

# Policy

## Title: Tenancy Fraud Policy

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This document relates to:



# Policy

## **1. Introduction**

- 1.1 Calico are committed to making the best use of our homes and ensuring our homes are occupied by the tenants they were lawfully let to.
- 1.2 Tenancy fraud refers to a situation where a tenant has breached certain types of their tenancy agreement. Tenancy fraud is typically classified into three types:
  - 1) Not living on the land as your primary or only home – this includes subletting.
  - 2) Attempting to obtain a property using false statements.
  - 3) Trying to acquire a home by presenting fake documentation.

## **2. Context**

- 2.1 This policy outlines how Calico combats and prevents tenancy fraud while making sure that our homes are accessible for people in need.

## **3. Policy Aims and Objectives**

- 3.1 This The aim of this policy is to outline Calico's pledge to combat tenancy fraud.
- 3.2 Social Housing is in short supply. Calico is committed to making sure that our homes are lived in by those who need them most and by those that they are intended for.
- 3.3 To act promptly when investigating all types of suspected tenancy fraud.
- 3.4 To collaborate with customers and our partners to help identify and prevent tenancy fraud.

## **The Calico Homes Vision**

"Going one step further with customers and local communities to provide affordable, safe and quality homes and personalised services; supporting customers to live their best lives in challenging times."

## **The Calico Homes objectives:**

- To provide safe and well-maintained homes through investment in existing and new properties.
- To support customers to sustain tenancies.
- To provide good quality and personalised repairs, customer and neighbourhood services.
- To develop trusting relationships and to empower customers and communities to take the lead on the things that matter most.
- To strengthen the business so it is strong, well-governed, environmentally friendly and provides value for money customers.
- To create a place where people want to work now and in the future.

## **4. Customer Scrutiny, Oversight and Monitoring**

- 4.1 Calico Homes values transparency and accountability in our tenancy offer and management processes.
- 4.2 We commit to publishing information on successful outcomes to tackling tenancy fraud, so that customers can see how Calico is preventing and tackling fraudulent misuse of our socially rented properties.

## **5. Tenancy Fraud Policy Statement**

- 5.1 As a landlord we take responsibility for preventing and tackling tenancy fraud.
- 5.2 Any new or existing customers who are moving into a Calico property will be subject to a pre-tenancy assessment to ensure the customer is able to afford the property. Where benefit fraud is identified, this will be reported online on the UK Gov website and with the relevant local authority.
- 5.3 Where an applicant or customer has been identified as vulnerable, we will ensure they have access to additional support in place. This support may be provided by part of the Calico Group or external services. Customers or applicants can be supported by a representative or advocate in interactions about tenancy fraud related matters.
- 5.4 Enforcement action will be taken where appropriate and necessary including evictions. More information can be found under the Illegal Occupiers process.

## **6. Tenancy Fraud priorities and definitions**

- 6.1 Subletting a social housing property is illegal and forbidden by the Prevention of Social Housing Fraud Act of 2013. Tenants can be prosecuted, fined up to £50,000 and conviction can result in a prison

sentence of up to two years and/or be forced to pay any profits accomplished from the fraud.

6.2 There are many examples of tenancy fraud that includes but is not limited to –

1) Not living on the land as your primary or only home. this includes abandoning the property and taking possession of the property or assigning it without Calico’s consent after the legitimate tenant has abandoned or passed away and illegally subletting the whole home.

2) Attempting to obtain a property using false statements, for example, claiming to be homeless.

3) Trying to acquire a home by presenting fake documentation, such as a fake passport or a false identity to get social housing.

Definitions:

Unlawful Subletting	This occurs when a tenant lets out their home without the landlord’s permission.
Obtaining a House by Deception	This involves providing false information on a housing application.
Succession by Deception:	This happens when a person makes a false claim for succession of a home following the death of the tenant.
Key Selling:	This is when the legal tenant is paid to pass on their keys

## **7. Reasonable Adjustments**

7.1 It is our policy to ensure that discretion is used in cases of identified vulnerabilities such as disability, frailty, domestic abuse, concern for welfare or any other identified need. Calico will use information provided by customers and held in our systems to assist in identifying responsibilities.

7.2 In cases where abuse is identified or suspected a safeguarding notification will be made. More details can be found in the Safeguarding Policy.

## **8. Monitoring**

8.1 Tenancy fraud cases will be included within monthly performance from each service.

## **9 Appeals**

9.1 If a person believes that they have not fraudulently tried to occupy or purchase their home, they can appeal, in writing or by email, for this decision to be reviewed within 28 days of the decisions being made. Appeals will be responded to within 10 working days by the Service Manager.

## **10. Regulatory and Legal Compliance**

- Social Housing (Regulation) Act 2023
- Landlord and Tenant Act 1985
- Housing Act 2004
- Prevention of Social Housing Fraud Act of 2013.
- Health and Safety at Work act 1974
- Management of Health and Safety at Work Regulations 1999 (as amended)
- Equality Act 2010
- Localism Act 2011

## **11. Links with other Calico Strategies, Policies and Procedures**

- The Humanitarian Offer – Calico Group Customer Strategy
- Lettings Policy
- Tenancy Fraud Policy
- Anti-fraud and bribery policy
- Tenancy Sustainment Policy
- Starter Tenancy Procedure
- Lettings and Allocations Policy
- Complaints Policy and Procedures
- Health and Safety Policy
- Reasonable Adjustments Policy
- Tenancy/License/Lease agreements
- Employee Code of Conduct
- Mutual Exchange Policy
- Succession Policy
- Extra Care Policy
- Decant Procedure

