

FORMER TENANT ARREARS AND WRITE OFF POLICY

Responsible Officer

Director of Customer Services is responsible for implementing this policy.

Director of Finance will monitor the impact on Phoenix for write off levels.

Aim of the Policy

This policy outlines the approach which Phoenix will take to the write-off of irrecoverable debts and the grounds for write-off of debts. It also deals with the treatment of credit balances.

Policy Scope

This policy covers former tenant arrears including sub accounts.

The Policy

Phoenix will write-off debts only after officers have taken all reasonable steps outlined in the former tenants arrears procedure and it would be uneconomical to pursue the debt via other sources.

Write-offs will be dealt with promptly so that performance monitoring will give an up to date view of outstanding arrears and performance information.

Phoenix will also address credit balances on rent and service charge accounts promptly to maintain the quality of monitoring and performance information.

Even if a debt is written off in Phoenix accounts, the debtor remains liable to pay. Officers will resume recovery action if there is a good reason to do so.

Grounds for write-off

Phoenix will write off debts in the following circumstances:

1. Tenant deceased, no estate.
2. Tenant gone away, unable to trace.
3. Debt under £100.
4. Debt uneconomical to pursue. The case for write-off should include an estimate of the cost to be incurred and the likelihood of success.
5. Statute barred. The debt is over six years old, no legal action has been taken and there has been no contact with the debtor within a six-year period.

6. Tenant has vacated the property; we are unaware of their forwarding address:

- The tenant is in prison.
- Sectioned under the Mental Health Act.
- Is in a nursing home and cannot afford.
- Tenant has left the country.
- Administrative error. The report should explain the background to the error and give details of action taken to avoid a repeat of the error.

Authorisation and applications of write-offs

All debts for write off will be presented to the Welfare Reform Strategic Group and will be reported to the Executive Team in line with our Standing Orders and Financial Regulations.

Reports for approval will include for each debt to be written off:

- Case number- ensuring the individual cannot be identified
- Amount
- Grounds for write-off
- Supporting commentary.

Personal information and identifiable data will be removed from the report to the Executive Team in line with our Data Protection policy.

Write-offs agreed by the Executive Team will be applied to rent accounts by the Finance Team.

Implementation

The policy will be implemented by officers in Customer Services directorate. Action under this policy will follow on from action under the rent arrears recovery policy.

Monitoring and review

This policy is monitored through Key Performance Indicators and reports to the Executive Team.

This policy will be reviewed every three years or sooner whenever there are changes to legislation, good practice or other learning.

Legislation

Including:

- Equality Act 2010
- Data Protection Act 2018
- The Coronavirus Act 2020

Reference to other documents and associated policies and procedures

Including:

- Equality and Diversity Charter
- Garages Policy
- Group Data Protection Policy
- Phoenix Standards
- Rent Arrears Recovery Policy and Procedure
- Rent Collection & Payment Policy
- Rent Setting & Service Charge Policy
- Supporting Residents 'At Risk' Policy

Definitions

Term/acronym	Description
Resident	Includes tenants and leaseholders.
Phoenix	Phoenix Community Housing.
FTA	Former Tenant Arrears

Document Type:	Policy
Title:	Former Tenant Arrears & Write Offs Policy
Author:	Head of Specialist Housing Services
Department Owned By:	Customer Services
Data Protection Impact Assessment:	No
Equalities Impact Assessment:	No
Approval Date:	2021-01-28
Approved By:	Board
Implementation Date:	2021-02-01
Status:	FINAL
Version No:	V3
Last updated:	2021-01-15
Issue Date:	2021-01-01
File Path:	S:\Policies and Procedures Manual\Department- Customer Services\Former Tenant Arrears\Policy\CS FTA & Write Offs Policy FINAL V3 Jan 2021.docx