

Bolsover District Council

Meeting of the Executive on Monday 30th January 2023

Rent Arrears Policy

Report of Councillor Sandra Peake, Portfolio Holder for Housing

Classification	This report is Public
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PURPOSE/SUMMARY OF REPORT

For Executive to consider and approve the updated Rent Arrears Policy.

REPORT DETAILS

1. Background

- 1.1 Bolsover District Council owns and manages its housing stock consisting of 4988 properties as at November 2022.
- 1.2 All tenants of Bolsover District Council have signed a tenancy agreement, which sets out the rights and responsibilities of the tenant(s) and the Council. The tenancy agreement states that tenants, should pay their rent on a weekly basis and if they fail to do so and fall into arrears the Council can apply for Possession as set out in Schedule 2 of the Housing Act 1985 (as may be amended from time to time).
- 1.3 The Rent Arrears Policy explains the Councils approach to prevention and collection of rent arrears. In summary the Council will take a firm but fair approach, ensuring that tenants have available financial expertise to resolve any difficulties. The Council will not tolerate tenants who are unwilling to pay arrears nor receive help and legal action will be taken where necessary.
- 1.4 It clearly defines our commitment to equality and proportionality within the rent management processes. The Council in delivering this policy, will ensure that no individual is discriminated against on grounds of marital status, sex, disability,

age, sexual orientation, racial discrimination, personal attributes, including religious beliefs or political opinions.

- 1.5 The Policy ensures compliance with the Pre Action Protocol for Possession Claims by Social Landlords.

2. Details of Proposal or Information

- 2.1 The current Rent Arrears Policy is 3 years old and due for renewal. It has been reviewed and updated to reflect a number of changes and the updated policy is at Appendix 1 with the main amendments or additions shown in red font.
- 2.2 These changes reflect revised staffing structure within the housing team. We have 4 income management assistants, one for each contact center area who are responsible for arrears from initial contact up to and including the service of court warning for current arrears.
- 2.3 The policy also has a new section for recovery of former tenancy arrears which will also be managed by the patch based income management assistants. The policy also has details as to the recovery process for garages garage plots and parking bay arrears which are managed by the Housing Assistants Tenancy.
- 2.4 The Council has also recently procured a rent income analytics software, which is compatible with the Housing Case Management System to aid in rent recovery. Certain procures and stages within the recovery process are updated to be compatible with the system and are reflected within the updated.
- 2.5 The Equality Act assessment and wording throughout the document has also been updated.

3. Reasons for Recommendation

- 3.1 It is considered good practice to have a policy which sets the Council's approach to prevention and collection of rent arrears, the updated policy reflects updated staffing, and procedural changes.
- 3.2 The procedure which sits alongside the policy ensures that all officers involved in tenancy management, at different levels or stages, adopt the same fair but firm approach and takes account of the need to consider equality and proportionality when taking any action.

4 Alternative Options and Reasons for Rejection

- 4.1 The Policy is considered necessary so that members of the public are aware of the Council's approach to prevention and collection of rent arrears.

RECOMMENDATION(S)

1. That Executive approve and adopt the updated Rent Arrears Policy.
Approved by Councillor Sandra Peake, Portfolio Holder for Housing

IMPLICATIONS:**Finance and Risk:** Yes ☐ No ☒**Details:**

There are no financial implications arising from the Policy.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☒ No ☐**Details:**

As set out in the report.

On behalf of the Solicitor to the Council

Environment: Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.**Details:**

N/A

Staffing: Yes ☐ No ☒**Details:**

There are no staffing implications contained within the report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	Yes
Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	Yes

District Wards Significantly Affected	All
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details: Portfolio Holder

Links to Council Ambition: Customers, Economy and Environment.

Customer Services

DOCUMENT INFORMATION

Appendix No	Title
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1	Rent Arrears Policy 2022
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Background Papers

<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>
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