

Area Panel: 20 Feb, 21 Feb, 26 Feb, 01 March 2018

Briefing paper: Tenancy Fraud Amnesty 2018

1. Purpose

1.1 This paper outlines a new Tenancy Fraud Amnesty that the council will be running from 3rd April 2018 – 31st May 2018. The amnesty is being put in place following the success of our last amnesty which ran from 1st December 2016 – 31st January 2017. The aim is to encourage people to return their tenancies to the council if they are illegally sub-letting their council or temporary accommodation home, or where the authorised tenant has moved out and is not using it as their main home.

1.2 There is a growing trend of properties being used for short term holiday lets across the country. We have no evidence at this point in time that our council properties are being used for short term holiday lets. However we are concerned about deregulated holiday lets within our housing stock which could amount to a breach of tenancy conditions and/or Fraud. We want to increase awareness of this issue amongst council tenants.

2. Why is there a need for an amnesty?

2.1 The council has approximately 11,500 properties that are let as secure tenancies. In addition we have approximately 1600 long term temporary accommodation units.

2.2 The housing, legal and corporate fraud teams work together to identify and pursue cases of fraud and in recent years have had some notable successes which resulted in 26 properties being returned to the council during 2015/16, 21 in 2016/17 and 12 so far in 2017/18.

2.3 However, anecdotal evidence and national data suggests that the problem is likely to be much more widespread as it is predicated that the level of tenancy fraud outside of London is 2-3%. In response, some authorities have conducted amnesties which have been successful in returning large numbers of council dwellings to the council stock. The previous amnesty undertaken resulted in 6 properties being returned which enabled the council to reallocate those properties to those in genuine need.

2.4 As you know we have very high demand for accommodation and high numbers of residents in temporary accommodation. Households who are in urgent need of council or long term temporary accommodation would therefore benefit from us getting back as many properties as possible as quickly as possible. Moreover having these properties returned would help to reduce costs to the council.

3. How would the amnesty work?

3.1 The housing and corporate fraud team will work closely with the communications team to publicise the amnesty.

3.2 The amnesty itself will run for just over 8 weeks from 1st April 2018 to 31st May 2018. Experiences from amnesties carried out by other local authorities suggest that the period of two to three months is optimum.

3.3 The key features are as follows:

- Tenants will be able to hand back properties without fear of prosecution.
- The council's Housing Customer Services Team can offer advice to anyone who may be affected.
- To take advantage of the amnesty the property has to be empty of people and furniture before the keys are returned.
- The amnesty will give an additional opportunity to get the message out there that tenancy fraud is wrong and that the council is being robust by tackling it.
- We will make it clear that Tenancy Fraud identified after 31st May 2018 may result in prosecution.

4. Communications

4.1 We have a communication plan which involves the following:

- Informing ward councillors and Tenant reps – we can provide you with posters and please inform your association members
- Putting up posters in council blocks, housing offices and libraries
- An article in the Spring edition of Homing in
- Using the council's Social Media channels
- Ensuring all staff are aware
- Briefing Community and Voluntary Sector Partners

5. What are the risks and how will they be managed?

5.1 There is a risk that if a large number of properties get returned which may mean that there is a resourcing issue dealing with re-letting the properties. This could impact on the empty property turn-around time but the benefit of having these properties returned would outweigh the risks. If there is an impact on performance we will explain this in our performance report to residents and members.

5.2 There is a risk that we won't get any properties back through the amnesty. Based on the experience of other Local Authorities this is unlikely but even if we do not the promotion of Tenancy Fraud Amnesty provides an opportunity

to raise awareness of Tenancy Fraud and that it is a criminal offence which we will take action on.

5.3 After 31st May we will use information from fraud referrals received to identify illegal subletting and where people are not using their council tenancy as their principle home and we will prosecute wherever possible.

6. Conclusion

6.1 We will feed the results from the Tenancy Fraud Amnesty back to residents and Councillors in June 2018.

