

# **Current and Former Tenant Rent Arrears Policy**

## **Policy Statement**

### **Purpose**

To maximise the recovery of rent that is due in order to cover the Association's business commitments and make provision for bad debt in the Association's Risk Management Plan and Business Planning processes.

### **Legal Obligations**

- Social Housing Regulators Rent Setting Guidelines  
Housing Acts 1985 and 1988
- Housing & Regeneration Act 2008  
Welfare Reform Act 2012
- Welfare and Work Act 2016
- Rules for Pre-action Protocol for Possession Claims for Rent Arrears

### **Orwell's Commitment**

As a Registered Provider of accommodation, in order to comply with the Regulator of Social Housing's standards we seek to prevent arrears arising by:

- Monitoring rent accounts on a weekly basis
- Ensuring that early intervention and pre action contact is a priority.
- Providing support and advice on welfare benefits entitlement, signposting to other agencies as appropriate
- Encouraging compliance with reasonable repayment agreements
- Using a staged approach to ensure that arrears are resolved wherever possible without the need for court proceedings.
- Considering other practical approaches to debt recovery for example downsizing
- Offering support and advice to tenants affected by welfare reform and universal credit.
- Referring tenants at risk of losing their tenancy to the Tenancy Sustainment Service for targeted intervention
- To treat each case and every customer as an individual and to adapt our approach to consider any unique individual circumstances
- Recovering former tenant arrears through an agreed process involving tracing agencies and the small claims court

The Association believes that this approach provides the best possible service to tenants whose income may be limited, who are faced daily with alternative payment priorities, and for whom the prospect of serious or enduring debt threatens.

### **Related Procedures and Guidance**

This policy should be read in conjunction with the following:

- Rent Arrears Procedure
- Tenancy Conditions Procedure
- Lettings Procedure
- Rent Setting Policy