

Tenancy Fraud Policy

Policy owner	Head of Housing
Version	V1
Frequency of review	Every 3 years
Date document last reviewed	February 2026
Date of next review	February 2029
Equality impact assessment required / completed	Yes
Data impact assessment required / completed	Not required as policy does not change the way we manage customer data
Reviewed by	Cottsway Customers/ Head of Housing/Housing Management Team
Approved by	Deputy CEO 20/03/2026

1. Policy statement

The Prevention of Social Housing Fraud Act (2013) applies to this policy. Tenancy fraud is a criminal offence if prosecuted by a local authority.

Through the Consumer Standards, it is a requirement of the Regulator of Social Housing that registered providers have clear policies as to how they will tackle and address the risk of tenancy fraud.

Cottsway may bring civil proceedings to seek possession of a property if tenancy fraud can be proven. Where fraud results in a profit to the tenant we may seek an Unlawful Profit Order through the court. We will aim to work in partnership with the local authority, sharing information and taking joint action where appropriate.

2. Definitions

We consider the following to be tenancy fraud:

Sub-letting means the whole and exclusive use of the property has been given by the tenant to another person(s), usually in exchange for rent.

Short-term letting for gain, e.g. a holiday let or Airbnb. This does not affect the sub-let of a part of the property, like a single room to a lodger (where the tenancy agreement allows with landlord permission), while the tenant is still in occupancy as their main home.

Assignment, the transfer of the tenancy, rights and obligations to another person. If this approval has not been granted by Cottsway, the named tenant remains legally liable for the conduct of the tenancy and the rent.

Succession, falsely claiming succession of a tenancy when one of our tenants passes away.

Key selling, where a tenant will 'sell' their keys to another person(s) via a one-off payment, affecting an illegal let.

Mutual exchange fraud, misrepresenting circumstances to facilitate a fraudulent exchange of properties.

Fraudulent applications, submitting false or misleading information to gain access to social housing, including identity fraud or concealing financial assets.

Non-occupation, failure of the tenant to occupy the property as their only or main principal home, if we have evidence that a sole tenant, or both joint tenants, has parted with possession to live in another home and has not told us then we will consider this fraud. This includes tenants who move out and allow a partner or other family member to remain or simply abandon the property.

Fraudulent claims for Right to Buy/Right to Acquire, misrepresenting themselves or falsifying statements to make an application to buy or acquire.

3. Policy scope and objectives

This policy covers all instances of unauthorised occupation of our homes as a result of breaches of tenancy, false statements or deceit.

Our principal objective when we identify fraud is to recover possession of the property. We will co-operate with any criminal investigation or action that is taken in relation to fraud.

We will also seek to work with partner agencies in the prevention of benefit fraud and Right to Buy fraud.

4. Regulatory and legal considerations

- Prevention of Social Housing Fraud Act 2013
- Fraud Act 2006
- Homelessness Reduction Act 2017
- Housing Act 1985, Housing Act 1988 and 1996
- Regulator of Social Housing – Consumer Standards

5. Stakeholder consultation

This policy was reviewed in consultation with Cottsway customers using online /SMS survey opportunities. A total of 115 responses were received, and the feedback was considered in drafting this policy.

6. Policy details

This policy outlines our approach to prevention and prosecution of tenancy fraud.

6.1. Identifying tenancy fraud

All colleagues should be alert to the instances of fraud and are responsible for notifying their line manager when they believe fraud might be occurring.

6.2. Prevention

We will:

- Undertake verification checks at the pre-signup assessment stage.
- Ask for evidence of ID documents during the viewing and signup process to ensure the person is the nominated applicant.
- Match these ID documents to photo of the applicant
- Record all tenants' national insurance numbers.
- Feature articles in Homepage, and other key customer communications including on our website, for customers to be aware of tenancy fraud and how to report concerns.
- Publicise any case where we have successfully taken possession of sub-let properties to raise awareness and to act as a deterrent.
- Interview applicants who apply to purchase a property under the Right to Buy or Right to Acquire and carry out rigorous checks into their circumstances, identity and the purchase funds.
- Having appropriate tools and using data led intelligence to help support our work. This information will be used to help identify tenancy fraud or tenancy anomalies as well as provide us with financial insight (via credit reference agencies) to support customers who may be in 'financial distress'.

6.3. Enforcement

We will:

- Provide staff training to create and maintain a culture of tenancy fraud awareness.
- Carry out annual sample tenancy audits, prioritised by local intelligence and properties where we have little or no contact in the previous year or where data provides us with evidence to support a concern for further investigation.
- Carry out focus events such as key amnesty.
- Investigate all reported concerns for tenancy fraud, opening cases within 7 days of the date of the first report.
- Act promptly on the findings of any investigation

7. Ways to report fraud

We will ensure that concerns about tenancy fraud can be reported easily, through multiple channels including;

- By telephone
- Via Email
- Online through Cottsway's website
- In writing
- In person by speaking to any member of staff

8. Partnership work

Work with our partner local authorities in tackling tenancy fraud, within data sharing protocols and other agencies to detect, investigate and take legal action in cases of suspected tenancy or other fraud, such as benefit fraud.

Be active members of local and national fraud working groups

9. Monitoring and reporting

We will record incidents of reported fraud and their outcomes to help us understand the reasons for fraud occurring.

We will monitor and report any identified cases to the Audit and Risk committee on a regular basis.

10. Equality, diversity and inclusion

Cottsway will treat all customers with fairness and respect. We recognise that we have an ethical and a legal duty to advance equality of opportunity and prevent discrimination on the grounds of age, sex and sexual orientation, disability, race, religion or belief, gender reassignment, pregnancy and maternity, marriage and civil partnership.

11. Review

The review period for this policy is every 3 years subject to any changes in legislation or regulation and/or recommendations by the Audit and Risk Committee and the wider business which may trigger an earlier review.

12. Associated documents policies and procedures

- Tenancy Agreement
- Cottsway's Financial Regulations (Fin Regs)
- Anti-Fraud, Bribery and Corruption Policy
- Confidential Reporting (Whistleblowing) Policy
- Lettings Policy
- Feedback and Complaints Policy
- Anti-Social Behaviour Policy

List of changes

Date	Change
February 2026	Scope of the policy to make it clearer what the policy is aiming to achieve
	Inclusion of new section - partnership work
	Inclusion of new section – ways to report fraud
	Expansion of the definition list
	Updated how we will monitor and report instances of fraud to Audit and Risk