

Title:	Former Tenant Arrears Policy and Procedure
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1. Introduction

- 1.1 This policy and procedure set out our approach to managing arrears left by former tenants.
- 1.2 We are committed to taking a proactive, fair, and sensitive approach to recovering debts while ensuring that our processes are clear and consistent. We recognise the importance of managing arrears effectively to support the financial sustainability of our services, while treating all cases with care and understanding.

2. Purpose

- 2.1 The purpose of this Policy and Procedure is to:

- Maximise the recovery of outstanding arrears following the termination of a tenancy.
- Take timely and effective action to recover debts, ensuring follow-up is proactive and considerate.
- Ensure the recovery process remains cost-effective, pursuing arrears only when the recovery costs are less than the amount owed.
- Write off bad or unrecoverable rent debts in line with the appropriate mandate.

By 'debt,' in this context, we refer to:

- Rent arrears left unpaid by former tenants;
- Outstanding costs for rechargeable repairs
- Legal expenses associated with tenancy-related matters.

3. Scope

3.1 This policy applies to all former tenants of Women's Pioneer Housing.

4. Termination of Tenancy

4.1 If a tenant with rent arrears or other outstanding charges gives notice to terminate their tenancy, the Housing Officer will, as part of the pre-termination process, aim to have these amounts cleared before the tenancy ends.

4.2 If full payment cannot be arranged, the Housing Officer will work to establish a payment agreement with the outgoing tenant.

4.3 Wherever possible, the Housing Officer will also ensure a forwarding address is obtained to maintain contact while the payment arrangement remains in effect. The forwarding details will be recorded on the Housing Management System.

4.4 When the former tenant has moved out without informing us we will refer their account to our credit partner.

4.5 Where a tenant is evicted, we will seek to make contact with the tenant up until the eviction as per our Eviction Policy. The Housing Officer will attend the eviction with a former tenant arrears payment plan to be completed by the tenant at the eviction. If the tenant is present every effort should be made to complete the plan with the tenant, or at subsequent contact e.g. when collecting their belongings.

4.6 Where an eviction occurs and we have had no contact with the tenant and we do not have an onward address their account should be referred to our credit partner.

4.7 If the tenant receives Housing Benefit or Universal Credit and does not make a payment plan, the Housing Officer will endeavour to arrange a Benefits Direct payment prior to the end of the tenancy. Further actions will be determined based on whether the debt is fully resolved by the termination date or remains outstanding, as outlined in the subsequent sections of this procedure.

5. Post Termination with Forwarding Address

5.1 Stage 1

Where Women's Pioneer Housing have a forwarding address and no payment arrangement has been set up, or if an existing arrangement has been missed, the Housing Administrator will contact the former tenant within two weeks of the tenancy ending or the payment plan being broken. A letter (Appendix 1a or 1b) will be sent,

offering the opportunity to agree to a payment plan or restart an existing one. If the former tenant agrees, the Housing Administrator will monitor payments monthly to ensure they are being made as agreed.

5.2 Stage 2

If there is no response to the first letter, or if a new or resumed payment plan is not followed, the Housing Administrator will send a second letter (Appendix 2). This letter will again encourage the former tenant to arrange payments, but if a previous plan was missed, it will make clear that this is the final opportunity to set up an agreement.

The letter will also explain the next steps if no payment is made, or an agreement isn't reached. These steps may include referring the debt to a collection agency and, if needed, taking legal action to recover the balance.

5.3 Stage 3

If there is no response to the second letter, the Housing Administrator will escalate the case by passing the details to our credit partner. This will include all letters sent and forwarding addresses gained.

The Housing administrator will then write to the former tenant to explain a referral that has been made (Appendix 3).

Any follow-up steps will depend on the outcome of the agency's actions or any legal proceedings. If the debt remains unpaid at the end of the second financial year after it first occurred, it will be considered for write-off unless there is an active payment arrangement in place that is being followed.

