Tenancy Fraud Policy

Introduction

This policy outlines IVH approach to tackling concerns with tenancy fraud. Tenancy fraud is the misuse of a social housing tenancy and can include, obtaining a home by deception (e.g. people claiming to be homeless when they already own a home), or continuing to claim to be living at a home when they have moved out and unlawfully sublet it to somebody else.

Certain types of tenancy fraud are now unlawful. As well as losing their tenancy a customer could face prosecution under the Prevention of Social Housing Fraud Act 2013 if they commit tenancy fraud.

Aims and Objectives

This policy applies from the date of implementation and will outline the actions and requirements of IVH in tackling and identifying tenancy fraud issues with the aim to prevent the misuse of housing stock and allocations system by using robust, effective and timely housing management processes.

The policy aims to prevent acts of tenancy fraud and build trust in the housing allocation and tenancy management process. To detect where tenancy fraud is being carried out by raising awareness with IVH colleagues, customers and partners.

The policy aims to clearly set out how IVH will deal with suspected cases of tenancy fraud and ensure there is a consistent and proportionate response to all cases of tenancy fraud.

The policy aims to prevent the misuse of housing stock and allocations system by using robust, effective and timely housing management processes.

This policy will be used to apply a procedure for the tenancy fraud investigation process by IVH and will detail our responsibilities.

This policy applies to tenures including General Needs social and affordable properties owned and managed by IVH, shared ownership, independent living and supported accommodation.

This policy covers:

- Reporting and recording.
- Types of tenancy fraud and what action IVH will take.
- Management and Implementation of Policy

Policy

1.1 Policy

1.1.1 Tenancy Fraud can relate to a range of different types of fraud relating to tenancy management. This can include but is not limited to:

- Subletting
- Succession & Assignment related fraud
- Housing application fraud
- Key Selling
- Right to buy fraud
- Mutual Exchange fraud

1.12 Subletting refers to circumstances when a tenant has rented out the whole of their property and they are not living there themselves. This can include the use of a tenancy agreement. This can also include the advertisement of the property on short term letting sites for exclusive use of the home.

1.13 Succession and Assignment related fraud occurs when someone applies to take over a tenancy after the tenants death and they do not have an entitlement to do so. This could include claiming to have lived at the property when they lived elsewhere.

1.14 Housing Application fraud can occur when someone is applying to get social housing based on false information they have already providing or failing to declare information such as holding another tenancy or owning a property.

1.15 Fraud relating to Right to Buy occurs when a customer fails to disclose information or knowingly provides false information when applying to purchase a property through the right to buy scheme.

1.16 Mutual Exchange fraud can occur when customer completes an exchange without the permission of IVH or by falsifying documentation or creating a application with false information.

1.17 Key Selling Involves the tenant exchanging their keys with a third party in return for financial gain without informing their landlord, leaving the third party in unlawful possession of the property.

1.2 Reporting

1.2.1 IVH will consider all reports from customers relating to tenancy reports from reports through to the customer service centre and through direct contact with customers in our communities through home visits and carrying out repairs. Customers can log concerns through all of the below channels:

- Telephone
- Via our Website- by Live Chat, customer's own online accounts, or our web forms.
- In appointments with IVH colleagues.
- In writing- by email or post
- Visiting our Offices

1.2.2 IVH will be proactive in tenancy management in addition to customer reports, ensuring GDPR processes are followed in customer contacts and carrying out regular tenancy reviews which will include checking household members and tenants are accurate.

1.3 Prevention

1.3.1 IVH will follow relevant policies to reduce the risk of tenancy fraud. This includes completing thorough checks prior to allocating and letting our homes to confirm identification matches with the application including cooperation with local authorities. Additionally, holding accurate records and photographic identification for household member changes.

1.3.2 IVH will need to be satisfied that correct identification has been produced otherwise a letting of a property will not be accepted.

1.3.3 IVH will seek to carry out tenancy reviews based on points system, this will identify properties which have none or little engagement with IVH including providing access to maintenance checks and logging and raising repairs at the property.

1.3.4 IVH will use the NAFN system and ensure all front-line neighbourhood officers are trained to use and log concerns, enabling officers to check if customers are linked to another tenancy or ownership of another property.

1.4 Implementation

1.4.1 Following the receipt of a report, Neighbourhood Officers will complete an investigation in line with the Prevention of Social Housing Fraud act 2013 which can include:

- Visiting the property and carrying out a pre-arranged tenancy review or unannounced visits.
- Requesting proof of ID for anyone subject to investigation. This can include but is not limited to Photo ID, proof of residence, proof of income, bank statements or utility bills.
- Gathering evidence through complainants or reviewing information in the public domain
- IVH will work in partnership with Local Authorities such as Manchester City Council and Salford City Council Tenancy Fraud teams to take a joint approach into evidence building and using tools available to local authorities, including interviewing suspected customers under caution.

1.3.2 IVH will pursue legal action for the recovery of the property when evidence is found which identifies concerns of tenancy fraud.

1.3.3 IVH will pursue civil and criminal action to regain the possession of the property and will instruct legal action on the discovery of sufficient evidence. This will include the recovery of court costs and associated costs.

1.3.4 IVH will pursue to recover the profits obtained through the alleged offence.

1.3.5 IVH will conduct a vulnerability risk assessment with any subletters and provide necessary housing advice when it is believed they are not aware of the unlawful circumstances of their tenancy.

Performance Reporting

This policy will be effective from February 2025 and will be reviewed every 3 years or when required taking into account changes in regulation, legislation and IVH good practice.

This policy will be overseen by Neighbourhood Managers who will work with Neighbourhood Officers & Community Safety Officers to monitor the effectiveness of this policy.

