



INNISFREE HOUSING ASSOCIATION

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Tenancy Fraud Policy

TENANCY FRAUD POLICY

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1. INTRODUCTION

- 1.1 Innisfree Housing Association (Innisfree) is dedicated to providing safe, secure homes for those in need within the community. With the increasing demand for housing and the limited availability of homes, it is vital that we take proactive measures to prevent and address tenancy fraud, ensuring that our properties are allocated to those who require them.
- 1.2 The aim of this policy is to detail the approach that Innisfree takes to combat fraudulent activities within our housing stock. Innisfree takes allegations of tenancy fraud very seriously and is committed to making sure that the public and charitable funds we administer are used correctly. We take a zero-tolerance approach to any criminal financial misconduct.
- 1.3 This Policy outlines our commitment to detecting, investigating, and taking appropriate action against any instances of tenancy fraud. Through collaboration with our residents, staff, and relevant authorities, we aim to safeguard our housing stock and maintain transparency and fairness in our Allocations procedures.
- 1.4 Through this Policy, Innisfree comply with:
 - The Prevention of Social Housing Fraud Act 2013, making sub-letting social housing property illegal.
 - The Regulator of Social Housings' Tenancy Standard, requiring that registered providers ensure the home continues to be occupied by the tenant that they let the home to, in accordance with the requirements of the tenancy agreement, for the duration of the tenancy.
 - The Housing Act 1985 and 1988
 - The Fraud Act 2006
 - The Proceeds of Crime Act 2002
- 1.5 This Policy applies to all Innisfree housing stock.

2. WHAT IS TENANCY FRAUD?

2.1 In 2013, the Prevention of Social Housing Fraud Act was introduced, making it a criminal offence for social housing tenants to sublet or acquire social housing through deception. Offenders face prosecution which can result in an unlimited fine and/or two years in prison.

2.2 Tenancy fraud refers to any deceitful or dishonest activity related to the occupancy of social housing properties. Innisfree considers tenancy fraud to include the following:

- Providing false information during the application process; misrepresentation of a customer, which results in the offer and acceptance of a property
- Unlawfully occupying the property while not meeting the eligibility criteria
- Subletting the whole property without permission (whether for profit or not) including through Airbnb, estate agents, or third-party agencies
- Subletting 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 family to live in it
- Selling the keys to a property, including if mutually exchanging
- Assignment to a person who is not entitled, and without Innisfree's 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 using false and/or misleading information
- False applications to become a Shared Owner

2.2 Tenancy fraud deprives those in genuine need of housing, undermines the integrity of the allocation process, and misuses valuable public resources. Innisfree are committed to identifying and addressing instances of tenancy fraud to ensure fair and equitable access to our homes.

2.3 If Innisfree have evidence of tenancy fraud, we will take the most appropriate action considering the type and extent of the fraud, this could include:

- Evicting persons who are illegally occupying a property
- Recovering any profits that the tenant has made from subletting the property
- Supporting Local Authorities to prosecute tenants who sublet our properties

3. OUR COMMITMENTS

3.1 Innisfree is dedicated to thoroughly investigating any reports of tenancy fraud brought to our attention by our staff, residents, contractors, and external agencies. We firmly commit to the following actions in our approach to tackling tenancy fraud:

- **Public Awareness:** We will actively publicise information about tenancy fraud through our communications with residents, ensuring that our community is informed about the issue and its consequences.
- **Prompt Action:** Upon receiving any allegations or suspicions of tenancy fraud, we will take fast and decisive action, initiating thorough investigations to uncover the truth.
- **Staff Training:** We prioritise the ongoing training of our staff and contractors to effectively identify potential instances of tenancy fraud, equipping them with the necessary knowledge and skills to detect fraudulent activities.
- **Confidentiality:** We respect the confidentiality of complainants and whistleblowers, keeping them informed throughout the investigation process and safeguarding their identity at all times.
- **Supportive Measures:** In the event that legal action is required, we will provide support to complainants and witnesses, ensuring they feel empowered and protected throughout any court proceedings.
- **Collaboration:** We recognise the importance of collaboration in combating tenancy fraud. Therefore, we actively work with our partners and relevant agencies to detect and prevent fraudulent activities within our housing stock.
- **Support for Vulnerable Victims:** We are committed to supporting vulnerable individuals who may fall victim to tenancy fraud, offering assistance and signposting them to appropriate agencies and support services to ensure their well-being and security.

- 3.2 Through these determined efforts, we aim to maintain the integrity of our housing allocation process, ensuring that homes are occupied by those who need them and who meet the eligibility criteria set forth by our Allocations Policy.

4. PREVENTING TENANCY FRAUD

- 4.1 In our efforts to prevent tenancy fraud, Innisfree will verify the identity and occupancy history of all prospective tenants and household members, if they have:

- Accepted an offer of accommodation from Innisfree, through the Local Authority nomination scheme
- Accepted an offer of accommodation from Innisfree, through referral from one of our referral agencies
- Been made an offer of accommodation directly by Innisfree
- Been made an offer of accommodation through Innisfree's Internal Transfer scheme
- Made an application for the Right to Buy or Right to Acquire
- Requested to Assign their tenancy to someone
- Requested to Succeed a tenancy, after the tenant has passed away
- Applied to mutually exchange their home

- 4.2 To verify the identity of the tenant(s) and their household members, our Housing team will:

- Hold copies of photographic identification of tenants and their household members on our customer records
- Check that identification provided is valid and authentic
- Monitor continued residency of household members

- 4.3 An important way that our Housing team identifies and manages the risk of tenancy fraud is through Home and Wellbeing Visits (previously known as Tenancy Audits). During these unannounced visits, a Housing Officer will visit homes and neighbourhoods, to speak to tenants and residents and verify who lives at the property.

5. WORKING WITH THIRD-PARTY AGENCIES

- 5.1 Where it is necessary to do so, Innisfree will share (send and receive) relevant information with third parties for the purposes of prevention, investigation, and the tackling of tenancy fraud.
- 5.2 When sharing information, we will comply with all aspects of the UK General Data Protection Regulation (2018). We will also share information to meet our legal obligations, in connection with legal proceedings, and to protect the vital interests of an individual.
- 5.3 Our customer Privacy Notice provides further information around Innisfree's use of personal information: www.innisfree.org.uk/privacy-policy

6. DATA SHARING

- 6.1 All information will be stored in our Housing Management systems. All case notes, case files, and personal information will be kept confidential in line with the Data Protection Act 2018. We will adhere to the Data Protection Act and comply with General Data Protection Regulation for Sharing Personal Information to ensure that we maintain confidentiality of all parties.
- 6.2 We will share information with third parties where we have an information sharing protocol in place, if there are safeguarding concerns, or we have a duty to do so for the purpose of crime prevention under the provisions of the Crime and Disorder Act 1998, and the provisions of the Data Protection Act 2018 (and any other relevant legislation) justify it.

7. EQUALITY, DIVERSITY, AND INCLUSION

- 7.1 We are committed to embedding the Equality Act 2010 into our Policies and Procedures. As part of this commitment, staff should facilitate reasonable adjustments and adapt our standard policies and procedures wherever possible, to ensure every individual can access our services.

- 7.2 To make an adjustment means to change work practices to avoid or correct the disadvantage to a person with a disability. This may include:
- Allowing more time than we would usually for someone to provide information that we needed.
 - Providing specialist equipment or additional support such as a sign language interpreter.

8. REVIEWING THIS POLICY

- 8.1 This policy will be reviewed every 3 years, or with any changes to regulation or legislation.



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