

Tenancy Fraud Policy

1.	SCOPE
	Purpose
1.1	whg have a zero-tolerance approach to all types of tenancy fraud and any suspected fraud will be investigated. All fraud discovered will have action taken against it including legal action against the tenancy and prosecution where possible.
1.2	This policy sets out how whg will respond to reports of tenancy fraud with an emphasis on prevention, detection, investigation and enforcement.
1.3	Tenancy fraud is the dishonest, unlawful use of social housing, often involving subletting, false application information, or fraudulent succession after a tenant dies. It is a criminal offence under the Fraud Act 2006 and Prevention of Social Housing Fraud Act 2013, with penalties including property repossession, heavy fines, and imprisonment.
1.4	The policy aims to protect our assets, support our customers to sustain their tenancy or lease, achieve best use of stock and prevent tenancy/lease fraud from occurring.
1.5	The policy applies to all whg tenants, joint tenants, household members, and occupiers, applicants for housing, mutual exchange, succession, and transfer and all whg tenure types, including social rent, affordable rent, market rent, and shared ownership where applicable.
1.6	whg will investigate all reports of tenancy fraud and manage the impact that this could have on the organisation by: <ul style="list-style-type: none"> • Having robust procedures in place. • Using appropriate tools to detect and eliminate fraud. • Raising awareness of tenancy fraud through internal and external communications. • Having a clear focus on prevention and early detection. • Taking action to prevent fraud. • Ensuring that colleagues are trained and have the skills to detect, prevent and act on all cases of reported and suspected fraud.
	Legal and regulatory framework
1.7	The Fraud Act 2006 Wilfully misrepresenting circumstances or deliberately misleading someone in order to gain from misrepresentation may also be a criminal offence within the Meaning of the Fraud Act 2006. Therefore, whg may involve the police or local authorities in bringing criminal proceedings against individuals where it is satisfied that there is a criminal intent.
1.8	Housing Act 1985 Part X: statutory overcrowding levels, exemptions from overcrowding, and the penalties for both occupier and landlord for contravention.
1.9	Immigration Act 2014 (updated 2016): liability of landlords to check the immigration status of subtenants and lodgers.

1.10	<p>Prevention of Social Housing Fraud Act 2013: This Act created offences relating to sub-letting and parting with possession of social housing; and made provision about the investigation of social housing fraud; it created the criminal subletting of social housing with a maximum penalty of £50,000 fine/ two years in prison.</p> <ul style="list-style-type: none"> Local authority has statutory powers to prosecute someone for tenancy fraud, the evidence of which is admissible in civil proceedings, should whg apply for possession of the property whg as landlord can apply to court for possession and take civil action to recover any profit and costs under an Unlawful Profit Order.
1.11	<p>Housing Act 1985 S15A: loss of assured tenancy status if a tenant parts with possession of the property or sublets whole of the property.</p>
1.12	<p>The Housing Act 1988 outlines the consent to subletting.</p>
1.13	<p>Proceeds of Crime Act 2002 outlines how any money earned or assets acquired with the proceeds of crime can be recovered.</p>
1.14	<p>Regulator of Social Housing – Tenancy Standard: 2.1.4 Registered providers must take action to prevent and tackle tenancy fraud 2.3.1 Registered providers shall publish clear and accessible policies which outline their approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions, and tackling tenancy fraud,</p>
2.	<p>POLICY STATEMENT</p>
	<p>Tenancy fraud</p>
2.1	<p>The following is a non-exhaustive list of examples of tenancy fraud:</p> <ul style="list-style-type: none"> Giving false information in a housing application to demonstrate eligibility where there is none. 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. 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. Key selling - where the tenant moves out and is paid to hand over the tenancy to someone else. Unlawful subletting – for profit or for a friend or relative. Right to buy fraud – falsely claiming the right to buy and associated discounts as a result of misrepresentation. Associated Fraudulent Benefit Applications, this is where a whg property is used to assist with a fraudulent claim for housing benefit or Universal Credit. Unlawful Use of Property, this is where the property is not being used by the Tenant as their only and principal home; this may be via abandonment or key selling, or the property is being used for other means such as storage or illicit use; this may be for cultivation and/or distribution of drugs.

Prevention of Tenancy Fraud	
2.2	Tenancy fraud is identified on whg's risk register and the following are a range of internal controls that mitigate this risk, as are the sections under detecting and investigating tenancy fraud.
2.3	<p>whg will aim to prevent tenancy fraud through actions on the non-exhaustive list below:</p> <ul style="list-style-type: none"> • As part of our lettings procedure at allocation stage, a full review of the incoming applicant and housing application form is undertaken to confirm it is accurate and reflects the applicant's current circumstances and housing need. • Carrying out verification checks such as examining proof of identity and ensuring that a person has the Right to Rent. • Checking occupation history for any new customer or anyone who has applied for Right to Buy or Right to Acquire, requested to assign the property, succeed a tenancy or anyone who has requested a mutual exchange. • Keep copies of original identification and take photographs of proof of identification provided at signup and keep them on file in line with data protection law. • whg will ensure that as part of the sign-up process, customers are made aware of their obligations and actions regarding any breaches in their tenancy. • Conduct welcome visits following sign up, subsequent 9-month visits for new tenancies and customer check-ins as required • Providing training for Community Housing to identify potential signs of Tenancy Fraud. • Where there are any requests from existing customers for Successions or Assignments all applications are ratified and identification is verified in line with the relevant policy. • Training and awareness activities to support the effective detection and investigation of tenancy fraud.
Detecting and investigating housing fraud	
2.4	All reports of tenancy fraud will be investigated. whg colleagues may suspect tenancy fraud from other tenancy related issues that customers report, and we will open a fraud case to investigate where this is appropriate.
2.5	Customers will be encouraged and advised on how to report any suspected cases of tenancy fraud, using various channels such as whg website, phone calls to our call centre, written or verbal through whg external communication channels and whistleblowing.
2.6	whg will continue to raise awareness through training for all colleagues on how to spot tenancy fraud, highlighting their responsibility to report any suspected tenancy/leaseholder fraud.
2.7	whg will investigate all reported and suspected cases of tenancy fraud, through reviewing systems, documents, home visits, seeking information to verify identification of the customer and occupation of the home, speaking to customers/colleagues, and working in partnership with local authorities, Police, DWP, carrying out credit checks to ascertain the validity of the report and take action accordingly.

