



Kennett Community Land Trust

Tenant Fraud Policy

Kennett Community Land Trust is a Community Benefit Society registered with the FCA under number 7443, registered office 66 Station Road, Kennett, Newmarket CB8 7QF

1 Introduction

This document outlines Kennett Community Land Trust (KCLT) policy for dealing with tenancy fraud. The aim of the policy is to outline how we will prevent and tackle tenancy fraud within our housing stock by investigating all reports of fraud and taking reasonable steps to ensure this is prevented.

This will be achieved by focussing on the main ways in which tenancy fraud is committed:

- Unauthorised Subletting
- Fraudulently Obtaining Social Housing
- Succession by deception
- Non-occupation
- Key Selling
- Unauthorised Exchange and Assignment
- Right to Buy fraud
- Right to Acquire fraud
- Benefit Fraud

2 Scope

This policy sets out the approach that KCLT will take in relation to tenancy fraud. The policy applies to all members of KCLT and covers all tenures.

3 Legal & Regulatory Requirements

KCLT will comply with the following applicable laws and legislation:

- Prevention of Social Housing Fraud Act 2013
- Housing Act 1985
- Housing Act 1988
- Theft Act 1968
- Proceeds of Crime Act 2002
- Data Protection Act 2018
- Fraud Act 2006
- Bribery Act 2010
- Criminal Procedures Investigation Act 1996
- Public Interest Disclosure Act 1998
- Police and Criminal Evidence Act 1984

We will comply with the specific expectations of the Regulator of Social Housing's (RSH) Governance & Financial Viability Standard which requires registered providers to "provide accurate and timely returns to the regulator, including an annual report on any losses from fraudulent activity, in a form determined by the regulator."

Tenancy fraud has a direct impact on our customers and their communities. It deprives legitimate customers of access to social housing and breaches legal and regulatory requirements concerning the use of public funds.

4 Definitions

Fraud is defined as: “deception deliberately practised in order to secure unfair or unlawful gain.” The deception may involve fraud by false representation, fraud by failure to disclose information when there is a duty to do so and fraud by abuse of position.

Examples of common tenancy fraud are provided below.

5 Our Policy

Tenancy Fraud is a criminal offence, and we work proactively with partners in detecting, investigating, and prosecuting fraudulent activity.

Common examples of social housing fraud include:

- Unauthorised subletting - Either for profit or providing the tenancy for family members or friends.
- Obtaining a house by deception - Giving false information in a housing application to improve the chances of getting a property, for example, falsely claiming to be living with a relative or failing to disclose a change of circumstances.
- Tenancy succession by deception - False succession where the tenancy is taken over, often on the death of the tenant, by someone who falsely claims to have been living there for some time. For example, a person succeeding on the death of a relative or where succession rights have been exhausted.
- Non occupation – falsely claiming to use the property as the main home, whilst living elsewhere
- Key selling - Where the tenant moves out and is paid to hand over the tenancy to someone else.
- Unauthorised exchange or assignment – Undertaking either activity through false information or without KCLT’s consent.
- Benefit Fraud - For example, a single person living on their own moves a partner or family member into their home. If they are claiming Single Persons Discount on their Council Tax and do not inform the local authority, this is benefit fraud which is a criminal offence carrying a potential prison sentence. All information regarding criminal activity is shared with local authority partners.

There are a number of ways in which tenancy or benefit fraud takes place:

- Housing applicants failing to disclose information.
- Housing applicants forging landlord references.
- Landlords failing to disclose information about tenancy problems.
- People using tenancies as postal addresses or not using the property as their only or principal home.
- People illegally sub-letting their tenancies or selling their keys to the property to a third party.
- People trying to falsely succeed to a tenancy.

- People undertaking cash-in-hand work when they are claiming benefits.
- People claiming disabilities when they are capable of work.
- Couples claiming to live separately to maximise benefits.

KCLT takes tenancy fraud seriously and will take action which may include action to regain possession of properties and recover any unlawful profits made by residents wherever we find evidence of tenancy fraud. Our right to do this has been enforced by the government in The Prevention of Social Housing Fraud Act 2013.

The process has three key stages:

Preventing fraud - publicising/communicating what fraud is and the consequences of committing fraud.

Identifying fraud - the methods and practices used to identify potential fraud.

