



Rent Collection Procedure

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Dealing with Tenancy Breaches Procedure	6.35
Licence Action Plan Procedure	6.47
Allocations Policy	6.12



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Rent Collection Procedure

1. Introduction

This procedure sets out Framework's approach to recovering rent and service charges and preventing arrears.

Framework recognises that our residents are often vulnerable, in receipt of benefits and/or in low paid employment, as well as having some support needs. It is vital that Framework provides its residents with effective advice and support to help maximise their income and assist residents to meet their obligations under their Tenancy / Licence agreement to pay their rent and service charges.

This procedure combines the need to maximise rental income from residents with the provision of offering early advice and support. This advice and support will provide residents with the key skills required for independent living.

2. Scope

This procedure explains and defines the roles and responsibilities of all parties involved in rent collection and as such should be used in conjunction with Framework's Rent Collection Policy, relevant Service Level Agreements and Premises Availability Agreements.

This procedure relates to all types of tenure including Licence Agreements, Assured Shorthold and Assured Tenancies.

3. Relevant Legal and Regulatory Information

This procedure is written with reference to Framework's Rent Collection Policy and relevant legal and regulatory requirements including;

- Housing Act 1988 (Schedule 2)
- The Housing Benefit (General) Regulations 2006
- Welfare Reform and Work Act 2016
- Homes England and Regulator of Social Housing Guidelines
- Pre-Action Protocol for Possession Claims based on rent arrears



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4. Key Definitions

Elements of the charge are as follows:

Core Rent

This portion of rent pays for the structure, components and infrastructure of the property and its local environment. This includes maintenance, monitoring and upkeep of the accommodation and associated costs.

Eligible Service Charge

This portion of the rent pays for services beyond those of the basic accommodation which are provided to ensure safe and adequate accommodation, which the Local Authority will fund as part of an occupant's Housing Benefit claim. This is inclusive of costs related to any communal areas.

Ineligible Service Charge

This portion of the rent pays for services beyond those of the basic accommodation which are provided to ensure safe and adequate accommodation, which the Local Authority will not fund as part of an occupant's Housing Benefit claim.

Examples of Ineligible Service charges include 'personal' services such as water charges, gas and electricity charges and any food supplied. These elements are classed as 'Ineligible' for Housing Benefit and must be collected from the resident.

Total Rent

Core rent + Eligible Service Charge + Ineligible Service Charge = Total Rent Liability Framework charges for living at the accommodation.



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5. Beginning an Occupancy

(Please note all services must have a complete sign-up procedure)

At every sign-up to Framework accommodation a starter form must be completed and submitted electronically to the Rents Team via e-mail to weeklyreturns@frameworkha.org. This enables the Rents Team to create a rent account.

The resident must be aware of their full rent liability as shown on their occupancy agreement.

In most circumstances residents will be able to apply for Housing Benefit (HB) to cover their core rent and eligible service charges. Residents should be supported to set up payment towards any ineligible service charge at sign-up.

5.1 Pre-Residency Checks

Framework's Allocations Policy sets out the broad terms under which Framework will allocate its accommodation. Alongside this, individual services and service groups may have local allocation procedures stipulating contractual requirements and referral rights.

It is acknowledged that for referrals into emergency accommodation or other circumstances of urgent housing need it may not be possible for a full set of pre-residency checks to be carried out. In these cases the equivalent checks should be made as priority at an early stage in the residency.

Where possible, pre-residency eligibility checks and identification of financial risk should be carried out before a residency is offered. The following should be established at this stage:

- Affordability – establish applicant's ability to pay their rent
- Evidence of income and savings/capital
- Recourse to public funds (and if necessary work and benefit history to establish recourse to HB (e.g. for EEA Nationals) – see below.
- Previous residency debt with Framework and other landlords
- Any ongoing repayment of HB related to previous overpayments

The above must be considered in the decision to accept or decline a referral. This decision will be made at the appropriate level, as specified in organisational and local allocation procedures.

5.2 Recourse to Public Funds

Where it is unclear whether a resident is eligible for HB and alternative funding is not in place to cover the weekly rent charges (e.g. No Recourse to Public Funds (NRPF)), the support service should raise the case immediately with the Service Manager, Operations Manager and The Rents Team. Such cases can be complex. It is recommended to seek specialist benefits advice at an early stage.

The resident should be supported to establish recourse to funds as a matter of urgency. Until this is in place, regular reviews should be carried out and updates sent to the Operations Manager and Rents Team to discuss progress, arrears and level of risk.

