

Policy Title: Tenancy Fraud Policy	
Author (Owner): Operations Director	Version: 1
Approved by: Executive Team	Date: September 2026
Date for Review: September 2029	

1. Aims of the policy

1.1 The purpose of this policy is to ensure Soho Housing has a clear, consistent and effective process for identifying, reporting, investigating and resolving suspected tenancy fraud.

1.2 This policy is intended to support Soho Housing staff in protecting housing stock and ensuring properties are occupied by those entitled to reside within them.

1.3 The policy outlines the responsibilities of staff, referral and investigation processes, evidence gathering requirements and enforcement options available in relation to tenancy fraud.

1.4 This policy should be read in conjunction with related tenancy management, safeguarding, data protection, anti-social behaviour and legal procedures.

2. Scope

2.1 This policy applies to all General Needs and Sheltered Housing properties managed by Soho Housing.

2.2 Operations Director has overall responsibility for service delivery and oversight of tenancy fraud investigations.

2.3 Housing Operations Manager has day-to-day responsibility for the operational management of tenancy fraud prevention and investigations.

2.4 The ASB & Tenancy Fraud Officer is responsible for managing referrals, conducting investigations and progressing enforcement action where appropriate.

2.5 All Soho Housing staff have a responsibility to identify and report suspected tenancy fraud concerns.

3. Policy statement

3.1 All tenancy fraud referrals will be assessed consistently, fairly and proportionately.

3.2 All investigations will be evidence-led and carried out in accordance with relevant legislation, tenancy agreements and Soho Housing policies.

3.3 All tenancy fraud cases will be recorded and managed on Dynamics 365 CRM.

3.4 Case records, evidence and actions taken must be accurate, factual and stored securely.

3.5 Managers will monitor active investigations through regular case reviews and operational meetings.

3.6 Partnership working with external agencies may be undertaken where lawful, necessary and proportionate.

4. Prevention and identification of Tenancy Fraud

4.1 Examples of tenancy fraud may include, but are not limited to:

- Unlawful subletting.
- Abandonment of property or parting with possession
- Non-occupation as principal home.
- False succession claims.
- False information provided during housing applications.
- Illegal assignment.
- Key selling.
- AirBnB or short-term holiday lets.
- Right to Buy fraud.
- Use of property for criminal or commercial purposes.
- Undeclared household occupants.
- Joint tenant no longer residing at the property.

4.2 Residents, staff, contractors, partner agencies and members of the public may report suspected tenancy fraud to Soho Housing.

4.3 All reports will be treated seriously and assessed appropriately.

4.4 Reports may relate to:

- Unlawful subletting.
- Abandonment.
- Non-occupation.
- False information provided during the application process.
- Unauthorised occupants.
- Misuse of property.

4.5 Soho Housing will assess reports using available information and determine whether further enquiries or investigations are appropriate.

4.6 Where allegations of tenancy fraud are made, Soho Housing will:

- Act fairly, consistently and proportionately.
- Ensure investigations are evidence-led.
- Maintain accurate records.
- Protect confidentiality and personal data.
- Consider safeguarding and vulnerability issues.
- Work with partner agencies where appropriate.
- Take action in accordance with legal and regulatory requirements.

4.7 Investigations will be managed in accordance with Soho Housing's internal Tenancy Fraud Procedure.

4.8 The ASB & Tenancy Fraud Officer will review all referrals within five working days and the initial assessment will include:

- Review of referral information.
- Review of tenancy records.
- Assessment of evidence provided.
- Identification of risks or vulnerabilities.
- Determination of investigation priority.
- Creation of a case file on Dynamics 365 CRM.

4.9 Where concerns are not substantiated, the case may be closed with no further action.

4.10 Soho Housing will seek to prevent tenancy fraud through:

- Routine tenancy audits and visits.
- Verification checks at sign-up.

- Occupancy checks.
- Monitoring tenancy activity and reports.
- Partnership working and information sharing.
- Staff training and awareness.
- Use of tenancy conditions and enforcement powers.
- Investigation of abandoned properties and subletting concerns.