2.8	whg will work in partnership with key stakeholders such as Local Authorities, Housing Providers and police in order to detect and investigate housing fraud and share data as part of any investigation in accordance with any data sharing agreements.
2.9	All open tenancy fraud cases will be reported to the whg Audit and Assurance Committee and Governance Team both will be kept updated on the outcome.
	Enforcement
2.10	whg will take all suspected incidents of tenancy/lease fraud seriously and will fully investigate. Where there is evidence that fraud is occurring, legal advice will be sought where necessary, and we may take action to seek possession of the home.
2.11	If whg discover or suspect a customer or applicant has made a false statement on a housing, mutual exchange or Right to Buy/Right to Acquire application, whg will investigate this as potential tenancy fraud. The false statement on housing applications also applies to local authorities who have nominated the tenant/applicant and not just the forms completed for whg.
2.12	In the case of a fraudulent housing application, whg will cancel the request for accommodation and provide (where relevant) details to the Local Authority (if the applicant was nominated).
2.13	If whg identify that a tenant has sublet the whole of their property, we will deem the tenancy has ended and apply to court for possession. whg will not accept a surrender of tenancy for a sublet property without vacant possession.
2.14	whg will address overcrowding resulting from a tenant allowing lodgers or subletting on a case-by-case basis. Actions may include seeking possession of the property.
2.15	Issues of fraud, such as abandonment and unauthorised sub-letting will be managed directly through enforcing the terms as set out within whg's tenancy/lease agreements.
2.16	whg recognises that tenancy fraud cases may involve vulnerable individuals, Safeguarding and vulnerability considerations will be assessed alongside enforcement actions. Referrals to appropriate support services will be made where required. Vulnerability will not prevent whg from taking enforcement action where tenancy fraud is proven, but support will be provided alongside any action.
2.17	whg will support any criminal prosecution by providing relevant evidence/witness statements in accordance with the Prevention of Social Housing Fraud Act 2013.
2.18	We will refer cases for criminal investigation and recover costs or unlawful profits where permitted.
2.19	Each case will be considered on its own merits, taking account of evidence and proportionality before any legal proceedings
3.	PERFORMANCE MEASURES
3.1	Tenancy fraud cases will be monitored through the Community Housing Dashboard outlining the number of cases and actions taken. Cases will also be recorded on the

	fraud register and shared with the Audit and Assurance Committee and Governance Team.
4.	DIVERSITY AND INCLUSION
4.1	Potential for equality impact has been considered as part of a separate equality assessment; overall there are no anticipated negative impacts relating to equality but monitoring procedures will include equality analysis in addition to performance.
5.	TRAINING AND DISSEMINATION
5.1	We will take steps to ensure that whg's stance on housing fraud is widely publicised within the organisation and all colleagues are aware of housing fraud risks, as part of this training is provided to relevant colleagues.
6.	MONITORING AND REVIEW
6.1	whg may share data with other organisations through the necessary protocols to enable the detection and prevention of fraud, noted in the Privacy Statement.
6.2	The Director of Housing and Customer Services monitors our policy and accompanying procedures on a three-year basis and considers customer feedback, to ensure whg adhere to good practice. The policy is reviewed and approved by the Customer and Operations Panel formally every three years.
7.	ASSOCIATED DOCUMENTS, POLICIES AND PROCEDURES
7.1	Documents, policies and procedures associated with this policy are: <ul style="list-style-type: none"> • Tenancy agreements • Lease agreements • Anti-Social Behaviour Policy • Allocations Policy • Preserved Right to Buy and Right to Acquire Policy • Anti Money Laundering Policy • Fraud Prevention Policy • Income Collection Policy • Restricted Access Policy • Succession Policy • Abandoned Homes Policy • Lodgers & Subletting Policy • Succession Policy

Document author	Assistant Director of Housing - Community
Document owner	Director of Customer and Community
Version and status	v2.0
Legal advice	<ul style="list-style-type: none"> • Seeking Unlawful Profit Orders • Local authority prosecution approach • Surrender of tenancy implications if lodger/subtenant in situ
Consultation	Policy shared with Legal, Allocations, Community Safety, Community Housing, Customer Voice teams and Corporate Director of Operations and IT with comments incorporated.
Approved by	Customer and Operations Panel – 16 April 2026
Review date	Quarter 1 - 2029
Transformational programme	Forward-thinking services So, we anticipate customer needs and respond with solutions to deliver a positive experience.
Equality assessment	Completed March 2026
Key changes made	<ul style="list-style-type: none"> - Taking out lodger and subletting to create a new tenancy fraud policy - Key focus on tenancy fraud - Includes leaseholders