

# Establishing and maintaining tenancies

## Rental fraud policy

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Section name: Establishing and maintaining tenancies

Document name	Rental fraud
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## 1 Purpose

- 1.1** To outline the processes used by Mission Australia Housing (MAH) to investigate and manage incidents and suspected incidents of **rental fraud**.
- 1.2** To outline possible consequences for tenants who intentionally or unintentionally fail to inform MAH of personal details and circumstantial changes which may impact on their suitability and eligibility housing, or the amount of rent charged for their property.
- 1.3** To outline supports available for tenants who require additional assistance to adhere to their tenancy obligations.

## 2 Related policies

- 2.1** This policy should be read in conjunction with the:
  - 2.1.1** [Rent and Rebate Policy](#), which outlines how MAH sets rent.
  - 2.1.2** [Breach of Tenancy Policy](#), which outlines how MAH responds to tenancy breaches.

## 3 Scope

- 3.1** This policy applies to staff responsible for managing tenants and properties of MAH.

## 4 Guiding principles

- 4.1** Rent is set fairly in accordance with the community housing guidelines of operating states.
- 4.2** MAH takes a preventative approach to the management of rental fraud by connecting tenants to supports at the start of tenancies, and as identified throughout tenancies, which may include financial literacy programs.
- 4.3** Tenants are encouraged to act transparently and to provide MAH with any information that may impact on their suitability and eligibility for housing, or the amount of rent they are charged for their property.
- 4.4** MAH will wherever appropriate work with tenants requiring additional support to assist them to understand and adhere to their tenancy obligations.
- 4.5** MAH takes action to address rental fraud in order to ensure the viability of MAH and ensure properties are allocated to those most in need of secure affordable housing.
- 4.6** Tenants are given opportunities to appeal organisational decisions and to complain about the services of MAH.
- 4.7** MAH upholds accountability and transparency through its record keeping practices.

## **5 Policy**

### **5.1 Tenant obligations**

- 5.1.1** Affordable and social housing programs are means-tested and MAH is required to ensure that housing is allocated to applicants who are eligible and most in need as per the [Eligibility Policy](#). To do so, MAH requires applicants, tenants and their household members to provide full and accurate disclosure of any personal details including income details, circumstances or changes to their circumstances which may impact on their eligibility and suitability for housing or on the amount of rent charged for their property as per the [Rent and Rebate Policy](#).
- 5.1.2** MAH requires tenants to provide full disclosure of:
  - All people residing in their property, including children and carers
  - Income details for their entire household
  - Any property they fully or partly own
  - Any assets, savings or investments they may have
  - Household composition changes
  - Any changes to the above
  - Tenants will be required to inform MAH of any changes to their income, household composition, financial position or living arrangements within 28 days of any change and failure to do so maybe considered rental fraud.

5.1.3 All tenants will be required to inform MAH of their income, asset and household composition:

- At the start of their tenancy as per the [Start of Tenancy Policy](#)
- During rent reviews as per the Rent Reviews Policy
- Whenever their circumstances change.

## 5.2 Responding to fraud

5.2.1 Tenants will be in breach of tenancy and they will be informed in writing where MAH identifies that they have provided false, misleading or incomplete information as per the [Breach of Tenancy Policy](#). Tenants will be given a right of reply to respond to any allegations and an opportunity to rectify matters where appropriate.

5.2.2 In determining an appropriate course of action, MAH works on a case-by-case basis, and will generally consider:

- The background of a tenant, recognising that in some cases rental fraud may result from tenants not fully understanding their tenancy obligations
- The severity and duration of fraud; and any resulting financial loss.

5.2.3 Where staff have reason to believe that a tenant has breached the requirements of this policy as a result of not fully understanding their tenancy obligations, they will work with the tenant and/or refer them to educational, advisory or support services with their written consent as per the [Referral to Agencies Policy](#).

5.2.4 Deliberate breaches of this policy and serious fraud may result in MAH cancelling the rental rebate given to a tenant and/or ending their tenancy as per the [Ending Tenancies Policy](#).

5.2.5 Tenants subject to [5.2.3](#) and [5.2.4](#) may be required to pay MAH for financial losses that have resulted from any false, misleading or incomplete information as per the [Rent Reviews Policy](#) and [Debt Management Policy](#).

## 5.3 General requirements

5.3.1 Tenants will be informed of their right to complain about the services of MAH and to appeal organisational decisions as per the [Appeals and Complaints Policy](#).

5.3.2 Staff will store all records relating to rental fraud in the tenancy management system.

## 6 Definitions

**Rental fraud:** is generally considered deliberate provision of deceptive information in order to obtain a personal gain through the housing services of an organisation. This includes failing to provide information about household composition, income or assets.

For the purpose of this policy, fraud is intended or unintended, resulting from intentional deception, omission, carelessness and lack of knowledge. Fraud accordingly may be an unanticipated outcome of a tenant overlooking or failing to be attentive to their tenancy obligations.