no response on unannounced visits, no response to emails, texts, voicemails, online communication.</p> <p>The person who regularly responds is not the tenant.</p> <p>Signatures on safety certificates and other paperwork from the property which don't match the signature on our records.</p> <p>There is more clothing or bedding (for example; pillows, duvets, suitcases or extra toothbrushes) in the property than would be expected for the number of occupants. Lots of household waste/rubbish outside the property (due to more people).</p> <p>Extra wear and tear to the property.</p> <p>Locks on bedroom doors.</p> <p>Rent arrears is not usually a sign as the account is kept in credit to reduce any visits by the landlord to the property.</p>
<p>Wrongly claimed succession – where the tenant dies, and someone tries to take over or succeed the tenancy when they are not entitled to.</p> <p>(Also refer to guidance on death of a customer)</p>	<p>A member of the family claims to have been living in the property when we have no record or evidence they moved out.</p> <p>No permission has been granted by us to allow the family member to live at the property.</p> <p>Family member claims to have been living there at the time of the death but cannot they prove this.</p> <p>The customer has no succession rights according to the tenancy and our policies.</p>

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<p>False Right to Buy / Right to Acquire – where a tenant makes a Right to Buy or Right to Acquire application and gives false information in their application.</p>	<p>Evidence that third parties have been active in the local area encouraging, or coercing, residents to apply for RTB or RTA.</p> <p>Sudden changes in financial circumstances, for example a customer who was on full HB who now has a large deposit for the RTB or RTA.</p> <p>A member of the family claims to have been living in the property when we have no record, or we have evidence they moved out.</p>
<p>Key selling – where a resident is paid to pass on their keys in return for a one-off payment.</p>	<p>Similar to subletting above.</p> <p>Neighbours complaining about how many people are coming and going from the property or that the tenant has changed and we have no record of this.</p> <p>Tenants are not engaging with landlord for reasonable access, in particular, no response on unannounced visits.</p> <p>New ASB complaints connected with the property.</p> <p>Rent arrears is not usually a sign as the account is kept in credit to reduce any visits by the landlord to the property.</p>

Sometimes you may receive information from a neighbour or a member of the public relating to a possible tenancy fraud. If someone asks that the information they provide be dealt with in confidence we must respect their wishes.

You suspect tenancy fraud – what do you do next?

You should talk to your Locality Manager about your concerns, the case will be handled by the Neighbourhood Coach.

When you suspect fraud, you should also contact the Fraud Officer in the Governance Risk & Assurance team who are our specialists in this field. They need to record suspected cases and their outcome as well as having access to additional tools and reports that will help establish if there is evidence to support the suspicion of tenancy fraud.

To request a report we need a summary of the nature of the concern (the type of fraud suspected), the customer's full name, date of birth and their address including postcode. You can send this to the Fraud Officer on fraud@bromford.co.uk

These reports can provide information relevant to a tenancy fraud investigation such as if the customer is linked to another property and / or if other people not named on the tenancy are linked to our property. The Fraud Officer will analyse this report and offer an opinion on whether the report supports a suspicion of tenancy fraud.

Where the report does support a suspicion of tenancy fraud the Fraud Officer will add this to the fraud investigation log and recommend next steps in terms of investigating the apparent fraud.

The most appropriate next step is often to carry out an unannounced visit to the property. An early morning or evening visit is a good idea as you may find the occupants at home before they go to work or after they come back. Before you go, you should check the tenancy agreement and any photos we have of the tenants: who you expect to be there. You should always ask to see identification and proof of residency from whoever is at the property and ask to have a look around.

Remember, as with all home visits, you cannot be sure who is living at the property so you should follow our personal safety procedures, dynamically risk assess the visit, carry out a drive past observation of the property to assess potential visible risks and use your personal safety device and visit with a colleague if necessary. Where you have concerns, ensure these are raised with your Locality Manager should any additional support be required e.g. a joint visit.

What happens when fraud is proven?

Often, when there is strong evidence of tenancy fraud the customer will surrender their tenancy and we can recover the property to make it available to applicants with a genuine housing need.

If the customer does not give up the tenancy, this as a breach of tenancy and Bromford should seek possession. A Community Safety Manager will provide guidance and support in terms of the tenancy breach grounds, making court applications, level of evidence required etc.

Occasionally, where the fraud is significant a prosecution may be warranted. Tenancy fraud is an offence under the Prevention of Social Housing Fraud Act 2013. The Fraud Officer can provide advice and guidance on how we will go about prosecuting for tenancy fraud.

Tenancy Fraud & Safeguarding

Whilst most tenancy fraud may be initiated by the customer themselves there can be circumstances where they are coerced by a third party.

This is a known issue in right to buy / acquire cases, where money laundering may be an objective but can also be an issue with other tenancies where the customer is the victim of cuckooing. This is a form of crime in which drug dealers take over the home of a vulnerable person in order to use it as a base for drug dealing.

Always be aware when looking at a potential tenancy fraud issue that a customer or occupant could be a victim. If you are concerned please refer to and follow our guidance on safeguarding.

How to get more help and advice

For more help and advice talk to your Locality Manager or contact the Fraud Officer and his team who are part of Governance, Risk & Assurance.

You can e-mail us on fraud@bromford.co.uk