

Policy

Title: Former Tenant Arrears Policy.

Author:	Income Services Manager
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This document relates to:



Policy

1. Introduction

This policy is intended to assist colleagues involved in the collection of former tenant arrears including sundry debts.

2. Context

2.1 This policy outlines Calico Home's approach to the collection of former tenancy arrears and all former tenancy related debt.

3. Policy Aims and Objectives

3.1 The aim of this policy is to provide the foundation for achieving Calico Homes Business Plan's annual rent collection target, of 99.25% whilst ensuring the reduction of overall monies owed to the business.

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. We will report the income collected on Calico Home's website.

- 4.2 Under tenant responsibilities, you must provide Calico 4 weeks' notice, in writing, from a Monday. This is referenced in tenancy agreements.
- 4.3 A telephone survey was conducted in August 2024 to former customers and 8 customers completed this, the questions focused on the termination period, methods of contact and payment options, along with needing to be rehoused. This information will be collated to improve our service to former customers.

5. Former Tenancy Arrears Policy Statement

- 5.1 Calico are part of the sub-regional Be-With-Us scheme. New applications for housing are checked to ensure that applicants do not owe a former debt to the company. Applications with former tenancy debt will be suspended in line with the suspension policy.
- 5.2 Joint applications for a tenancy will not be accepted if one of these applicants has former tenancy arrears
- 5.3 All methods of contact information obtained throughout the tenancy, will be utilised to recover the debt throughout the termination period and following termination.
- 5.4 Any contact with a Next of Kin (NOK) must not breach data protection regulations. Customers can be contacted through a Care of/NOK Address, where there is no forwarding address, but the letter must be marked as Private & Confidential.
- 5.5 Termination leaflets and an end of tenancy checklist will be provided to customers.
- 5.6 Where a customer has passed away, the Former Tenant Arrears Officer will contact the next of kin, or acting solicitor who is dealing with the estate to clear and arrange closure of the account balance.
- 5.7 Bereavement allowance is a discretionary adjustment made to an account based on individual circumstance and must not exceed the total amount of rental income added in the last two weeks of the tenancy.
- 5.8 Only customers who are in a financial position to reduce their arrears should be considered for legal action and only when all other means of the former tenancy arrears process have been exhausted.

6. Former Tenancy Arrears priorities and definitions

6.1 Calico uses the Mobyssoft Income Management solution to prioritise former tenancy and related debt.

Definitions

Former Tenancy	Where a tenancy has terminated and is no longer a live tenancy
Arrears	Payment that is overdue or behind.
Former tenancy related debt.	Former tenancy debt that is not rent. This includes but is exhaustive of; court costs, rechargeable repairs, lifeline charges, right to acquire charges and leasehold debt.
Tracing agent	An external agency that helps to trace a person
Statue barred debt	by law, we are unable to use certain type of action to enforce action due to the age of the debt.
Write off	removal of debt that is deemed uncollectable

Vulnerability	Capable of being physically or emotionally at risk
Disability	Physical or mental impairment that has a substantial and long-term effect on a person's ability to carry out normal day to day activities.

7. Reasonable Adjustments

- 7.1 It is our policy to ensure that discretion is used in cases of identified vulnerabilities such as disability, vulnerability, 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. More information can be found in the Reasonable Adjustments Policy.
- 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 Collection of former tenant arrears will be monitored through the production of statistical performance data and is also incorporated into Calico Homes overall % rent collection. This will be recorded and provided to Calico Homes SLT and published on our website.

9 Appeals

- 9.1 If a person believes that there are discrepancies with their former tenancy balance, 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
- Equality Act 2010
- Limitations Act 1980
- Insolvency Act 1986
- Coronavirus Act 2020
- Commonhold and Leasehold Reform Act 2002

11. Links with other Calico Strategies, Policies and Procedures

- The Humanitarian Offer – Calico Group Customer Strategy
- Tenancy Sustainment Policy
- Starter Tenancy Procedure
- Lettings and Allocations Policy
- Complaints Policy and Procedures
- Reasonable Adjustments Policy
- Tenancy/Licence/Lease agreements
- Mutual Exchange Policy
- Succession Policy
- Extra Care Policy

- Decant Procedure
- Income Management Policy & procedure
- Current Tenant Arrears Policy & Procedure
- Rechargeable Repairs Policy