Customer Income Collection Policy

Date of Approval: May 2026

Policy Author: Marc Robins, Housing Manager, Income

Policy Lead: Sara Bennett, Head of Housing

Date of next review: May 2028

You are advised that a printed version may not be the latest available version. The latest version, which supersedes all previous versions, is available on the Brighter Places Policy Index Sheet. Those to whom this policy applies, are responsible for familiarising themselves with the latest version and for always complying with the policy requirements.

Should colleagues require any reasonable adjustment to allow for engagement with this document please contact the policy lead

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1. Policy Statement / Purpose

Successful management of income collection prevents customers from falling into arrears, maximises their income and supports tenancy sustainment.

Our approach supports our customers to meet their responsibilities and is responsive to changing customer needs.

This policy applies to all Brighter Places customers: rented customers, shared owners, leaseholders and Private Rented residents.

2. Commitment

Brighter Places will uphold these principles in our approach to income management.

- Proportional and reasonable: any escalated action will be reasonable and will be necessary.
- Clarity: Brighter Place customers will be clear on their responsibilities, their rights and what service they can expect in the income collection process. Communication will be in plain language; we will avoid technical terms and jargon.
- Support: the offer of advice, help and support will be clear and will be made at every step of the arrears process.
- Legality: Brighter Places will adhere to housing law, pre-action protocol and best practice.

3. Linked Documents

- Tenancy Policy
- Chargeable Repairs Policy
- Standing financial instructions
- Service Charge Policy
- Rent Setting Policy
- Debt relief order and bankruptcy guidance
- Domestic Abuse Policy
- Lettings Policy

4. Legal and Regulatory Compliance

- Protection from Eviction Act 1977: requires a possession order to carry out an eviction

- Housing Act 1985: contains the grounds for possession concerning secure customers
- Housing Act 1988: contains the grounds for possession concerning assured customers
- Housing Act 1996: concerns issuing and seeking possession of homes let on a starter tenancy
- Commonhold and Leasehold Reform Act 2022: concerns the notice served on shared ownership customers
- Homelessness Reduction Act 2017: places a duty on social landlords who are seeking to repossess a home
- Data Protection Act 2018 and UK General Data Protection Regulation
- Human Rights Act 1988 and Equalities Act 2010
- Civil Procedure Rules 1998
- Consumer Standards: Tenancy Standard

5. Policy Detail

5.1. Introduction and scope

- To prevent customers falling into rent arrears through early intervention and support.
- To ensure that all customers are treated fairly, consistently and transparently.
- To maximise income collection whilst avoiding eviction and homelessness.

5.2. Roles and responsibilities

- Landlord and customer responsibilities are set out when a Brighter Places grants a tenancy.
- Customers will clearly understand that there is an obligation to pay rent and service charges on time and in line with their tenancy conditions and agreement and will be clear that there is a responsibility to communicate any changes of circumstances or difficulties that they face with us as their landlord.
- New customers will be required to make a payment of rent in advance at sign-up, which is set out in the Lettings Policy.
- Brighter Places offers a range of payment options to suit the needs of our customers. Brighter Places has a preference for customers to pay via direct debit and offer any day collection.

5.3 Policy Detail

5.3.1 Prevention and early contact

All new lettings will be assessed by the Lettings team in line with Tenancy Sustainment RAG rating to ensure that any high-risk cases are referred and supported to the Tenancy Sustainment Team to set up a new tenancy to receive maximum support with immediate effect.

Brighter Places tenancy and Shared Ownership agreements contain clear directions on when rent and service charges are to be paid and the consequence of not addressing rent arrears, and this is discussed as part of the sign-up and assessment process with all new customers.

Brighter Places is an approachable and inclusive landlord, where customers can feel safe to discuss issues in a judgment-free environment. We offer multiple ways in which a customer can pay their rent, also ensuring that translation services and accessibility of service is maintained to prevent any unnecessary barriers for customers.

We aim to contact all our customers as soon as they fall into arrears that equate to rent payable by the customer of one week. Customers will be contacted using all means possible, including letter, email, text, telephone and/or home visits.

Customers falling into rent arrears will be offered welfare benefits advice / checks that will be carried out by either an Income Officer, a Tenancy Sustainment Officer, or via referral to a partner agency. We are unable to offer debt advice, and if this is needed, we will refer customers to appropriate debt advice agencies.