The Operations Manager (in conjunction with the Rents Team and Housing Services Manager in non-hostel properties) will be required to review the case and make a decision on continued occupancy. This decision will take into account financial and other risks to the organisation and to the resident.



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If it has not been possible to agree a way forward in relation to an individual resident, the Director of Finance, Governance and Risk will be required to make a final decision. Any decision regarding legal action must be made in accordance with Framework's Tenancy/Licence Management Policy, Licence Action Plan Procedure and Tenancy Breaches Procedure.

5.3 External Funders

In some circumstances, elements of the rent charge may be paid via external funders other than HB (e.g. commissioners, leaving care teams). Funding arrangements will be dependent on local commissioning agreements and/or residents' personal circumstances. In these cases, the support service must ensure the Rents Team is informed immediately of the funding arrangements and that a funding agreement is in place. This should be provided in writing and sent to the Rents Team. [APPENDIX Z].

Where required, the Rents Team will raise invoices to the funder.

Where a resident has previously been externally funded but is due to become eligible for HB (e.g. resident turns 18), the Rents Team must be informed. In these cases, a HB application must be made during the week prior to the relevant change of circumstance – see 'Making a claim for HB' section below.

5.4 Making a Claim for Housing Benefit (HB)

Where a resident is eligible for HB, the support service should support the resident in making a claim. If it is unclear whether a resident is eligible for HB, a HB claim should still be submitted. This will ensure date of claim and avoid unnecessary gaps in HB. If necessary the claim can be withdrawn at a later date. If there is doubt whether a HB claim will be successful, alternative funding should be sought as a matter of urgency.

Staff will assist the resident to complete the relevant HB application and Authority to Disclose (ATD) form [APPENDIX A]. Each service has local arrangements for submission but all claims must be submitted to the Local Authority HB department by midnight on Sunday of the week of move in to secure date of claim. Submissions should be made in line with requirements of the Local Authority.

It is important that copies of all documentation and proof of submission are retained by the service in case of query and to evidence date of claim. This should include electronic copies where possible. For online claims, screen shots and email confirmation should be obtained where available.

Copies of application forms, ATDs and evidence of submission should be emailed to the Rents Team at rents@frameworkha.org. This should include scans of all documentation, including receipts from delivery and screenshots/email confirmation of any online submission.

5.5 Providing Information to Substantiate a Claim

At the earliest opportunity all residents need to provide proof of income in support of their claim. Proof of income could include wage slips, certificate of earnings, proof of benefits/tax credits. In addition, depending on individual circumstances and Local Authority requirements, residents may be required to provide the following:

- Proof of residency/rent
- Proof of ID
- Evidence of savings



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- Bank statements

Where a resident is in receipt of no income (or it is unclear whether the resident has an income) a nil income form must be completed, signed by the resident, and provided alongside the HB application. [APPENDIX B]

Regardless of local arrangements, copies of documentation and proof of submission should be emailed to the Rents Team at rents@frameworkha.org.

In some cases the HB department may be able to obtain evidence of income directly from the DWP. Support staff should still seek to obtain proof of income in all cases in order that they can be assured of financial circumstances and adequately support the resident to maximise their income and benefit claims.

5.6 Ineligible Service Charges

5.6.1 Ineligible payment and collection methods

An important part of commencement of an occupancy is setting a payment culture from the outset, ensuring the resident has agreed to the frequency, method of payment and amount that will be paid. This should be enforced and embedded in the early period of the occupancy to ensure a payment routine is established.

Residents must be made aware of what their ineligible charge is and how they can pay. This conversation should happen at sign-up and a payment method and frequency agreed with the resident. The current payment methods supported by Framework are Standing Order, Third Party Deductions (TPD) and Cash.

Electronic payment methods are preferred.

5.6.2 Standing Orders

If a resident wishes to pay via standing order, they should be supported to complete a standing order mandate and submit this to their bank [APPENDIX L]. The resident's occupancy number and surname should be included in the reference section of the form (available from the Rents Team). The Rents Team must be informed where a standing order is being set up and the reference used. Without this, payments may not be allocated to the correct rent account.

The Rents Team will advise services of arrears levels and electronic payments received on a regular basis. The support service should check reports to ensure payments continue to be received as expected.

5.6.3 Third Party Deductions

If a resident has the appropriate benefits in place and wishes to pay via Third Party Deduction, a TPD request form must be completed and submitted immediately to the Rents Team who will check the form and forward on to the DWP. [APPENDIX M-O]

The Rents Team will advise services of arrears levels and TPD payments received on a regular basis. The support service should check TPD reports to ensure payments continue to be received as expected.



