

Tenancy Fraud Policy

Effective from	March 2023
Date approved	1 st March 2023
Approved by	Managing Director (Triathlon Homes)
Version number	2
Responsible officer	Head of Housing (Triathlon Homes)
Author	Tara Lee, Customer Services Policy Consultant (Southern Housing)

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1. Introduction

1.1 Tenancy fraud occurs when a property is occupied by someone not legally entitled to live there or where the tenancy has been obtained fraudulently. We must ensure our homes are occupied by people with genuine housing need. With the shortage of social housing it's important we manage the risk of tenancy fraud effectively.

2. Policy statement

2.1 We treat tenancy fraud seriously and have a zero tolerance approach. We're committed to ensuring our homes are occupied by the people they were lawfully let to and protected for use by people with genuine housing need.

2.2 We will request the assistance of the local authority and/or the police to bring criminal charges against those who commit tenancy fraud and any related frauds.

2.3 This policy relates to our customers living in rented, shared ownership and in some leasehold homes where sub-letting is prohibited.

2.4 Any reference to 'we', 'our' or 'us' refers to Triathlon Homes.

3. Types of tenancy fraud

3.1 We consider tenancy fraud to include (but may not be limited to):

- Sub-letting the whole of a property (whether for profit or not)
- Sub-letting part of a property without our permission (whether for profit or not)
- Not residing in the property as your only or principal home
- Misrepresentation by a resident (or a person on their behalf even if the resident doesn't know) which results in the offer/assignment and acceptance of a property
- Selling the keys to a property
- False applications to succeed to a tenancy following the death of the resident.
- False applications to acquire or buy the property or to become a shared owner
- Applications for a person to become a joint tenant that contain false information.

4. Our commitments

4.1 If we have evidence of tenancy fraud we'll take the most appropriate action considering the type and extent of fraud including:

- Conducting an investigation, including visiting unannounced
- Evicting you by seeking possession of your home through the courts, unless you have abandoned the property in which case we might just take back possession without going to court
- Recovering any profits you have made from sub-letting the home

- Supporting the relevant local authority to prosecute those who sub-let our homes or misrepresented facts to obtain a tenancy.

5. The Prevention of Social Housing Fraud Act 2013

5.1 The Prevention of Social Housing Fraud Act 2013 makes sub-letting a social housing property illegal. If you're sub-letting you may be prosecuted. If convicted you may be:

- Required to pay any profits made from the fraud
- Fined an unlimited amount
- Sentenced to up to two years in prison.

6. Review

6.1 We will review this Policy to address legislative, regulatory, best practice or operational issues.

Policy controls		
Author	Date	Main changes and why (i.e. change in legislation, change in internal processes)
Customer Services Policy Consultant	March 2023	Policy aligned to Southern Housing Policy and has been combined with Triathlon's Tenancy Verification Policy.
Customer Services Policy Manager	May 2021	Policy moved to new template
East Village Manager Policy and Research Officer Approved by Managing Director (Triathlon Homes)	May 2017	Changed to Tenancy Fraud and Audit Policy to reflect the wide scope of the policy beyond just verification visits. List of examples of tenancy fraud added to 2.1 and text edited to reflect wider scope. Removed reference to 14% verification target as not current practice. Updated Formatting.
Policy and Project Officer Triathlon Homes Policy Panel	February 2014	Tenancy Verification Policy