

**Bolsover District Council**

**Customer Service and Transformation Scrutiny Committee**

**4<sup>th</sup> November 2019**

<b>Rent Arrears Policy</b>
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**Report of the Contentious Team Manager**

This report is public

**Purpose of the Report**

The purpose of this report is for Customer Services and Transformation Scrutiny Committee to consider and feedback on the proposed Rent Arrears Policy and procedure. Committee's comments will be considered prior to Executive approval of the policy.

**1 Report Details**

- 1.1 Bolsover District Council owns and manages its housing stock consisting of 5061 properties as at October 2019.
- 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.
- 1.6 The procedure that sits alongside this, formalises what officers currently do but with reference to the computer system which has been programmed to trigger stages, and prompt actions.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 It is considered good practice to have a policy which sets the Council approach to prevention and collection of rent arrears.
- 2.2 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.

## **3 Consultation and Equality Impact**

- 3.1 The Rent Arrears Policy and procedure has been developed by the Tenancy Management Team and in consultation with Legal Services.
- 3.2 Comments made by the Scrutiny Committee will be considered as consultation.
- 3.2 Similarly an equality impact assessment will be undertaken once feedback has been received, before the matter goes to Executive.

## **4 Alternative Options and Reasons for Rejection**

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

## **5 Implications**

### **5.1 Finance and Risk Implications**

- 5.1.1 None.

### **5.2 Legal Implications including Data Protection**

- 5.2.1 Having a Policy which is up to date and compliant with the legislation and pre action protocol, is necessary.

### **5.3 Human Resources Implications**

- 5.3.1 None.

## **6 Recommendations**

- 6.1 That Members review the attached Policy documents and provide comments for consideration as part of the development of the Policy and procedure.

## 7 Decision Information

<b>Is the decision a Key Decision?</b> 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:  <i>BDC:       Revenue - £75,000</i> <i>Capital - £150,000   <input type="checkbox"/></i> <i>NEDDC:   Revenue - £100,000   <input type="checkbox"/></i> <i>Capital - £250,000   <input type="checkbox"/></i> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the relevant Portfolio Holder been informed</b>	Yes
<b>District Wards Affected</b>	All indirectly
<b>Links to Corporate Plan priorities or Policy Framework</b>	All

## 8 Document Information

Appendix No	Title
1.	Rent Arrears Policy
<b>Background Papers</b> (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 Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
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Report Reference –