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5.6.4 Payment Cards

Details to be confirmed once payment card procedure in place.

5.6.5 Recording of cash payments

Where residents are paying cash, services should follow the process outlined below:

- Each service has an Excel workbook set up on the shared drive. This is where service staff record ineligible receipts. Workbooks can be accessed in the WeeklyReturns network location. Alternatively click the following link:
[\\FHA-SHARE01\weeklyreturns\\$](#)
- Workbooks can be accessed by service staff as well as by Rents and Finance. Access controls are administered by the IT department. For access problems contact IT support and cc rents@frameworkha.org
- Receipts should be posted to the 'Input Area' of this workbook daily by services as payments are received.
- The workbook has a summary sheet for each week for banking and control purposes (see below).
- Rent receipts are automatically allocated to the relevant week based on the date they are added to the workbook.
- The cut-off for posting for the week is Sunday at midnight. Any receipts entered on a Monday will be allocated to the new week.
- Rents Team transfer receipts from the workbooks onto the rent system-
- Services must inform rents@frameworkha.org of any errors or mis-postings on the workbooks ASAP so they can be rectified.

5.6.6 Banking of Cash

- The total of the summary sheet for the week on the workbook should match the monies banked. If the total banked does not match, services should include a breakdown of what has been banked when emailing the weekly petty cash sheet and banking information to petty.cash@frameworkha.org
- **IMPORTANT** - No new receipts can be allocated to the "old" week on a Monday. Any receipts not posted to the spreadsheet before the Sunday night deadline will have to be posted to the new week, and banked the following week
- If the service identify any errors on the workbook they should email rents@frameworkha.org immediately.

5.7 Working Residents and Personal Contributions

If a resident is working or is deemed to have excess income/savings they may be required to make a 'personal contribution' in addition to their ineligible charge to make up a shortfall in HB. Working residents are expected to pay what can be a large shortfall in HB. In order to estimate the HB shortfall, Personal Contribution guides are available on Framework Intranet and via the Rents Team [APPENDIX X].



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When a resident starts work, it is likely the resident will continue to be eligible to some level of HB award. It is important that HB is applied for or maintained, even where earnings are high. This will ensure the resident's HB claim remains 'live', maximising HB award and minimising potential gaps.

Guidance for staff around workers and relevant forms are available on Framework Intranet and via the Rents Team. [APPENDIX R-Y].

5.7.1 Workers Incentive Scheme

Framework's Workers Incentive Scheme (WIS) offers rent account credits for a limited period for Framework residents in paid employment. It is a discretionary charitable scheme administered by the Rents Team. It is essential that support staff inform the Rents Team of work commencing in order for the resident to be enrolled onto WIS.

Once enrolled on to Framework's Work Incentive Scheme (WIS), the resident can be considered for 4-weekly WIS credits to their rent account. WIS payments are conditional on a resident's ongoing commitment to paying their rent and providing information in support of their Housing Benefit claim.

WIS guidance documents for residents and staff are available on Framework Intranet. [APPENDIX S-T]

5.7.2 Work Commencement

The following steps are taken when a resident starts work. The responsibility lies with the support service. Where there is no separate support service, the Housing Officer (HO) will be responsible:

- Support Service/HO to notify Rents and the Local Authority (with supporting documentation if available) as soon as they are aware that a resident is working.
- Support Service/HO complete a Work Commenced Notification form and send to rents@frameworkha.org. This will also ensure the resident's enrolment on to Framework's Work Incentive Scheme (WIS). [APPENDIX U].
- Support Service/HO obtain and inform Rents of income details. Earnings may be estimated at this stage until wage slips are available. Evidence might include work agreements or offer letters.
- Rents Team add notes to the central rent system.
- If adequate income information has been provided, an approximate HB entitlement will be calculated by Rents Team and added to the rent account on the central rent system. Rents inform the Service/HO of the estimated amount of personal contribution (HB shortfall) expected to be paid by the resident each week on top of any ineligible charge. This will be an estimate and subject to change depending on subsequent income changes, and calculation of HB entitlement by the Local Authority.
- Tax Credits – Support Service/HO must check whether any other benefits such as tax credits are relevant and if they may be applied for - assist the resident with this and advise Rents Team.
- Discretionary Housing Payments (DHPs) - DHPs can provide significant financial support toward the rent liability. DHP is awarded by the LA in addition to the basic HB entitlement. The Service/HO should assist the resident in applying for DHPs and advise Rents Team. Each Local



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Authority has a different application process/paperwork. See appendices and Framework intranet for DHP guidance and links. [APPENDIX Y].

