



To: Executive Councillor for Housing
Report by: Director of Customer & Community Services
Relevant scrutiny committee: Housing Committee 14/01/2015
Wards affected: All Wards

WRITE-OFF OF CURRENT AND FORMER TENANT ARREARS

Not a Key Decision

The background information used in the preparation of this report is exempted from publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

1. Executive Summary

This report sets out the detail of one current tenant arrear cases and five former tenant arrears cases together with a summary of the action taken to try to recover the debts.

2. Recommendations

The Executive Councillor is recommended:

- 2.1 To approve the one case of current tenant arrears totalling £2,850.29 as detailed in the attached appendix be written off.
- 2.2 To approve the five cases of former tenant arrears totalling £18,569.18 as detailed in the attached appendix be written off.

3. Background

- 3.1 The current and former tenant arrears cases have been subject to the standard rent arrears recovery process where applicable.

4. Implications

(a) Financial Implications

Provision for writing off of bad debts has been made in the Housing Revenue Account.

(b) Staffing Implications (if not covered in Consultations Section)

There are no staffing implications associated with this report.

(c) **Equal Opportunities Implications**

An Equalities Impact Assessment has not been undertaken in respect of this report, as each case has been individually considered prior to submission for write off.

(d) **Environmental Implications**

There are no environmental implications associated with this report.

(e) **Procurement**

There are no direct procurement implications associated with this report.

(f) **Consultation and communication**

This report considers an individual case for write off. A number of attempts will have been made to contact the tenant concerned prior to the preparation of this report.

Members and tenant and leaseholder representatives are reminded that they are welcome to spend time with City Homes officers to gain further insight into the arrears recovery and write off process.

(g) **Community Safety**

There are no environmental implications associated with this report.

5. Background Papers

The background papers used in the preparation of this report are exempt from publication as they contain information relating to the financial or business affairs of any particular person.

6. Appendices

The following appendix is included as part of this report:

- Appendix 1: Individual arrears cases and action taken.

7. Inspection of Papers

If you have a query on the report please contact:

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Area Team	Ward	Amount	Action Taken To Recover Debt	Reason for Write-off
South	Trumpington	£2,451.24	Statute Barred	The tenancy was for the period 09/09/2002 - 11/06/2006. The debt comprises arrears that accumulated after the tenant's benefit ceased in 2005. The tenant was evicted from the property in 2006 following proof that the property had been illegally sub-let since 2002. Attempts were made to trace the tenant in 2009, & letters sent, however, no contact was received from the tenant. The debt was sent to a debt recovery agent in April 2010. This is now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
North	Cherry Hinton	£2,850.29	Statute Barred	This tenant is a current tenant, having transferred from the property that this debt relates to in 2002. The previous tenancy ran from 18/09/2000 to 10/02/2002. The tenant was not in receipt of HB & made payments totalling £42 in the entire tenancy period. Attempts were made throughout the tenancy to help the tenant complete HB applications, and provide evidence, however, this was to no avail. The tenant has a mental health disability, but no social worker as the mother used to provide care. Payments were made alongside current rent by direct debit through to February 2008, but no payments have been made since. Suggestions were made to increase payments again to reduce the former tenant debt, but no communication or acceptance from tenant regarding these suggestions. This debt has not now been acknowledged for over 6 years and the authority can no longer enforce recovery as the debt is statute barred.
North	Cherry Hinton	£2,639.79	Statute Barred	The tenancy was for the period 13/01/1997 - 08/04/2007. The tenant was evicted in 2007 due to high rent arrears. The debt accrued when minimal benefit was received from April to December 2002, with small payments received up until January 2007, but no payments since. No contact was received from the tenant to acknowledge the debt. This is now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
South	Abbey	£3,308.76	Statute Barred	The initial tenancy was for the period 14/02/2005 - 17/04/2005. No arrears when tenant handed in NTQ & moved out of the area, presenting themselves as homeless in another city. Tenancy was ended, but tenant was allowed to return to property under use & occupation from 18/04/2005 - 15/01/2006, where no payments were made and arrears accrued to the value of £1,595.61 prior to possession proceedings and eviction in January 2006. New tenancy from 04/09/2006 - 09/03/2008. Arrears accrued of £1,713.15 after HB was stopped in Sept 2007. Notified in November 2007 that tenant had possibly abandoned the property as they had not been seen in some time. Locks were changed and NTQ served. Tenancy was ended in March 2008. No contact made by tenant to acknowledge the debt, no payments have ever been made to the account since abandonment. Sent to debt collection in March 2009. This is now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
South	Abbey	£4,971.90	Statute Barred	The tenancy was for the period 07/07/2003 - 09/03/2008. Arrears accrued gradually from April 2004 as the payments being received were not enough to cover the rent. The debt fluctuated over the period of the tenancy until the property was eventually repossessed in March 2008. The last payment was received in February 2008, with no further contact or acknowledgement of the debt since then. The debt was passed to tracing agents in July 2008 and again in March 2009 however this was later returned as unsuccessful. As the debt is now over 6 years old, the authority can no longer enforce recovery due to it being statute barred.
South	Petersfield	£5,197.49	Statute Barred	The initial tenancy was for the period 24/08/1998 - 05/08/2001 where arrears of 1,952.41 accrued gradually over period of the entire tenancy. During the period 11/03/2002 - 28/09/2003 arrears of only one week's net rent accrued, but no payments against previous debts were received. During the subsequent tenancy from 29/09/2003 - 20/01/2008 arrears of £3,222.13 accrued gradually over the tenancy period. Arrears were at £1,000 in July 2007 when HB ceased, arrears then accrued sharply after that date. No payments were made to the account after June 2007. The tenant was evicted in January 2008 for rent arrears. Contact was made with the tenant regarding the former tenant arrears in May 2005 and an agreement was made to pay £3 per week but no payments were received. No further contact was made with the tenant regarding the debt until attempts were made to trace the tenant in March 2014, but no acknowledgement received from the tenant. This is now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
Former Tenants		£21,419.47		

Overall Total

£21,419.47