Brighter Places will make use of all tools that are available to stop rent arrears from increasing. This includes:

- Applying to DWP or local authority to have housing payments made directly to Brighter Places
- Seeking deductions from working age benefits to reduce arrears
- Securing other benefits and support for customers to enable them to pay their rent
- In the case of shared ownership customers, approaching lenders to assist with unaddressed rent arrears.

Customer news mailouts and website updates are used to provide regular communication about rent and benefits.

If a customer is unable to clear the rent arrears immediately, a repayment arrangement will be made. The arrangement will be affordable to the customer based on their income and expenditure.

5.3.2 Escalation and enforcement

Brighter Places have a staged process of escalating arrears actions; starting with contact when a customer falls into arrears through to repossession of the property at County Court.

Brighter Places will send a minimum of two arrears letters before serving a Notice Seeking Possession (section 8 notice). (NoSP)

We endeavour to serve NoSP's by hand to the customers home and attempting to speak to the customer whistly we are there. However, a NoSP can be served via first class post.

All grounds for possession, set out in Housing Acts 1985 and 1988, will be made use of. The use of Ground 8 will be used exceptionally, where an arrears case merits its use.

If a customer is under Notice, a customer can make multiple repayment arrangements, providing the arrears continue to be reduced and the payments are reasonable. If there are ongoing arrangements to pay that are persistently not adhered to, the Income Officer may consider possession proceedings.

In line with our pre-action arrears protocol, Brighter Places will meet with customers (either at home or in our offices) in person. Details on the customers' circumstances and vulnerabilities will be captured using our housing management systems.

A proportionality assessment will be carried out using this information, which will inform the decision to apply to court for possession.

The order Brighter Places will ask for at court will depend upon whether an agreement has been made and the customer's engagement with possession proceedings:

A suspended possession order will be requested if: a suitable repayment arrangement has been made with the customer in advance of the hearing.

An outright possession order will be considered if:

- No agreement has been reached
- Ongoing rent is not affordable even with benefit advice
- There has been no engagement from the customer, and the customer does not attend the court hearing.

Where a suspended possession order has been granted by the court and it has been subsequently breached, Brighter Places will permit the customer two repayment arrangement opportunities that will bring them back in line with the court order as soon as practically possible. A third, further broken repayment arrangement will see Brighter Places make an application for an eviction warrant.

In exceptional cases, Brighter Places may consider agreeing to vary the terms of a court order. This will be in rare instances where a customer's circumstances have changed markedly since the court order was awarded and will be considered on a case-by-case basis.

Brighter Places will take every reasonable step to avoid evicting a customer on the grounds of rent arrears. In cases where this is necessary, requests to apply for an eviction warrant will be approved by the Customer Services Director or another member of the Executive team.

Where customers are threatened with homelessness, Brighter Places have a 'duty to refer' and contact the local authority's homelessness team. In cases where there are dependent children at the property, a safeguarding referral will be made to the local authority's children and families team.

'Technical arrears' are temporary rent debt, created by a delay in the payment of either Housing Benefit or Universal Credit. Brighter Places will not escalate cases where rent arrears are technical arrears and will base action on true arrears.

Shared Owners

Shared ownership customers are treated as long leaseholders. Shared Owners will receive the same service as our other customers unless required by us to deviate by law.

Efforts will be made to engage the mortgage lender to cover any outstanding rent and service charge arrears.

5.4 Customer vulnerability

Rent arrears can be linked to customer vulnerability and hidden disability. In addition to information that we already know about a customer (from their lettings journey), Brighter Places will use contact points in the arrears process to better understand a customer, their circumstances and needs.

Appropriate support will be offered when the need is identified; to enable a customer to fully access our services or provide specialist support.

Brighter Places will make every effort to meet with a customer in person before an application to court has been made. In accordance with our Public Sector Equality Duty, any disclosure made may influence the decision to apply for possession.

The Domestic Abuse Act 2021 does not prescribe an approach when a customer has rent arrears that are attributable to being in an abusive or coercive relationship. In line with our Domestic Abuse Policy, Brighter Places want to keep survivors of domestic abuse and their families safe; rent arrears will not be a barrier to this.

5.5 Personal debt

Debt advice is a regulated activity and Brighter Places staff are unable to provide it. We will signpost customers to debt advice agencies, who will give free, impartial and judgement-free advice. Customers are signposted to these agencies by the reverse of our income letters.