- Wage slips/income details (inc. tax credits) must be submitted to the local authority and Rents Team as soon as they are available, and ongoing throughout employment.
- Rents Team will check and amend the benefit entitlement on the rent account once HB notification is received. Rents Team will advise the Service/HO of any changes in HB award and the shortfall expected to be paid by the resident.
- If the HB award appears inconsistent with the level of earnings, this should be investigated by Rents Team in conjunction with the service and the HB calculation challenged with the LA where appropriate.

5.7.3 Changes to earnings

- Any changes in the resident's working hours/wages/employment terms must be advised to Rents Team and the LA with supporting documentation as soon as the Support Service become aware of the change.
- For any subsequent change to HB entitlement, Rents must inform the Support Service of the shortfall expected to be paid by the resident and its impact on arrears.

5.7.4 Work Ending

- The Support Service must inform Rents Team and the LA immediately should the resident stop working. A Work Ended Notification should be emailed to rents@frameworkha.org (see appendices and Framework Intranet). [APPENDIX V]. Rents add notes to the central rent system.
- Where work ends, a change of circumstances HB application and nil income form [APPENDIX B] should be submitted to the local authority immediately, followed by evidence of the new income.
- If work has ended, it is essential benefits are applied for at the earliest opportunity. Where a resident has an entitlement to Universal Credit or another passported benefit (e.g. income based ESA or JSA) – however small the award level – they are usually passported to full HB award.
- When work ends, the Support Service should discuss payment of ineligibles with the resident via TPDs, standing order or alternative payment options. [APPENDIX L-O].

5.7.5 Reporting on Workers

Rents Team will provide information on workers and arrears levels on weekly reports to services. Reports on working residents, enrolments to the WIS scheme and WIS credits to resident accounts will also be provided.

Support Service staff must respond to Rents Team to advise if any reports/rent accounts are inaccurate or need updating.



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5.8 Personal Contributions for Non-Workers

Some non-working residents are deemed to have excess income/savings and may be subject to HB shortfalls. Examples of this would include certain pensions, some contributory benefits (e.g incapacity benefit), excess savings and capital. The Rents Team must be advised and adequate proofs provided to the Rents Team and the LA. The resident is expected to pay any HB shortfall to Framework.

Where previous HB overpayments are being clawed back from ongoing entitlement, the resident will be required to pay the shortfall in addition to any ineligible charges. Where appropriate, the support service should assist the resident to contact the LA to request a reduction in the level of weekly clawback. Service staff should ensure the Rents Team are made aware of any clawback and vice versa.

6. Maintaining a Housing Benefit Claim

Residents are expected to keep service staff informed of any change of circumstance in order that the correct forms and evidence are submitted within agreed timescales. Service staff should ensure that they address changes in circumstances with residents as soon as they become aware. This should be an integral part of the support planning process.

Service staff should ensure the Rents Team are made aware of any changes of circumstance or information requests from HB departments, and vice versa. It is essential that all information and evidence relating to any HB claim is provided to the Rents Team to be saved and recorded on the central rent system.

6.1 Temporary absence

Where a resident becomes temporarily absent from their Framework property they may be able to continue to claim HB provided they have an intention to return within a certain time period.

This would include (but not limited to) the following circumstances:

- Hospital stays
- Fleeing violence
- Remand periods
- Sentenced prisoners

Rules around temporary absence are different depending on the circumstance. The rules can be complex and benefit regulations can change over time. Rents Team are able to offer advice to Service staff in this area.

The support service must advise the Rents Team and the HB department of the commencement of any temporary absence and of the subsequent return to the property. HB will usually end at the point the resident no longer intends to return to the property or it becomes apparent the resident will no longer be able to return to the property within specified timescales. Good communication is essential to ensure HB continues to be paid.

Guidance and standard forms can also be found on Framework Intranet and the appendices to this procedure:

[APPENDIX F] - Remand Prisoners Notice Period HB Request form



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[APPENDIX G] - Intention to Return - Hospital Treatment (signed by resident)

[APPENDIX H] - Intention to Return - Hospital Treatment (resident unable to act)

[APPENDIX I] - Confirmation of Temporary Absence form

6.2 Decants

In cases where a Framework property is temporarily uninhabitable, the resident may be decanted to another property on a temporary basis. Benefit regulations state that HB can only be awarded at one address during a decant period. Framework's standard practice is for rent charges to continue at the original address from which the resident has been decanted. HB can continue to be paid at the original address where there is intention to return.

