

Tenancy Fraud Policy

1. Purpose and Scope

- 1.1. Social housing is in short supply and Clarion is committed to making sure that our homes are lived in by those who need them most and by those they are intended for.
- 1.2. This policy sets out how Clarion works to prevent and tackle tenancy fraud and ensure that our homes are available to those who need them.

2. Policy Objectives

- 2.1. This policy aims to set out:
 - Our commitments to tackling tenancy fraud
 - How we'll detect and prevent tenancy fraud
 - What actions we'll take against those who commit tenancy fraud
 - How we'll manage the risks of tenancy fraud
 - How we'll use internal and external data
 - What enforcement actions we'll take.

3. Policy Statement

- 3.1. Clarion is committed to ensuring our homes are occupied by those we have let them to and who are entitled to live in them. If we have evidence of tenancy fraud we'll take the most appropriate action considering the type and extent of fraud. This includes:
 - evicting those who are illegally occupying
 - recovering any profits the tenant has made from subletting the home
 - supporting the local authority to prosecute tenants who sublet our homes
- 3.2. Clarion considers tenancy fraud to include:
 - Subletting the whole of the property (whether for profit or not) including through Air BNB, estate agents or other third party agencies
 - Sub-letting part of the property where it is prohibited under the tenancy agreement or requires the tenant to ask our permission first
 - Moving out of the property and allowing members of the tenants family to live in it
 - Misrepresentation by a customer (or a person on their behalf even if the customer doesn't know) which results in the offer and acceptance of a property
 - Selling the keys to a property including if mutually exchanging
 - Assignment to a person who is not entitled and without our permission

- False applications that result in a succession of tenancy following the death of the tenant
- Making an application for Right to Acquire or Right to Buy with false and or misleading information
- False applications to become a shared owner

3.3. **Our Commitments**

3.4. Clarion will investigate all forms of tenancy fraud reported to us by staff, residents, contractors and external agencies. Our commitments are to:

- publicise tenancy fraud in our communications with residents
- act promptly when investigating all allegations of suspected tenancy fraud
- train our staff to identify potential tenancy fraud
- keep complainant's informed and their identity confidential
- support complainants and witnesses if we need to go to court
- work with our partners to help detect and prevent tenancy fraud
- support vulnerable victims of tenancy fraud and sign-post to appropriate agencies

3.5. **Preventing Tenancy Fraud**

3.6. To reduce the risk of tenancy fraud Clarion will verify the identity and occupation history of all prospective tenant(s) if they have:

- Accepted an offer of accommodation from us through the local authority nomination scheme
- Made an application directly for accommodation from us
- Been offered accommodation through our internal transfer scheme
- Made an application for the Right to Buy or Right to Acquire
- Requested to assign their tenancy
- Requested to succeed a tenancy
- Been party to a mutual exchange application.

3.7. To verify the identity of the tenancy holder(s) and household members we'll:

- Hold photographs of tenants on customer records
- Check that identification provided are valid and authentic
- Keep copies of identification provided at sign up on file
- Monitor continued residency of household members.
- Part of the verification process may include a credit check. This will focus on:
- Confirming the customers identity
- Confirming the occupation history
- Confirming if the customer has any property interests.

3.8. **Tenancy Audits**

3.9. To pro-actively manage the risk of tenancy fraud we'll also:

- Carry out individual and neighbourhood wide tenancy audits
- Carry out intelligence based tenancy audits using internal and external data

- Conduct publicity campaigns to encourage reporting of tenancy fraud
- Compare customer data with external organisations to detect tenancy fraud

3.10. Sharing Data

3.10.1. Disclosing information

Clarion will share (give and receive) relevant information with third parties for the purposes of preventing, investigating and tackling tenancy fraud. When sharing personal information, we will comply with all aspects of the Data Protection Act (and the General Data Protection Regulation from 25 May 2018). We will also share information:

- To meet our legal obligations
- In connection with legal proceedings (or where we are instructed to do so by Court order)
- To protect the vital interests of an individual (in a life or death situation)

Our customer privacy notice provides further information around our use of personal information for preventing tenancy fraud and our engagement in anti-fraud initiatives including the National Fraud Initiative.

3.10.2. Data Matching

Clarion will participate in data matching initiatives such as the National Fraud Initiative & the Fraud Hub in order to detect and prevent fraud, which involves all resident data being shared with government or other social housing providers. We assist government in their fraud enquiries.

When we investigate individual tenancies for potential fraud we may use data held by a credit reference agency or other external organisation

4. Key Legislation

- 4.1. The Prevention of Social Housing Fraud Act 2013 – this makes sub-letting a social housing property illegal. Any tenants found sub-letting may be prosecuted. If convicted a tenant may be required to pay any profits made from the fraud, fined up to £50,000 and / or sentenced to up to 2 years in prison.

5. Compliance

- 5.1. This policy complies with the HCA Tenancy Standard requirement that registered providers make sure that the home continues to be occupied by the tenant they let the home to in accordance with the requirements of the tenancy agreement for the duration of the tenancy.
- 5.2. Compliance with this Policy will be monitored by periodic sampling of case records by the relevant team manager.

6. System Entities and Process Flows

6.1. This policy relates to the fraud entity and Investigate Fraud business process which will create a case to be made available for the fraud investigation team to manage.

Associated Documents:	Sign Up Procedure and Document Data Protection Statement of Policy Allocations Policy and Procedure Right to Rent Procedures
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Date version live: April 2018

Date next review: January 2020