4.11 The Tenancy Fraud Procedure sets out the operational process for identifying, referring, investigating and resolving suspected tenancy fraud cases.

5. Enforcement and legal action

5.1 The ASB & Tenancy Fraud Officer will review the following:

- Strength of evidence.
- Credibility of information obtained.
- Breaches of tenancy agreement.
- Safeguarding or vulnerability concerns.
- Public interest considerations.
- Proportionality of enforcement action.

5.2 A recommendation will then be made regarding next steps.

5.3 Soho Housing may take proportionate action where tenancy fraud is identified, including:

- Warning letters.
- Tenancy enforcement action.
- Notices to Quit and Notices Seeking Possession.
- Injunctions.
- Possession proceedings.
- Recovery of unlawfully obtained profits where appropriate.
- Criminal prosecution where legislation permits.
- Referral to external agencies.

5.4 All enforcement action will be proportionate, evidence-led and compliant with legal and regulatory obligations.

6. Partnership working

6.1 Possible case outcomes may include:

- **No further action** – where insufficient evidence exists.
- **Tenancy Regularisation** – where issues can be resolved without formal legal action.
- **Warning letter issued** – where concerns are identified but enforcement action is not proportionate.
- **Notice Seeking Possession** – served where tenancy breaches are substantiated.
- **Court proceedings** – Possession proceedings, Injunctions or prosecution where appropriate.
- **Recovery of property** - property returned to Soho Housing stock.
- **Referral to other agencies** – where wider fraud or criminal activity is identified.

6.2 Soho Housing will work with:

- Local authorities.
- Department for Work and Pensions.
- Police.
- Immigration authorities.
- Other Registered Providers.
- Legal representatives.

6.3 Information sharing will only take place where lawful, necessary and proportionate.

6.4 Information relating to investigations will only be shared where lawful, necessary and proportionate.

6.5 All investigations must comply with:

- Data protection legislation.
- Human rights legislation.
- Internal confidentiality policies.
- Any other relevant legislation eg, Fraud Act 2006
- Information sharing protocols.

7. Record keeping and confidentiality

7.1 All tenancy fraud records must:

- Be accurate and factual.
- Be securely stored.
- Comply with data protection legislation.
- Be retained in accordance with Soho Housing retention policies.

8. Monitoring and review

8.1 Current tenancy fraud investigations and outcomes may be monitored through operational management meetings and case reviews.

8.2 Soho Housing will review performance, trends and lessons learned to improve service delivery and fraud prevention measures.

Stage	Target Timescale
Referral Submitted	Day 1
Initial Review	Within 5 working days
Initial Visits	Within 10 working days
Evidence Gathering	Ongoing
Case Review	Within 30 working days
Legal Review (if required)	Within 45 working days
Closure or Enforcement Action	As appropriate

9. Policy equality and diversity statement

9.1 Soho Housing is committed to valuing and promoting equality and diversity.

9.2 We recognise our duty to eliminate unfair treatment and discrimination in the services we provide and to promote respect in everything we do. We expect staff to treat all residents fairly and consistently when responding to allegations of tenancy fraud.

9.3 Investigations will take account of vulnerabilities, safeguarding concerns and protected characteristics in line with equality legislation.

10. Legislation, Regulations and Guidance

10.1 This policy has been developed with consideration to the following legislation and guidance:

Housing Act 1985
Housing Act 1988
Prevention of Social Housing Fraud Act 2013
Fraud Act 2006
Anti-social Behaviour, Crime and Policing Act 2014
Data Protection Act 2018
Human Rights Act 1998
Equality Act 2010
Regulation of Investigatory Powers Act 2000 (where applicable)
Localism Act 2011
Housing and Planning Act 2016
Immigration Act 2014
Social Housing Regulation Act 2023

Policy Review and Version Control

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Last review date: N/A

Next review date: September 2029

Version	Type of Change	Date	Revisions from previous issue	Approved By
1	New policy	September 2026	None	