The support service must advise the Rents Team and HB department when a resident is decanted and when they return to the property. Good communication is essential to ensure HB continues to be paid.

[APPENDIX K] – Confirmation of decant form

7. Managing Ineligible Arrears

7.1 Transfer of ineligible rent debt between residencies

A new rent account is created for every move of room, flat or address on the central rent system. Ineligible rent arrears may only be transferred from former to current rent accounts where the move is within a hostel or shared house and there is a continuous occupancy agreement. In these cases the occupancy agreement should be varied by amending the room number on the original document. Staff should ensure that the variation is signed and dated by both parties.

Where a new occupancy agreement has been issued the arrears cannot be transferred.

Where balances cannot be transferred, debt will remain on the former residency account while there remains a current Framework residency elsewhere. It is the responsibility of the service where the debt accrued to work with the new support service to pro-actively pursue repayment options with their former resident. As part of ongoing support, the new service should continue to consider repayment of the former residency debt owed to Framework. Where the resident has agreed to pay off arrears for a former occupancy, this should be communicated to Rents Team.

7.2 Credit balances

Where residents have a credit balance on their former rent account this balance may be transferred to their current rent account where the move is within a shared house or hostel, and there is a continuous occupancy agreement (see above).

For moves where a new occupancy agreement has been issued, with the resident's agreement, Framework are able to issue a 'refund receipt' in relation to the credit balance on the old account and a 'receipt' for the same value to apply to the new account. See 'Ineligible Credit Balance Transfer Form' *[APPENDIX P]*.



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This will be recorded as two separate transactions (one refund, one receipt) on the respective rent accounts and have the effect of moving the credit balance across to the new account. **Note that no money changes hands during this transaction** – it is purely an administrative ‘paper exercise’ carried out in agreement with all parties, that enables the credit to move to the new account within legal boundaries. If using this process, services must liaise with the Rents Team to ensure each transaction is recorded separately on paper and electronic records and make it clear which residencies each refund/receipt relates to.

7.3 Refunds

Before issuing a refund, service staff must check the balance owed with the Rents Team to ensure accuracy of the rent account and that a refund is due. Ineligible refunds will be made via BACS payment, processed by the central Finance team. It is essential that recipient bank account details are verified as genuine before any refund is made.

In exceptional cases of severe hardship where a refund is urgent, a CHAPS payment may be processed by the central Finance team. Only where a resident does not hold a bank account will a cash refund be considered.

Where the resident has paid via Third Party Deductions (TPDs), the Rents Team may need to liaise with the DWP to establish whether TPDs are still in payment, whether further payments are due or reclaims are yet to be made by the DWP. This can cause delays, but until there is clarity from the DWP, refunds cannot be made. If there is evidence of financial hardship, part of the refund can be processed provided it is clear no monies are due to be reclaimed or further monies owed.

7.4 Contact with Residents

It is acknowledged that Rents staff may not be aware of particular individual support needs or historical issues around the residency/property that may affect a refund decision or how to handle any meeting. In light of this, to ensure staff and service user safety, support services should deal directly with residents regarding any refunds, receipts or other queries. The Rents Team do not usually liaise directly with residents via phone, email or in person but are happy to provide required information and guidance to the Support service around rent and benefit issues.

In exceptional circumstances, where direct Rents involvement is deemed absolutely necessary, Rents staff may accompany Service staff for a meeting at a location convenient for all parties.

Under no circumstances should a resident be referred directly to Rents Team without Service staff support.

7.5 Managing Third Party Deductions (TPDs)

Deductions from legacy benefits - The Rents Team receive notifications from the DWP advising when TPDs are put in place and when they end. This information is added to the central rents system by the Rents Team and the service is advised.

Deductions from Universal Credit - The Rents Team do not receive notification from the DWP that TPDs are in place or when they end.

TPDs are deducted from residents' benefit claims at the point they are paid their benefits. Framework receives four-weekly payments from the DWP, up to eight weeks after the corresponding deduction was taken.



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If TPDs end, it is the service's responsibility to discuss this with the resident and ensure TPDs are re-applied for or alternative payment arrangements are put in place.

Where a resident's income benefits have been cancelled or suspended, they should inform the Rents Team immediately. If the resident has been paying via TPDs, their deductions will cease. It is the service's responsibility to support the resident in reclaiming benefits as appropriate, and to ensure arrangements are put in place to pay any ineligible charges and arrears.

The Rents Team will send schedules of TPD payments received to services on a regular basis.

