



**Tenancy Fraud**

**Policy**



<b>Document Title</b>	Tenancy Fraud
<b>Version number</b>	001
<b>Version date</b>	January 2026
<b>Author Title &amp; Issuing Department</b>	Regional Head of Communities
<b>Target Audience</b>	All emh colleagues, emh customers, people in our neighbourhoods.

<b>Approved By</b>	ELT
<b>Date Approved</b>	April 2026
<b>Review Date</b>	January 2029

<b>Links to Regulatory Standards – Economic/ Consumer Standards</b>	<ul style="list-style-type: none"><li>• Transparency, Influence and Accountability – treating customers with fairness and respect and delivering fair and equitable outcomes.</li><li>• Tenure – clear and accessible policies outlining our approach to tenancy management and tackling tenancy fraud</li></ul>
<b>Outcomes for Customers</b>	Ensuring emh homes are available for those who legitimately need them.
<b>How were tenants, residents and service users involved in the review/development of this document</b>	Customer Consultation December 2025
<b>Training Provision</b>	Online training with teams
<b>Links to the Business Plan</b>	Provide great customer services, brilliant at the basics
<b>Links to Key Values</b>	Clarity – providing a clear framework for customers and colleagues to detect and act upon tenancy fraud.

## Version Control

Version	Revision Date	Author: Job Title	Change Description
1	April 2026		New policy taking into account Tenant Health Check process.

## 1. Introduction

- 1.1 Tenancy fraud has a detrimental effect on the reputation of emh and the availability of much needed affordable housing.
- 1.2 The purpose of this policy is to set out how emh will prevent, detect, investigate and enforce where tenancy fraud is suspected or found. It also sets out we will support those affected.
  - 1.2.1 We will take appropriate action to ensure that emh homes are only occupied by those with a legal right to live there.
- 1.3 emh is issuing the policy because it provides clarity for tenants and others on how we ensure that the limited supply of our homes are only occupied by those who have a right to be there.

## 2. Definitions and Scope

- 2.1 Tenancy fraud refers to breaches of a tenancy agreement in the circumstances listed below. This is not an exhaustive list and actions outside these main categories may be considered on a case by case basis. The Prevention of Social Housing Fraud Act 2013 makes it a criminal offence for tenants to sub-let or part with possession of their socially rented home
- 2.2 There are four main categories (not exhaustive) of tenancy fraud. These are:
  - Tenants not using their property as their sole and / or principal home. They could be unlawfully subletting the home or have abandoned the property.
  - Carrying out an unlawful exchange and assignment (mutual exchange) or attempting to assign or allow a succession of the tenancy without our permission.
  - Securing or seeking to secure housing with fraudulent documentation or impersonation or by providing false information, including financial information.
  - Fraud involving the Right to Buy / Right to Acquire.

## 3. Specifics of the Policy

### Prevention

- 3.1 We will make validation checks prior to the commencement of a tenancy agreement to ensure that homes are only provided to those who have a legal right to have them.
- 3.2 Our Tenancy Health Check policy aims to ensure that we meet every tenant in person. As part of these visits, we will ask customers to provide identification to confirm that we are talking to the right person. Tenancy Health Checks will from time-to-time alert us to occupation where there is no legal right to live in an emh home.
- 3.3 We will publicise our approach to tenancy fraud and support fraud initiatives with our partners.
- 3.4 All customer facing colleagues will be alert to potential fraud during their interactions with customers and raise any concerns appropriately.



- 3.5 We will share information where we have taken action on tenancy fraud to raise awareness and to encourage others to report suspected tenancy fraud.

#### **Detection**

- 3.6 We request that all customers keep their household details up to date at all times and will ask customers to verify their personal details as part of security checks when communicating with us.
- 3.7 We will work with partner agencies to identify any concerns about tenancy fraud and cross reference information held about our customers in line with our data policies. This will include training in what signs to look out for that may indicate tenancy fraud and what to do with this information.
- 3.8 We will encourage customers to let us know if they are concerned that one of our properties is being occupied by someone without the legal right to be there.

#### **Investigation**

- 3.9 Where a concern or risk of tenancy fraud has been raised we will carry out home visits to verify the occupants details and to secure evidence of occupation such as copies of recent utility bills. We will seek witness statements and other information from neighbours and other agencies in line with data sharing agreements.
- 3.10 Desk based investigations may include carrying out credit checks to confirm residency or where there is evidence to suggest they are living at an alternative address.
- 3.11 We will support neighbours to give evidence to us. We will work with partner agencies, including the police and local authorities, to prevent and detect fraud.
- 3.12 Other investigation approaches, may be required on a case by case basis.

#### **Enforcement**

- 3.13 Where our investigations show that tenancy fraud has taken place we will take legal action under the tenancy agreement to recover possession. Where possible we will seek to recover costs including any proceeds arising from criminal convictions.
- 3.14 Where appropriate we will support any criminal proceedings by providing evidence and / or witness statement in accordance with the Prevention of Social Housing Fraud Act 2013.
- 3.15 In cases of fraudulent housing applications, we will reject the request for accommodation and provide the details to the relevant Local Authority if they were nominated by them.

#### **Support**

- 3.16 We will advise innocent parties, particularly sub tenants, who are affected by fraud. We will tell them what rights they have, signpost them to housing advice services, and seek their support in any action we take.

## **4. Implementation**

### **Recording and reporting**



- 4.1 We will record incidents of reported fraud and the outcomes; this will include whether legal action has been taken.
- 4.2 We will provide briefing and / or training to all customer facing colleagues (including any roles that cross the threshold of a customer's home) on what to look out for on tenancy fraud and how to ensure this is managed in line with this policy.
- 4.3 The Communities Managers and the Home Ownership Manager are responsible for carrying out the statements contained within the policy.

## **5. Responsibilities**

- 5.1 The Regional Heads of Communities are responsible for monitoring the effectiveness of the policy
- 5.2 The Regional Heads of Communities are responsible for oversight and governance of the policy.

## **6. Associated Documents**

- ▶ Tenancy health check processes
- ▶ Lettings Policy
- ▶ Tenancy Health Check policy
- ▶ Sustainable tenancies policy and procedure