



# Broadacres

## Tenancy Fraud Statement

[www.broadacres.org.uk](http://www.broadacres.org.uk)



## Tenancy Fraud Statement

Broadacres is committed to delivering an excellent customer service. We aim to make the best use of our homes and ensure that they are occupied in accordance with:

- the law;
- our tenancy agreements; and
- our charitable objectives.

Preventing and tackling tenancy fraud is an important way in which we can achieve this aim.

### What is tenancy fraud?

Tenancy fraud can take many forms and includes but is not limited to:

- **Fraudulently obtaining social housing**  
The tenant provides false information to gain a tenancy.
- **Unauthorised occupation**  
The tenant claims to live at the property, but instead sublets all or part of it, this could for example be through Airbnb.
- **Non occupation**  
The tenant claims to use the property as their principal home, but instead uses it as a second property and uses it infrequently.
- **Key selling**  
The tenant leaves the property without notifying Broadacres and passes the keys to a third party in exchange for payment (monetary or other payment).
- **False succession claims**  
The occupier is not a person who is entitled to succeed to the tenancy upon the death of the tenant. (For information on who is entitled to succeed to a tenancy see Successions Policy)
- **Unauthorised exchange/assignment**  
The tenant gives their tenancy either to a partner or family member who lived in the property with them (assignment) or another person in exchange for their tenancy, who is not entitled to the tenancy or without Broadacres permission.
- **Preserved Right to buy and Right to Acquire Fraud**  
The tenant has applied for, or completed, the purchase of a socially rented home or homes let on an affordable rented tenancy under the Preserved Right to Buy or Right to Acquire schemes and has misrepresented their circumstances to gain a discount they are not entitled to or bought their property under the Preserved Right to Buy or Right to Acquire scheme when they have not been entitled to. Examples of Preserved Right to Buy or Right to Acquire Fraud are:
  - o Misrepresenting the length of a tenancy to gain additional discount.
  - o Concealing their tenancy history by not disclosing possession orders transfers or evictions.
  - o Attempting to purchase or purchasing a property they have not been using as their sole or principal home.
  - o Providing false or misleading information about their household for example by submitting a joint Preserved Right to Buy or Right to Acquire application with someone who does not live in the property or has not lived in the property for the required period.

## **How we prevent and detect tenancy fraud**

We aim to ensure that each property is let to and occupied by the person(s) to whom we have allocated it. We will do this by:

- Asking all housing applicants to provide identification and details of their last 5 years addresses
- Taking photographs of all new tenants and checking their identification before they sign their tenancy agreement.
- Providing all new tenants with information about the rights and responsibilities around occupation before they sign their tenancy agreement.
- At the 'new tenancy visit' the Housing Officer checking that the people listed on the housing application form have taken up occupancy.
- Undertaking periodic tenancy checks to verify the identity of the occupants.
- Investigating promptly any reports of tenancy fraud.
- Publicising our approach to tenancy fraud and raising awareness of the issue.
- Encouraging residents to let us know if they suspect tenancy fraud.
- Maintaining up to date policies and procedures on a range of tenancy matters that can give rise to tenancy fraud including lettings, succession, assignment, mutual exchange and right to buy.
- Dealing with all reports of tenancy fraud in strictest confidence.
- Working with local authorities and other organisations, taking part in regional or countywide tenancy fraud forums and sharing information for the purposes of preventing fraud and/or reducing crime.

## **How we deal with suspected or actual tenancy fraud**

We will investigate all cases of reported and/or suspected tenancy fraud. Where we find evidence of tenancy fraud, we will take action. This may include taking steps to recover possession of the property.

We recognise that there may be unauthorised occupants who are unaware that tenancy fraud has been committed. We will give appropriate advice and information to such occupants and help to raise awareness through our social media platforms and external publications.

In accordance with the Prevention of Social Housing Fraud Act 2013, where we find evidence of a criminal offence, we will notify the relevant local authority with a view to that authority bringing a criminal prosecution. We may also seek an unlawful profit order.

## **Tackling Preserved Right to Buy and Right to Acquire fraud**

We will deal with Preserved Right to Buy and Right to Acquire Fraud by:

- Carrying out comprehensive checks at each stage of a Preserved Right to Buy or Right to Acquire application. Including and but not limited to affordability and occupancy reviews.
- Sharing and verifying information provided as part of a Preserved Right to Buy or Right to Acquire application with organisations such as credit reference agencies as well as other housing organisations and Councils.

Tenants who provide false or misleading information or withhold information may be prosecuted. If Broadacres uncovers evidence of fraud after the sale of the property, the purchaser can still be prosecuted.

## **Equality and inclusion**

We recognise the needs of a diverse population and always act within the scope of our Equality and Inclusion Policy, the Human Rights Act 1998 and the Equalities Act 2010.

## **Monitoring tenancy fraud**

We will record the number of investigations we undertake into unlawful subletting or other tenancy fraud and the action taken. Tenancy fraud is monitored by the Senior Leadership Team and the Group Audit and Risk Committee review fraud detection and prevention measures annually.



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Broadacres Housing Association Limited is an exempt charity. It is a registered provider of social housing (**registration number LH4014**), regulated by the Regulator of Social Housing, and is a registered society under the Co-operative and Community Benefit Societies Act 2014, **society number 27656R**.