

# Tenancy Fraud Policy

Jigsaw

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## 1 Aims

1. This policy sets out Jigsaw Homes Group's approach to tenancy fraud. Affordable housing is a limited resource and housing fraud impacts the provision of housing to those in genuine need, including older people and the vulnerable.
2. The purpose of this policy is to set out specific responsibilities with regards to the prevention and tackling of housing fraud. The impact of housing fraud can extend well beyond the direct economic loss to the organisation as it can also negatively affect the communities in which it is found, and the organisation's reputation.
3. The objectives of this policy are to clearly outline the several types of tenancy fraud and outline how Jigsaw will investigate and take robust action to enforce against cases of tenancy fraud carried out by anyone living in or applying for accommodation owned or managed by Jigsaw Homes Group.
4. This policy is designed with consideration of the Consumer Standards set by the Regulator of Social Housing and the Prevention of Social Housing Fraud Act 2013. The Tenancy standard states:
5. Allocations and Lettings - Registered providers must take action to prevent and tackle tenancy fraud.
6. Tenure - Registered providers should 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.

## 2 Scope

7. This policy applies to all customers of the Group's landlords which are:
  - Jigsaw Homes Midlands
  - Jigsaw Homes North
  - Jigsaw Homes Tameside
  - Jigsaw Homes Group
  - Jigsaw Support
8. This includes leaseholders and those in shared ownership and rent to buy properties.

## 3 Policy Statement

9. Jigsaw will ensure that any allegations of housing fraud are taken seriously and investigated in an appropriate manner, subject to the requirements of appropriate legislation.

10. Jigsaw encourages all its customers and members of the community to highlight, and report suspected tenancy fraud directly to Jigsaw. Reports would be directed through Connect and then assigned to the Lettings and Tenancy team to investigate
11. Tenancy fraud can take several forms. To prevent and tackle tenancy fraud Jigsaw Homes will carry out effective checks before the start of and during a tenancy, publicising their approach including outcomes to tackling tenancy fraud, and providing guidance to staff on how to prevent, detect and act against suspected tenancy fraud.

### 3.1. Definitions of Tenancy Fraud

12. Jigsaw recognises the Chartered Institute of Housing's (CIH) 8 Types of Tenancy Fraud definitions;
  - Subletting
13. Subletting a social housing property without permission, including short-term lets including Airbnb or charging rent for profit.
  - Non-Occupation as Principal Home  
The tenant does not live in the property as their main residence, violating tenancy terms.
  - Obtaining Housing by Deception  
Providing false information during the application process, such as hiding property ownership or misrepresenting household details.
  - Succession Fraud  
Falsely claiming the right to succeed a tenancy after the legal tenant dies.
  - Key Selling  
Accepting payment to hand over tenancy rights or keys to someone not entitled to the property.
  - Right to Buy/Acquire Fraud  
Misusing the Right to Buy or Right to Acquire schemes, often involving third-party agreements or false declarations.
  - Mutual Exchange Fraud  
Misrepresenting circumstances to facilitate a fraudulent exchange of properties.
  - Fraudulent Applications  
Submitting false or misleading information to gain access to housing stock, including identity fraud or concealing financial assets.
14. Jigsaw will also monitor unauthorised assignments or exchanges, where a tenant assigns or exchanges their tenancy without the landlord's consent or by providing false information.

## 3.2. Our Approach

### Prevention

15. Prevention is the most effective and cost-efficient way to mitigate the risk of tenancy fraud. Before we allocate any of our homes, we undertake rigorous checks to make sure the applicant is who they say they are. We work with the local authorities and other referral agencies who nominate to our homes to check applicants and occupants with the information they provided to the housing register. We also take direct applications which follow the same rigorous checks. For shared ownership properties, the Snugg Homes team undertake checks directly and/or through third party suppliers to ensure customers are eligible for shared ownership, meet specific requirements of the property, and complete necessary customer checks.
16. On all tenures we request photographic ID and supporting documents, such as bank statements/passports/driving licenses. Right to rent checks are carried out on all applicants, either by Jigsaw or the local authority.
17. If initial checks do not provide sufficient evidence to prove a customer's identity, we will request additional information to ensure we are satisfied with the evidence given.
18. This may include:
  - Local authority records
  - National anti-fraud intelligence network
  - Electoral register
  - Credit referencing agencies
19. If we are unable to confirm the identity of the customer, or if there are other concerns linked to Jigsaw Tenancy Policy and Allocation Policy, then an offer of accommodation will not be made.
20. Some types of housing fraud can materialise after social housing has been legitimately obtained. Fraud prevention measures are therefore proactively implemented throughout the lifecycles of tenancies and leases through the following measures:
  - Intelligence led visits where fraud is suspected
  - New tenancy visits targeted at tenancies of concern or vulnerable households after 6 weeks.
  - Regular tenancy audits using internal data relating to those tenancies where non-access issues or concerns are regular.
  - When appropriate we will publicise, through our website and social media platforms, action taken to address tenancy fraud including case studies. This can act as a deterrent.