6. Post Termination with No Forwarding Address

- 6.1 Where we do not have a forwarding address for the former tenant, the Housing Administrator will make at least one attempt to obtain one by contacting any known relatives, other agencies involved or NOK from the information recorded on the system.
- 6.2 If the Housing Administrator is unable to trace the former tenant within one month, the case will be referred to our credit partner, for further investigation.
- 6.3 If the former tenant cannot be located, the debt will be reviewed for potential write-off in accordance with the guidelines outlined in the write-off section below.

7. Write Offs

- 7.1 At the close of each financial year, the Housing Manager will work with Finance staff to determine the amount to be included in the annual accounts as the 'bad debt provision.'
- 7.2 Debts which are considered to be uncollectable or where all avenues of recovery have been exhausted will be recommended for write off.

- 7.3 The table below shows the action we will take to pursue former tenant arrears and at what point we will write off.

Cause/Type of FTA	Write off rule
Death of a tenant or Former tenant and no money on the estate	Immediate write off
The debt is included in a bankruptcy order, debt relief order or IVA	Immediate write off
Under £100	Write off within a year
£100-£2000	Write off after 2 years
£2001-£3000	Write off after 3 years
£3,000 or over	Write off after the statutory bar currently 6 years
Tenant debt due to domestic abuse, cuckooing, other abuse type	Write off within a year
Any debt with no payment made in last six years	Write off within financial year
Any debt not economical to pursue	Write off within financial year

- 7.4 The Housing Manager will prepare a detailed schedule of debts to be considered for write off each year. Approval will be sought from the Director of Resources and the Director of Operations. Where debts are over £5000, approval will be sought from the CEO. For each debt, brief and anonymised details will be provided, including the type of debt and the recovery actions taken.

7.5 Action After Write-Off

- 7.5.1 Even after a debt has been written off, it will continue to appear on the former tenant's account. If a forwarding address is later identified or if another landlord requests a reference for a former tenant with outstanding debt, efforts will be made to recover the amount. This may include working with a debt collection agency, setting up a new payment arrangement, or pursuing legal action, depending on the amount owed.
- 7.5.2 WPH will review its database upon receiving a nomination for a void property from a Local Authority. This is to confirm that the applicant has not previously been associated with WPH. If the applicant has a prior tenancy with WPH and has outstanding arrears, WPH will work with the Local Authority and the resident to recover the costs.

8. Legislation and relevant WPH Policies and Procedures

- 8.1 This policy is underpinned by key legislation and regulatory frameworks These frameworks include:

- Housing Act 1998
- Housing Act 2004
- Localism Act 2011
- Welfare Reform Act 2012
- Equality Act 2010
- General Data Protection Regulations 2018

8.2 In addition, there are other WPH policies and obligations that influence this policy, they include:

- Recharges Policy (under review)
- Tenancy Management Procedure
- Rent Arrears Policy
- Rent Arrears Procedure
- Eviction Policy
- Equality, Diversity and Inclusion Policy
- Cyber security Policy
- GDPR Policy

9. Communication

9.1 WPH will outline the policy to residents at sign up stage.

10 Equality and Diversity

10.1 This policy is designed to comply with current Equality and Diversity legislation, ensuring that all former tenants are treated fairly and without discrimination or prejudice. We are committed to ensuring that our approach to managing former arrears is sensitive to the diverse needs of our customers, including access to properties and the delivery of related services.

10.2 We will ensure that relevant information regarding former tenants and their properties is available and used by both our employees and contractors to deliver a service that is sensitive and responsive to individual circumstances. All protected characteristics, as outlined in the Equality Act 2010, will be considered in the administration of this policy.

10.3 We also recognise the importance of confidentiality and will handle all information related to former tenants with the utmost care, in line with the General Data Protection Act 2018. This commitment to confidentiality extends to all employees and contractors involved in the implementation of this policy.