8. Rent Arrears Management and Enforcement

8.1 Rent Arrears Management

Framework has a proactive and effective process for arrears escalation and recovery. To achieve this, the following must be adhered to:

- Delivering a fair, firm and consistent approach to all residents in arrears
- Ensuring effective communication between staff involved in the recovery process
- Ensuring staff are clear as to their roles and responsibilities
- Having clear processes for staff to follow and a robust decision making Framework
- Having well trained staff in the area of HB
- Having appropriate and reliable rent accounting systems
- Ensuring prompt and accurate reconciliation of payments
- Providing clear, accurate and timely management reports
- Following the Pre Action Protocol (PAP) for residents in tenancies, and appropriate procedures for residencies that are not subject to the PAP (e.g. hostels)

The pre-action protocol guidance and checklist is available via external government websites, with links in the appendices of this procedure [APPENDIX AH].

The central rent system is kept up to date and payments are reconciled weekly by the Rents Team.

A suite of management reports and information are provided to assist Service staff with arrears management.

To ensure the successful management of arrears, information in reports must be acted upon and responded to by service staff.

8.2 Responsibilities

Detailed responsibilities and processes for rent arrears management are outlined in the service responsibility tables found in the appendices to this procedure, split into the following categories:



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- HMS-related - Tenancies and Protected Licences
- Hostels – including Excluded Licences and Protected Licences

[APPENDIX A1]

8.3 Enforcement

Broad principles are as follows:

8.3.1 Total Arrears:

The key for possession on mandatory grounds is 8 weeks of gross rent. Therefore, legal proceedings on mandatory grounds may commence where total arrears are greater than 8 weeks.

8.3.2 Ineligible Arrears- HMS-related:

When ineligible rent arrears reach £500 the tenant can be issued with a section 8 notice on grounds 10 and 11. This is at the discretion of the Housing Services Manager where services have HMS involvement.

When ineligible rent arrears reach £1000 and notice has previously been served as above, Framework can apply for a possession order. This is at the discretion of the Housing Services Manager where services have HMS involvement.

8.3.3 Ineligible Arrears- Hostels:

For hostel services the decision to serve notice is at the discretion of the Service Manager (as per the Tenancy/Licence Management Policies).

8.3.4 Legal Action – HMS-related:

Decisions concerning legal action should only be taken by the relevant Service management in conjunction with the Housing Management Service and must be in line with Framework's Tenancy/Licence Management Policy, Licence Action Plan Procedure and Tenancy Breaches Procedure.

8.3.5 Legal Action – Hostels:

Decisions concerning legal action should only be taken by the relevant Service management with advice and guidance from the Housing Management Service and must be in line with Framework's Tenancy/Licence Management Policy, Licence Action Plan Procedure and Tenancy Breaches Procedure.

8.3.6 Further Action

If Service managers disagree with any rent collection processes or are unable to agree a way forward in relation to individual residents, the Director of Finance, Governance and Risk will be required to make a final decision.

9. Ending an Occupancy



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(Please note all services must have a complete exit procedure)

Discussions about the payment of rent and outstanding arrears should continue up until the end of the residency. The service must ensure any amounts due at the end of the residency are paid, or a payment plan is put in place to clear the balance. Any payment plan should be communicated to the Rents Team and to the new service (if moving to another Framework property). A forwarding address and contact details should be noted. Advice and information on outstanding arrears is available from the Rents Team.

When a resident exits Framework accommodation a leaver form must be completed and submitted electronically to the Rents Team via e-mail to weeklyreturns@frameworkha.org. This enables the Rents Team to end a rent account and create a void. Services should ensure adherence to the voids policy and procedure at this point.

9.1 Bridging Rent

On occasions where a claimant is unable to move out of a Framework property into their new address on the new tenancy start date (e.g. due to lack of furniture) the claimant can apply to Framework for Bridging Rent. The Bridging Rent can cover rent at the NEW address for the period from tenancy start date to the actual date of move in (covering up to 1 week as standard).

The application is submitted to the Rents Team initially. Rents check the HB is in payment at the Framework address and has not been cancelled or suspended. If HB is not in payment, the Bridging Rent payment will not be released. If all is in order, the application will be taken to the relevant Operations Manager for authorisation. The document and associated paperwork is then passed to finance to raise payment.

A move date pro-forma should be signed at the point the resident moves out. This can be used as evidence if there is a query around a resident's move-out date and HB claim. [APPENDIX AD].

Bridging rent guidance and associated forms are available on Framework intranet [APPENDIX AB-AC].

