

Committee: Housing Board

Agenda Item

Date: 24 April 2014

11

Title: Tenancy Fraud Initiatives

Author: Judith Snares – Housing Needs and
Landlord Services Manager Ext 671

Item for information
only

Summary

1. This report is to inform members on the work that the Housing Department are doing to combat tenancy fraud.

Recommendations

2. That the Housing Board notes this report.

Financial Implications

3. None

Background Papers

4. None

Impact

- 5.

Communication/Consultation	Publicised through the tenants newsletter
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	All wards
Workforce/Workplace	N/A

Situation

6. The introduction of The Prevention of Social Housing Fraud Act 2013 made important changes to both the civil and criminal law relating to tenancy fraud it:-
 - created new criminal offences of unlawful subletting by assured and secure tenants in social housing
 - gave local authorities powers to prosecute in cases of unlawful subletting
 - enabled the courts to order the recovery of any profit made from unlawful subletting from tenants
 - provided that assured tenants who unlawfully sublet the whole of their dwelling cannot subsequently regain their security of tenure.
7. The housing department has always investigated alleged acts of tenancy fraud but these have usually relied on information coming to light on an ad-hoc basis.
8. The department is now implementing initiatives that will actively look for cases of tenancy fraud within the council's own stock, as well as working with other social housing providers across Essex to publicise tenancy fraud more generally.
9. The department has purchased a system called 'Who's Home' which takes the data held on all the council's tenants and runs it through a series of data matches. This then gives a report highlighting the instances where data held by other organisations does not match the councils. A list of priority cases can be produced and further enquiries made to see if tenancy fraud is taking place. This data can also be used by the council's benefits department and enforcement team.
10. The system has highlighted 47 cases where there may either be fraud or where there is a serious mismatch in the data, these are only the preliminary findings. Once the system is fully implemented it will flag up any new data mismatches as they occur.
11. The system will also enable the housing options team to see 'Who's Coming' as the system can be used to provide data matching on applicants before they are offered a social housing property or when they present as homeless.
12. Housing officers have also commenced a programme of annual tenancy checks which will be a further way of identifying cases of tenancy fraud.
13. The tenant's newsletter has been used to publicise the issue of tenancy fraud as well as the council's website. This is raising awareness of tenancy fraud and encouraging people to report suspected cases.

14. The Housing Needs and Landlord Services Manager is representing the council on the Essex Tenancy Fraud Forum where joint initiatives across Essex and joint training opportunities are being discussed.

Risk Analysis

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Risk	Likelihood	Impact	Mitigating actions
Tenancy Fraud remains undetected within Council stock	3. Significant risk – there have been proven cases of tenancy fraud	2. Properties are unavailable to those in most need	Housing Officer inspections/tenancy checks. The use of the Who's Home system to identify the most likely cases of tenancy fraud. Publicising the issue to encourage people to report cases of tenancy fraud

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.