Enforcement - using all appropriate legal powers to stop fraud and deter others.

6 Preventing fraud

Publicity/information: KCLT will prevent fraud by informing tenants what fraud is and what the consequences will be of any fraudulent activity relating to the tenancy. Tenants are informed as follows:

- At the tenancy sign up meeting.
- Website and periodic social media campaigns.
- Periodic articles in a newsletter

KCLT may publicise actions taken to deal with fraud, to deter future fraud.

To reduce the risk of tenancy fraud KCLT will verify the identity and occupation history of all prospective tenant(s) if they have:

- Accepted an offer of accommodation from us
- Applied for rental or shared ownership properties.
- Requested to assign their tenancy.
- Requested to succeed a tenancy.
- Been party to a mutual exchange application.

7 Identifying fraud

Tenancy fraud can be detected through the day-to-day activities of staff and contractors as well as information received from customers.

We will request to see ID at various stages in the tenancy which includes, but is not limited to, application for exchange, assignment, succession, and changes to the tenancy including adding or removing an individual to or from the tenancy.

8 Sharing Data

KCLT will share (give and receive) relevant information with third parties for the purposes of preventing, investigating, and tackling tenancy fraud. When sharing personal information, we will comply with all aspects of the General Data Protection Regulation 2018.

We will also share information:

- To meet our legal obligations
- In connection with legal proceedings (or where we are instructed to do so by Court order)
- To protect the vital interests of an individual (in a life-or-death situation)

9 Enforcement

Where it is suspected that there may be tenancy fraud KCLT will take appropriate action. KCLT will:

- Investigate 100% of fraud cases reported to us.
- Ensure that reports of fraud can be received by any persons or agencies and can be dealt with anonymously.
- Commence investigations of all instances within seven working days. The type of investigation and action taken will be dictated by the type of tenancy fraud alleged.
- Log all reports and actions taken on our housing management system.
- Work with other agencies, including but not limited to; local authorities, the Department of Work and Pensions and the police.
- Seek possession of all properties where tenancy fraud is being committed, if required.
- Provide all relevant information to the respective local authority who may choose to bring criminal charges.

10 Equality, Diversity & Inclusion

We are committed to promoting equality of opportunity for all. We are opposed to discrimination on any grounds regardless of age, disability, gender reassignment, pregnancy, race, religion or belief, sex, and sexual orientation.

We are committed to developing a culture that values people from all sections of society and the contribution which everyone can make. We will ensure our approach to accessing properties is considerate to people's individual needs. We also adhere to the Equality Act 2010.

KCLT recognises that some people experience disadvantage due to their socio-economic circumstances and will strive to ensure no person or groups of persons is treated with injustice due to their personal circumstances.

11 Responsibilities

The Board has overall responsibility for this policy and is responsible for making sure that:

- An anti-tenancy fraud culture is established and promoted.
- Effective controls are in place to prevent and detect tenancy fraud.
- All instances of tenancy fraud and suspected tenancy fraud are investigated promptly and thoroughly.
- Further action is taken with the appropriate authorities when necessary.

The KCLT Board is responsible for approving this policy. All colleagues and contractors of KCLT are responsible for reporting potential tenancy fraud, as detailed above. Reports should be made to the Secretary of the Board.

Customers are encouraged to report potential tenancy fraud via the phone, email to hello@kennettclt.org or in person to any member of Trust staff.

Where customer data is not available or missing, contact with our tenant enables us to acquire it for our records. The act of carrying out any kind of audit with our tenants allows the identification and understanding of the needs of individuals.

12 Monitoring and Reporting

The following information will be used to monitor the levels and type of tenancy fraud:

- The numbers and types of suspected tenancy frauds
- The number of actions and outcomes of Tenancy Fraud investigations
- This policy will be reviewed every two years or earlier if there are changes in legislation

13 Related Policies and Documents

- Tenancy Agreements
- Equality, Diversity, and Inclusion Policy
- Anti-Fraud, Bribery and Corruption Policy
- KCLT Allocations Policy
- Privacy Policy
- Customer Feedback and Complaints Policy
- Finance Policy
- Whistleblowing Policy

14 Policy Review Record

Version Number	Status	Revision Date	Summary of Changes
Version 01	Approved	September 2025	New Policy