10. Former Residency Arrears and Repayment of Arrears

If a resident with outstanding arrears is re-housed the resident will be expected to address their previous debt. If the resident moves to another service within Framework it is the responsibility of both the former and new service to work with the resident to clear any former resident arrears. If the resident moves to a property external to Framework, it is the responsibility of the former service to recover the arrears.

Former residents can pay off any arrears at the service where they were resident or at their current service.

The service must ensure any payment of debt relating to a former residency is recorded separately from any payments for the current residency. This must be made clear on all records, both paper and electronic. The fact that a payment relates to a former residency and the address of the former residency (including flat/room number) must be recorded on paperwork/receipts and also on the ineligible receipts shared workbook. This is essential to ensure the receipt is allocated to the correct rent account.



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11. Write Offs

11.1 Housing Benefit debt

If HB has been deemed to be unrecoverable, once all possible methods of recovery have been exhausted, HB debt is written off 6 months after it was accrued.

11.2 Ineligible debt

Ineligible debt is written off for former residents at the end of each quarter unless further payments are expected (e.g. residual TPD receipts) or it is deemed that the outstanding debit is likely to be recoverable.

11.3 Process and authorisation

Rent Officers produce write off schedules for each service on a quarterly basis, showing proposed write offs for HB and ineligible rent debt respectively. These schedules are sent to Service Managers for comment and approval. Service Managers are expected to return the agreed schedule to Rent Officers within agreed timescales.

Service managers are required to give an explanation to justify the reason for debt having accrued and why it has been deemed unrecoverable. This should be recorded on the write off schedule. Where former resident ineligible arrears are being paid off, the service manager should indicate this on the write off schedule before it is returned. In this case the proposed write off will not be processed, and the arrears will remain on the rent account.

Write off schedules require authorisation from the relevant Operations Manager.

A summary of write offs is provided to the Organisational Leadership Group (OLG) by the Rents Team on a quarterly basis.

If a resident returns to a Framework service and has arrears that were previously written off on a former account, the debt may be reinstated following discussion with the relevant Service Manager(s).

11.4 Insolvency Procedures

A resident's outstanding arrears may be subject to a formal insolvency arrangement. Such arrangements might include:

- Individual voluntary arrangement (IVA)
- Debt relief order (DRO)
- Bankruptcy

Details must be communicated to the Rents Team. Rents will check the arrears value against the rent system. Depending on circumstances, any arrears subject to the insolvency order will be noted on the rent system and may be written off in accordance with the order. This will require agreement between the Service Manager, Operations Manager and Income Manager (or Income Assistant Manager).



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12. Waivers

Upon request of the Service Manager, ineligible charges (or a proportion of the charge) may be waived in the following circumstances:

- (i) where the resident is in prison or hospital or
- (ii) due to a failing on Framework's part in supplying the service that the charge applies to.

In case (i) the waiver can be agreed by the Rent Officer. Waiver requests in case (ii), or for any other reason will require authorisation from the relevant Operations Manager. The value and period of the waiver will be checked by the Rents Team.

Waiver requests should be submitted on an ineligible waiver form [APPENDIX Q].

There are additional, service-specific arrangements with commissioners that are agreed as part of the contracting process or by internal management decision. The allocation of these to rent accounts will be in agreement with the Operations Manager.

13. Appointees and other Representatives

Where a resident has a person legally appointed to act on their behalf the service has a responsibility to provide this information to the Rents Team. This must include such supporting documentation as required to adequately confirm the arrangement and its legal status. Once in place, this will enable correspondence concerning rent to be sent to the appropriate parties. In some cases an external agency (e.g. child/adult services) will be responsible for the payment of rent on behalf a resident.

The service has responsibility to provide this information to the Rents Team. All changes of circumstances in relation to appointees and other representatives must be shared with the Rents Team in a timely manner. Correspondence will be sent to the resident and the external agency as appropriate.

14. Service Responsibilities

The responsibility tables in the appendices [APPENDIX AI] detail responsibility for managing rent collection in different service types. These include:

- HMS-related - Tenancies and Protected Licences
- Hostels – including Excluded Licences and Protected Licences

The tables outline trigger points, arrears status, actions to be taken and responsibilities for those actions.

Service Managers should be aware of which process they need to follow for their service type.

15. Rent Arrears Toolkit

A toolkit is available to support staff in rent collection. This includes responsibility tables, standard letters and documentation. [APPENDIX AE-AI]



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16. Legal and Regulatory Framework

16.1 Legal Framework

The collection of rents and service charges is subject to existing housing legislation and therefore all processes are underpinned by housing law.

