

# Kippax Housing Office Annual Tenancy Visit Interview October 10 2014

Penelope Fickling – Tenancy Management Officer / Jim Fergusson – Tenant Scrutiny Board Member

06 November 2014

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I visited Kippax Housing Office on the afternoon of October 10, and to ensure an interview consistent with other Board Members, used the suggested questions kindly supplied by the TSB Chair

I was received with great courtesy and professionalism – and I'd like to extend my thanks to Penny Fickling, Michelle Honey, and all the Staff at Kippax

Penny's replies and comments are listed below

## Training

1. What training were you given to undertake these visits?

Penny stated that while no specific Training was given, she has received Training in Lone Person Visits, and always consults udc status on the Orange Database System before undertaking visits. Penny also raises udc's where necessary.

2. What do you see as the purpose of ATVs?

Penny stated that she clearly understands the need to for investigation of Tenant Fraud and particularly sub-letting, however she gives more weight to Tenant Welfare Issues. She always attempted to balance Fraud Detection with Welfare

## ATV Visits over the Last 3 Months

3. In your experience are they helpful to the Housing office and/or Tenant?

Of Course ATV Visits are helpful, though I do feel that they are extremely time consuming, and that the 'Cold Calling' nature of the visits leads to a high number of repeat visits. Cold Calling is also viewed negatively by Tenants

4. What's the usual reaction [do] you get when you turn up to do a visit

Some Tenants view the visit in a positive light – however the majority viewed the Cold Calling nature of the visit as intrusive – particularly if every room was to be inspected

5. How often do you do ATVs, daily, weekly?

Atv's are carried out on a daily basis, when out on estate will cold call at properties, However we do try and allow half day a week to atvs. We do carry out action days where the whole team hit a particular area solely for atv.s.

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6. Are all your visits undertaken in office hours?

With Tenants out Working / School Run etc? – I do undertake frequent out of hours visits – I will leave a card if Tenants are out, and most do call back

7. On average how long will a visit last?

Depends on Needs obviously – a straightforward visit will take me 15/20 minutes – but if needs are more complex it can get to 40 minutes

8. Before you undertake a visit what preparation work do you do if any?

I check for Rent Arrears and run a udc check

9. Do you take any information with you on the visit?

I take various leaflets such as the ‘step change’ leaflet

10. Do you give advance notice of your visit?

No

11. Who is it that you want to speak to when you visit?

It has to be the Tenant – if he/she is not available I will leave a card and ask when it would be convenient to call

12. What questions do you ask on your visit? Have *you* made these up or are they set questions?

I have a questionnaire with me – but I may ask and note the replies to subsidiary questions as I think necessary

13. Do you do a tour of the property when you are there, if so what are you looking for?

I’ll do a complete tour of the property if I see a state of dis-repair – but I tend to use my experience and common sense when deciding whether a full tour is necessary

## How should we structure them moving forward?

14. Do you think the tenant finds the visit helpful?

Only where support needs are identified and addressed – otherwise Tenants frankly find them annoying and intrusive

15. Do you think the questions asked are the right questions or should we be asking other questions (if so what would those be?)

In general I think the questions asked are appropriate

16. If we didn't do the ATVs do you think it would make a difference?

I do think we would have more time for other essential work – but on the other hand doing ATV's does ensure that we do not miss a vulnerable tenant

17. Do you have any suggestions as to how the visits could be done better?

I do believe we should notify Tenants of ATV's before a visit

18. Do you think the tenant finds the visit helpful?

I'd say this has already been addressed in Question#14

19. What equipment would help you to do the visit better?

I think a Tablet Computer is required for this kind of work – not a paper questionnaire

### How should we use the information received?

20. How do you record the outcome of the visit?

I manually enter the data onto the System from the paper questionnaire – any Rent Arrears situations and comments together with Welfare needs is recorded – and I make a record of any udc problem

21. What kind of information comes out from the visit?

Welfare, Repair and Rent Arrears

22. What do you do with the information coming out of the visits?

I use it to assist in other aspects of my work – in welfare, general estate condition and repair status, and the change in Rent Arrears statistics for my area

## Jim Fergusson – My Notes and conclusions

**Please note that the following are entirely my thoughts on the level of fraud (sub Letting) – and on the desirability of unannounced Annual Tenancy Visits**

### **Notes on Fraud Detection and extent**

Latest Estimate I can find is contained in June 2013 National Fraud Authority – Annual Fraud Indicator Report

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/206552/nfa-annual-fraud-indicator-2013.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/206552/nfa-annual-fraud-indicator-2013.pdf)

This indicates Social Housing Fraud (not specified)

Total = 4 Million Households

Estimated Fraud 98K (Guessed? Estimated? The Methodology is not explained)

= 2.45%

This seems high – up from the 1% (recorded as sublet) in their 2010 report?