The Neighbourhoods team are responsible for the administration and application of the tenancy fraud process and will carry out a detailed investigation into all concerns. Any investigations will be logged on our CRM as a Tenancy Fraud Case. IVH will record details of all cases and report this quarterly through to the Governance team as part of quarterly board reporting.

IVH will record the following information to monitor levels of tenancy fraud:
- Annual number of reported cases of tenancy fraud
- Annual number of properties recovered through policy enforcement
- Annual number of criminal prosecutions and financial orders obtained.

The Neighbourhood Manager will continue to attend multi agency fraud forums within GM and nationally to ensure positive working relationships with local authorities such as Manchester City Council.

This policy's effectiveness will be measured using the performance indicator of customer feedback and complaints.

Equality, Diversity and Inclusion

An Equality Impact Assessment has been completed to assure all appropriate actions are in place to support customers with protected characteristics.

IVH will ensure considerations are applied and discretion is used to identify individual circumstances such as disability, domestic abuse, concern for welfare or other identified need. IVH will use information declared by customers and held on our CRM to assist in identifying responsibilities.

IVH will support and make appropriate referrals to all identified vulnerabilities as part of an investigation.

Roles and Responsibilities

The Head of Customer and Communities is responsible for the overall effective implementation of this policy.

The Neighbourhood Officers, Community Safety Offers are also involved in implementing and delivering this policy with all colleagues responsible for raising concerns as appropriate.

Legislation and Regulation

Relevant legislative frameworks for tackling tenancy fraud include:

- The Prevention of Social Housing Fraud Act 2013
- The Fraud Act 2006
- Housing Act 1985
- Housing Act 1988
- Data Protection Act 1988
- Law of Property Act 1925
- Localism Act 2011
- Social Housing (Regulation) 2023
- Equality Act 2010
- Proceeds of Crime act 2002

Associated Documents and Good Practice

Tenancy Management policy
Succession Procedure
Assignment Procedure
Abandonment Procedure
Allocations Policy
Anti-Social Behaviour Procedure

Version Control

Approval Date:	January 2025
Approval Body	Leadership Team
Implementation Date:	February 2025
Policy Authors:	Daniel Isherwood – Neighbourhood Manager
Policy Owner:	Ross Powell (Head of Customer and Communities)
Frequency of Review	Every 3 years
Planned Review Date	February 2028
EIA (Equality Impact Assessment) Date and Link to EIA	January 2025
Safeguarding Impact	N/A
Lead Team	Neighbourhoods Team

Tenancy Fraud Investigation – Case advice for Neighbourhood Officers

Succession Fraud

• Verify eligibility: spouse/civil partner/cohabitee only (post-April 2012 Localism Act changes) (pre-April 2012- ‘family’ or anyone living in the property for 12 months at the date of the tenant’s death).
• Ensure that the tenant actually lived at the address when they passed away- not a care home, or elsewhere. If they didn’t live at the address, we cannot proceed with the succession.
• Check utility bills, bank statements, benefits, electoral roll, GP/school records to confirm principal home.
• Cross-check council tax, DWP, social care, immigration, and NAFN records.
• Conduct in-person interview – challenge inconsistencies, request additional evidence.
• Review credit reports for activity at alternative addresses.
• Consider proportionality – distance from support network, have they been spending money in other areas? Under/Over-occupation, are they moving children’s schools? If so, why?
• Where fraudulent → serve NTQ/NOSP and pursue possession.

Abandonments

• Neighbour and contractor intelligence – lack of sightings, access issues, or ASB reports.
• Service contact – missed gas checks, no repairs, unexplained high/low rent account balances.
• External checks: Land Registry, utilities, schools, DWP, Border Force.
• Cross-agency checks with credit agencies, immigration, police, local counter-fraud teams.
• Diarise NTQ/NOSP correctly (e.g. “without prejudice”) to protect the case.

Subletting

• Tenancy audits – photo verification of all household members.
• Check ID with fraud-detection methods (e.g. UV light for secure documents).
• Document intelligence – photographic ID on file, original documentation only (no copies).
• Cross-agency checks with credit agencies, immigration, police, local counter-fraud teams.
• Look for signs: multiple occupants, locks on doors, cash rent payments, large credit on the account, tenants unaware of landlord or ongoings with the property/neighbourhood.
• Use CCTV, social media, and open-source checks (Google, Facebook) for intelligence.
• Diarise NTQ/NOSP correctly (e.g. “without prejudice”) to protect the case- must be more than 6 months, but less than 12 months notice- serve at the beginning of your investigation!
• Where proven – pursue Unlawful Profit Orders (UPOs) alongside possession.

General Tools & Best Practice

• Apply professional curiosity – Repairs, Customer Service, Gas, Allocations, HOS, Neighbourhood staff all play a role.
• Require original documentation at sign-up and tenancy review stages.

• Record tenant photographs at sign-up and tenancy audit.
• Data sharing: DWP, NAFN, Border Force, police, social services, schools, utilities, credit agencies.
• Evidence first – ensure strong case files before interviews.
• Remind staff and customers that tenancy fraud is a criminal offence (POSHFA 2013), with penalties including fines, imprisonment, possession, and cost recovery.

Always ensure to report your findings to the Risk and Assurance team at IVH for reporting and auditing regardless of whether you have identified tenancy fraud or not! They need to know of any reports of Tenancy Fraud.

Important Contacts

Tom Powell, Assistant Director Assurance and Risk
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Lisa Mealor: Lead Auditor
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Stephanie Toghill, Head of Housing Investigations for London Borough of Islington and Vice Chair of the Tenancy Fraud Forum
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Referral link

https://www.report-fraud.co.uk/manchestercity/28
Important to refer every fraud case over- they are hiring 4 temporary roles for tenancy fraud investigations- every referral, means every cause to keep them in their jobs to prevent tenancy fraud.