



To: Executive Councillor for Housing
Report by: Director of Customer & Community Services
Relevant scrutiny committee: Housing Committee 10/03/2015
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 twelve 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 twelve cases of former tenancy arrears totalling £41,581.25 as detailed in the attached appendix be written off.

3. Background

- 3.1 The former tenancy 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
North	Arbury	£2,557.76	Statute Barred	The tenancy was for the period 09/12/2002-03/08/2008. The tenant was evicted in August 2008 due to high arrears . In the earlier stages of the tenancy, the debt was reduced as arrears direct payments were made, whilst also full housing benefit. In November 2004 benefit stopped. Arrears started to rise again until August 2005 when full benefit started again. All benefit ceased in December 2007, after which the tenant made three separate payments totaling £950.00. Eviction took place when the debt was no longer being paid. Several attempts were made in 2008 to contact tenant but no written response to acknowledge debt. This is now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
South	Market	£2,320.28	Deceased	The tenancy was for the period 25/04/1994 - 14/07/2013. Arrears accrued after full benefit stopped in June 2013. Council were informed by DWP on 28/05/2013 that tenant had passed away on the 27/12/2012. No contact from next of kin. Large HB overpayment was added to account in June 2013 of £1,687.68 causing the high arrears. Public Trustee Notice To Quit expired on 14/07/2013, ending the tenancy.
South	Abbey	£2,612.05	Statute Barred	The tenancy was for the period 27/02/2006 - 23/11/2008. This debt comprises of £2,112.83 which accrued after full benefit stopped in May 2008 and £499.22 from a former tenancy. Tenant was evicted due to ASB issues and high rent arrears in November 2008. No contact has been received from the tenant to acknowledge the debt. Sent to Debt Recovery Agent in 03/09/2009 and again in March 2014 with no updates supplied.This is now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
South	Cherry Hinton	£2,003.32	Statute Barred	The tenancy was for the period 06/10/1997 - 12/12/2004. This debt includes rent arrears and court costs. Tenant was evicted from property in December 2004 due to high rent arrears. Full Housing Benefit was paid on and off throughout the tenancy along with arrears direct payments. This ceased in May 2004. During the period of seeking eviction no payments were made. Recovery letters were sent with no response. Account sent to debt recovery agent in February 2005 and returned in November 2005 as unable to collect debt. There has been no direct contact or acknowledgement of debt This is now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
South	Petersfield	£3,575.60	Statute Barred	The tenancy was for the period 05/05/2008 - 16/11/2008. No payments were received from tenant during this tenancy and only 2 weeks Housing Benefit received. Several attempts have been made to contact the tenant but no response has been received. The account was sent to debt recovery in July 2009 and March 2014. There has been no written acknowledgement from tenant. Last report from debt recovery ascertained that tenant had left the UK. This is now over 6 years old, the authority can no longer enforce recovery due to it being statute barred.
South	Coleridge	£2,054.92	Statute Barred	The tenancy was for the period 13/03/2000 - 21/05/2006. The arrears rose gradually from April 2005 with the last payment being made during the tenancy in received in November 2005.The tenant surrendered the property and made payments of £420.00 after the tenancy finished with the last payment being received in July 2007. The last contact made directly with the tenant was in June 2006. This is now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
South	Abbey	£8,800.63	Statute Barred	The tenancy was for the period 27/02/2006 - 02/03/2008. The debt comprises of £996.00 rechargeable repairs, £7,813.00 external legal fees and £9.87 from a former tenancy. The tenant was evicted for ASB issues which resulted in the large legal fees debt and rechargeable repairs debt due to poor condition of property. Letters were sent in 2008 and 2009 regarding the debt but no acknowledgement or payment received. September 2009 account sent to debt recovery but no acknowledgement or payment received. The debts are now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
South	Queen Ediths	£5,125.63	Statute Barred	The tenancy was for the period 30/06/1997 - 16/11/2008. The debt comprises of £2,721.13 rent arrears, £2,090.00 court costs and £2,090.00 rechargeable repairs.The tenant surrendered the property after information about possible sub-letting. No contact was made by the tenant until 03/08/2009 when the former tenant agreed to pay £5.00 per week. No payments ever received. No further action until March 2014 when account sent to debt recovery. No written acknowledgement of debt from former tenant. This is now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
South	Romsey	£2,039.42	Unrecoverable	This debt relates to a joint tenancy from 12/10/1987 - 11/02/2001, after which it transferred to a sole tenancy. A payment was made in 2002 against the arrears and then nothing until 2012. The debt became statute barred in 2008 as no written acknowledgement was received from the tenants regarding the debt. One of the tenants still resides in the property as a sole tenant, but has health issues and does not have the funds to meet the joint debt.
South	Cherry Hinton	£2,100.00	Statute Barred	The tenancy was for the period 27/10/2003 - 15/08/2004. Arrears accrued after full benefit stopped in February 2004. No payments were received from tenants during the tenancy. Contact was made in February 2005 and payments were promised. Only one payment was received of £49.88 in June 2005. The account became statute barred in August 2010 and the authority can no longer enforce recovery
South	Coleridge	£4,684.78	Statute Barred	The tenancy was for the period 09/10/2006 - 23/11/2008. The debt comprises of £4,292.01 rent arrears, £314.50 court costs and a former tenant arrear of £78.27. The arrears rose steadily after a last payment was made by tenant in November 2007. The tenancy was ended in November 2008 when the property was repossessed as it was believed tenant was in prison. Several letters were sent but no acknowledgement received for the debt. Account sent to debt recovery agent in April 2014 but returned in September 2014. This is now over 6 years old and the authority can no longer enforce recovery as the debt is statute barred.
South	Abbey	£3,706.86	Deceased	The tenancy was for the period 27/07/2009 - 20/12/2009. The debt comprises of £902.44 from this tenancy which accrued after full benefit stopped and former tenant arrears of £2,804.42 from a property that the tenant was evicted from due to high rent arrears. The tenant was subsequently rehoused due to ill health and passed away in October 2009.
Former Tenancies		£41,581.25		
Overall Total		£41,581.25		