Customers may be advised by a specialist debt advice provider to enter into a Bankruptcy Order or Debt Relief Order to address their debt. In these instances, Brighter Places will request that rent arrears are not included in any order. Rent arrears included in one of these orders will be lost within bed debt write-off provisions.

Proceedings cannot be used to recover rent arrears that are included in one of these orders. However, Brighter Places may still seek possession of the property, which will be determined on a case-by-case basis and based on how the tenancy has been conducted to date.

5.6 Performance reporting and key indicators

These operational measures are monitored to ensure this policy is being applied and is effective.

- Rent arrears as a % of annual rent debit
- Number of rent arrears evictions carried out
- Percentage of income collected
- Percentage of accounts under a repayment arrangement / a court order / Notice

6. Training Requirements

Rent arrears are symptomatic of other issues in a home.

Income Officers will be equipped to identify, and provide advice, guidance and signposting on areas such as but not limited to:

- Personal debt
- Adult and child safeguarding
- Benefit and tenancy fraud
- Illegal money lending
- Welfare benefits
- Mental health
- Rehousing options
- Domestic Abuse

7. Monitoring and Review

- The ongoing application of this policy is monitored via monthly and quarterly performance reporting to ensure that it remains relevant, up to date and accessible to the relevant audience.
- The policy will be reviewed at least every two years.

8. Data Protection

Any personal data created, collected, shared or retained in connection with abandonment or tenancy fraud investigations will be processed in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018, and Brighter Places' Data Protection Policy and Privacy Notices.

In applying this policy, Brighter Places will ensure that:

- Personal data is processed lawfully, fairly and transparently, and only where there is a clear and legitimate purpose connected to tenancy management, fraud prevention, safeguarding, or compliance with legal and regulatory obligations.
- Only relevant and proportionate information is collected and recorded, and data is limited to what is necessary to establish facts and support decision-making.
- Information obtained from third parties (including neighbours, contractors, local authorities, and partner agencies) is handled sensitively and assessed for reliability and relevance before being relied upon.
- Personal data may be shared with appropriate internal teams, local authorities, law enforcement agencies, fraud bodies, or regulators where lawful and necessary, including for the prevention or detection of crime, recovery of possession, or regulatory reporting.
- Appropriate access controls, security measures, and audit trails are maintained on all systems used to record and store investigation data.
- Personal data is retained only for as long as necessary and in line with Brighter Places' retention schedule, recognising that fraud-related records may need to be retained for evidential, audit, or regulatory purposes.
- Individuals' data protection rights are respected, subject to lawful exemptions that apply in the context of fraud prevention, crime detection, or legal proceedings.

All colleagues involved in abandonment or tenancy fraud investigations must ensure that data protection considerations are embedded throughout the investigation process and must seek advice where there is any uncertainty.

9. Equity, Diversity and Inclusion

Where required, reasonable adjustments will be considered to support colleagues to engage with this policy. Please speak to the policy owner for assistance.

Brighter Places is committed to ensuring that this policy is applied fairly, consistently and without discrimination.

In applying this policy, colleagues must have due regard to the Equality Act 2010 and ensure that decisions relating to suspected abandonment or tenancy fraud are:

- Fair, proportionate and evidence-based, and do not result in unlawful discrimination, either directly or indirectly.
- Sensitive to individual circumstances, including where a tenant or occupier may be vulnerable due to disability, mental or physical health conditions, age, caring responsibilities, language barriers, or other protected characteristics.
- Inclusive and accessible, including consideration of reasonable adjustments to communication, timescales or processes where required to enable engagement with the investigation or review process.
- Informed by safeguarding considerations, particularly where concerns relate to household members who may be at risk, or where absence or non-occupation may be linked to hospitalisation, care arrangements, domestic abuse, or other complex personal circumstances.

Where vulnerability or protected characteristics are identified, colleagues must ensure these are appropriately considered and, where necessary, seek advice from relevant internal teams before progressing enforcement or legal action.

10. Summary Roles and Responsibilities

Activities	REP	Exec	HoH	Hsg Mgr	Income Team	HR	Gov
Owner of the policy			X				
Monitoring & review of the policy			X	X			X
Approval of changes to the policy		X					X
Responsible for policy implementation			X	X	X		
Addressing issues in the implementation of the policy			X	X	X	X	
Version control of live policy			X	X			X
Training of colleagues			X	X		X	
Actions in line with Policy		X	X	X	X		