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The 2013 Report defines Housing Fraud as:

- *The use of social housing by someone who is not entitled to occupy that home. It includes, but is not limited to, unlawful subletting, wrongful tenancy assignment and succession, failure to use a property as the principal home and use of false information in a housing application to gain a tenancy. See above hyperlink*
- This is way in excess of the 2010 figure and is attributed to <http://archive.audit-commission.gov.uk/auditcommission/subwebs/publications/corporate/publicationPDF/3663.pdf> which refers back to 2009 etc. I lost the will to live at this point – I conclude that it's a Guess! – or an estimate if you prefer

The Methodology used in calculating the Financial Loss would be almost laughably crude if the subject were not so serious:

- Annual notional Cost of housing an individual **or a family!** in Temp. Accommodation = £18K
- Estimated # of fraud households = 98K (Guessed/Estimated)
- Therefore cost to the public purse = (98K\*18K) = £1.764 Billion/Annum

*USA term used 1 Billion = 1 Thousand Million*

Local Authority Homes = 47.9% Therefore Loss = £845M

These Government Reports seem a statistical mess to me – and the 2013 Report has the get-out clause to beat all

- *The new estimates do not reflect any real change in fraud loss levels, but rather improved measurement by the NFA and the counter-fraud community. In view of this, **the current estimates are not comparable with previous reports.** They have therefore not been compared in this report and it is statistically invalid to do so See above hyperlink*

So that's OK then! We should do no comparisons – just accept the figure....

But to get to the subsidiary question I asked Penny on my visit

23. What do you estimate the extent of fraud (in the sense of sub-letting) in your area

Zero

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## Note from stats that as a result of ATV's

### Across Leeds

Possible Housing Benefit Fraud = 15/7962 Households = 0.188%

Possible Tenancy Fraud (presume Subletting?) = 20/8045 Households = 0.249%

### in Kippax and Methley

Possible Housing Benefit Fraud = Zero

Possible Tenancy Fraud (presume sub-letting?) = Zero

## Conclusion – either

1. The National Fraud Office Estimates (of effectively sub-letting) at 2.45% are very inaccurate and grossly overstate the problem of Housing Fraud
2. Leeds Council are doing a poor job in detecting Fraud (0.249%)

**I'd suggest the first of these is true**

## Unannounced ATV Visits

Notes: As for right of entry – see: Office of Fair Trading Publication at [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/284440/oft356.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/284440/oft356.pdf)

### Note on Rights of entry to the property

3.32 We would object to a provision giving the landlord an **excessive** right to enter the rented property. Under any kind of lease or tenancy, a landlord is required by common law to allow his tenants 'exclusive possession' and 'quiet enjoyment' of the premises during the tenancy. In other words, tenants must be free from unwarranted intrusion by anyone, including the landlord. Landlords are unfairly disregarding that basic obligation if they reserve a right to enter the property without giving reasonable notice or getting the tenant's consent, except for good reason.

18 Guidance on unfair terms in tenancy agreements September 2005

I am sure that Sub-Letting is a real problem – even if I do not believe that a 2.38% figure is credible. The results of ATV's would seem to support that conclusion.

The System of unannounced ATV's seems to be operating on the principle that all Social Housing Tenants are suspects – this is insulting and unnecessary – as well as being inefficient, and expensive in terms of both unnecessary and repeat visits.

## Questions

1. What's the real extent of the problem of Sub-Letting in Leeds?
2. What's the real Cost of Sub Letting in Leeds?
3. What is the Cost to the Council of Detection?
4. Is the Annual Tenancy Visit to all Tenants a 'Legal Requirement'?