## Fraud Detection

21. Some common indicators of housing fraud include:
  - The inability to gain access to properties to carry out routine tenancy visits or safety checks
  - A lack of engagement between the tenant and Jigsaw
  - Engagement between a non-tenant and Jigsaw, for example in the reporting of repairs.
  - The lack of repairs requested at property
  - Regular vandalism to communal door entry systems
  - Variations of credit or arrears on a rent account
  - Whistleblowing, or reports from customer or third parties about suspected subletting, non-occupation or other fraud.
22. Regular training will be provided for customer-facing staff to be aware of the signs of tenancy fraud and how to report this.
23. Renting out properties through online platforms has increased in popularity . Short-term subletting is contrary to tenancy and lease conditions and where there is a report of this, online checks will be conducted by us. This may include working with local authority partners and other agencies to detect and investigate reports. In all tenancy fraud cases, the aim is to take swift legal action to ensure properties are given to those who are in genuine housing need. Often neighbours and other residents in the locality play an important role in fraud detection. We raise awareness of signs of tenancy fraud to all customers through wider customer communication and information on social media and company websites.

## Acting Against Fraud

24. Jigsaw will not tolerate housing fraud. If we suspect fraud is taking place we will investigate, gather evidence, and take legal action. Those committing housing fraud should expect to face civil and/or criminal action, which can include Jigsaw regaining possession of the property.
25. Actions often include collating background information and completing necessary checks, including unannounced visits to the property. Where there is sufficient evidence which demonstrates tenancy fraud, the tenant for the property will be notified and asked to provide evidence should they wish to challenge the concerns raised.
26. In cases of suspected subletting, If the occupier can't evidence their right to live in the property legally, then legal action will be taken to regain possession of the

property and recover court costs and any other associated fees, which in subletting cases can include any profit gained by the tenant(s) from their unlawful actions. Any actions that constitute a crime, will be reported to the Police. In such circumstances when the Group has regained possession of the property it will be re-allocated in line with the Jigsaw Allocations Policy.

27. Jigsaw is aware that sub tenants may not be aware that they are using the property unlawfully, and they could be vulnerable to illegal eviction by the tenant if the situation is uncovered. Jigsaw will seek to support sub tenants by providing re-housing advice and directing them to the relevant local authority homelessness team and may in exceptional circumstances consider rehousing the sub tenants.
28. Jigsaw is committed to ensuring that tenancy fraud investigations are carried out in a manner that is inclusive, fair, and sensitive to individual circumstances. We recognise that some tenants may experience vulnerabilities, including but not limited to mental health issues, language barriers, or other support needs. In such cases, investigations will be conducted with appropriate adjustments and support, ensuring that all individuals are treated with dignity and respect. This approach aligns with our broader commitment to equality, diversity, and inclusion, and helps ensure that genuine vulnerabilities are not mistaken for fraudulent behaviour.

## 4 How to Report Concerns

29. Jigsaw Homes Group customers can report incidents of hate crime in several ways:
  - By telephone
  - By email to [info@jigsawhomes.org.uk](mailto:info@jigsawhomes.org.uk)
  - Online via the customer portals on our website
  - In person at any of our offices during office hours
  - By writing to us at our Head Office.
30. In accordance with the Customer Contact Strategy, these options will be subject to change based on how our services are delivered in future and the opportunities provided by modern technology. The most up to date contact details are available on our website <https://www.jigsawhomes.org.uk/get-in-touch/>

## 5 Partnership Working

31. Subject to the provisions of the GDPR/Data Protection Act, where appropriate, we will share information regarding our residents with local authorities and other agencies to detect, investigate and take legal action in cases of suspected tenancy or other fraud, such as benefit fraud.

## **6 Monitoring and Delivery**

32. Jigsaw will record details of all confirmed tenancy fraud cases on the Group's Theft and Fraud Register so that this can be reported to the Risk and Audit Committee.
33. The following information will be recorded and used to monitor the levels of tenancy fraud within Jigsaw's housing stock:
  - Annual numbers of reported cases of tenancy fraud
  - Annual number of properties recovered and relet to families in need
  - Annual value of financial orders obtained
  - Annual number of criminal prosecutions referred

## **7 Legislation and Regulation**

- The Prevention of Social Housing Fraud Act 2013
- Housing Act 1985 and 1988
- The Fraud Act 2006
- Proceeds of Crime act 2002
- Theft Act 1968

## **8 Related Policies and Procedures**

- Probity and Anti-Fraud Policy
- Allocations Policy
- Tenancy Policy
- Staircasing and Resale Policy
- Complaints Policy
- Anti-Social Behaviour Policy
- Whistleblowing Policy

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Responsible Officer/s: Donna Kelly, Group Director of Neighbourhoods & Support

## 9 Document Control

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Responsible Officer/s: Donna Kelly, Group Director of Neighbourhoods & Support  
Ivan Wright, Operations Director Neighbourhoods

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## Creating homes. Building lives.

Jigsaw Homes Group Ltd.

Cavendish 249  
Cavendish Street  
Ashton-under-Lyne  
OL6 7AT

<https://www.jigsawhomes.org.uk>  
0300 111 1133  
[info@jigsawhomes.org.uk](mailto:info@jigsawhomes.org.uk)

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