16.2 Proceeds of Crime Act 2002

One key act of parliament in relation to rent collection is the Proceeds of Crime Act 2002. Caution should be exercised when accepting large sums of cash to repay rent arrears. Under the Proceeds of Crime Act 2002 it could constitute an offence to accept money which is known or suspected to be from the proceeds of crime. In such circumstances, Framework may be required to repay any money so accepted. This advice should not stop staff accepting large payments but it is to serve as a reminder of the issue and a need for care. Consideration should be given to individuals' circumstances, such as the frequency and level of income.

16.3 Regulatory Framework

Framework is subject to the requirements of various regulatory bodies. The following list summarises some but not all of the key stakeholders:

- Regulator of Social Housing
- Homes England
- Financial Conduct Authority
- Charities Commission
- Care Quality Commission
- Local Authorities
- Commissioners

17. Monitoring, Reporting and Performance Targets

The Rents Team is responsible for monitoring the collection of rent and service charges, including arrears, by agreeing Key Performance Indicators and targets set in conjunction with the Senior Leadership Team.

Key Performance Indicators that will be measured and shared with OLG are:

- i. Overall Rent and Service Charge Collection as a % of the charges due.
- ii. Housing Benefit Collection % of charges due.
- iii. Ineligible Rent Collection % of Ineligible service charges due.
- iv. % Income lost through voids.
- v. Number of evictions during a year due to rent



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18. Appendices

Rent Document List and Guidance

The following documents can be accessed on Framework Intranet:

<http://fred.frameworkha.org/Interact/Pages/Content/Document.aspx?id=6062>

Housing Benefit

APPENDIX A - HB Authority to Disclose form (Generic)

APPENDIX B - Nil income form

APPENDIX C - Under 18's HB form

APPENDIX D - DWP Confirmation of benefits form

APPENDIX E - DWP Proof of Attendance or New Claim form

APPENDIX F - Remand Prisoners Notice Period HB Request form

APPENDIX G - Intention to Return - Hospital Treatment (signed by resident)

APPENDIX H - Intention to Return - Hospital Treatment (resident unable to act)

APPENDIX I - Confirmation of Temporary Absence form

APPENDIX J - Overlapping Housing Benefit pro-forma

APPENDIX K - Confirmation of Decant form

Ineligible charges

APPENDIX L - Standing Order Mandate

APPENDIX M - Third Party Deductions (TPDs) Request

APPENDIX N - Third Party Deductions (TPDs) Request - with arrears

APPENDIX O - Third Party Deductions (TPDs) Request – unauthorised with arrears

APPENDIX P - Ineligible Credit Balance Transfer form

APPENDIX Q - Ineligible Waiver form

Working Residents and Personal Contributions

APPENDIX R - Working Resident Guidance for staff

APPENDIX S - Work Incentive Scheme – Info for residents

APPENDIX T - Work Incentive Scheme – Guidance for services

APPENDIX U - Work Commenced Notification

APPENDIX V - Work Ended Notification

APPENDIX W - Working Resident Guidance

APPENDIX X - Personal Contribution Guides

APPENDIX Y - Discretionary Housing Payments – guidance and links

External funding

APPENDIX Z - Confirmation of Rent Funding form (external agency funding)

APPENDIX AA - Holding Bed Form (external agency funding)

Bridging Rents

APPENDIX AB - Bridging Rent application form (Quick Access Bidding Fund)

APPENDIX AC - Bridging Rent Guidance Notes for staff

APPENDIX AD - Move Date Pro-Forma

Other Rent Documents and guidance



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APPENDIX AD - Rent Statements Guidance

Rent Arrears Toolkit - standard letters and associated documents

APPENDIX AE – Ineligible Rent reminder letter (generic)

APPENDIX AF – Ineligible Final Rent reminder letter (generic)

APPENDIX AG – NTQ (generic)

APPENDIX AE – NTQ covering letter (generic)

APPENDIX AF - Income and Expenditure Form

APPENDIX AG - Repayment Plan Form (generic)

APPENDIX AH - Section 8 Notice Checklist

APPENDIX AI – Service Responsibility Flowcharts

External links

Discretionary Housing Payments – guidance and links:

<http://fred.frameworkha.org/Interact/Pages/Content/Document.aspx?id=5120>

Pre-Action Protocol – government site:

<https://www.justice.gov.uk/courts/procedure-rules/civil/protocol/pre-action-protocol-for-possession-claims-by-social-landlords>