

OPS017 - Former Tenant Debt Recovery

MONITORING FORM	
Department	Housing
Department Director	Operations
This policy is applicable to	Housing
Author	Housing Manager
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Date of next review	01/02/17
Internal /external consultees (if required).	

The purpose of this Policy Procedure Note is to provide staff with information and guidance on former tenant debt recovery.

1. **Policy Objectives**

This procedure describes our arrangements for the recovery of debts owed by former tenants and minimise the level of monies owed to Weslo.

By 'debt' we mean:

- a) rent arrears;
- b) housing benefit overpayments;
- c) rechargeable repairs;
- d) legal expenses.

2. **After the Termination of Tenancy**

Within one month of a tenancy ending the Housing Officer will check if all monies due have been paid or any credit balance is due to be refunded.

- a) if there is monies due and the FT's forwarding address is known - issue letter FT1;
- b) if the former tenant responds to the FT 1 letter and can only offer to repay the debt by instalment they should be advised their case will be referred to Alex M Adamson, Sheriff Officers (AMA) to negotiate, monitor and recover the debt - issue letter FT2;
- c) if no response is received within 14 days refer the case to AMA for recovery of the debt - pass information for monthly upload to AMA;
- d) in cases where the level of debt is cost prohibitive to pursue, the debt should be passed to the Housing Manager for write-off;
- e) in the event of a tenancy ending in exceptional circumstances, any such case should be raised with the Housing Manager.

3. **Former Tenant's Address not known**

Where the property has been abandoned and no forwarding address is available the HO will pass the case to AMA for pursuit of the debt if it is considered appropriate to do so.

4. **Internal Communication**

The HO should update Quartet each time a step in the debt recovery process is taken.

5. **Alex M Adamson**

Their recovery procedures involve:

- a) The issue of a minimum of two standard letters to the former tenant if no payment or response;
- b) Where appropriate attempt to make telephone contact outwith normal office hours by experienced evening telephone staff;
- c) Investigate former tenant circumstances;
- d) Assess viability of recovering the debt

AMA will endeavour to have the debt settled in full by lump sum although they will accept payment of the debt by instalment after taking account of the former tenants financial situation based on an income and expenditure analysis.

AMA will also provide "off the record" information to the Housing Officer about the whereabouts of debtors which will not incur a tracing fee. More detailed tracing can be undertaken by them e.g. Residence & Employment Trace at a cost.

6. **Write Off**

Rent arrears, Housing Benefit Overpayments, rechargeable repairs or legal expenses debts can be written off.

The Housing Officer will prepare a report on the viability of recovery. In cases where they recommend write off, the Housing Manager will approve if agreeable and submit a report to the Operations Director for final write off approval.

Following approval by the Operations Director, the Finance Manager will arrange for the debt to be written off.

7. **Monitoring**

The Housing Manager is responsible for ensuring that this procedure is followed by relevant staff and providing a bi-annual analyses to the Weslo Board.

27 March 2020

Dear

Former Tenancy -

I refer to your former tenancy at the above address which ended on . As there is a rent arrear/housing benefit overpayment/rechargeable repair/legal expenses of £ outstanding please arrange to pay this/these debt(s) in full within 14 days failing which the matter will be referred to Alex M Adamson, Sheriff Officers who will recover the debt on our behalf.

27 March 2020

Dear

Former Tenancy -

I refer my letter dated regarding former tenant rent arrears of £ .

As you are unable to make payment in full your details have been passed to Alex M Adamson, Sheriff Officers who will contact you to negotiate a repayment arrangement with you.