



East Renfrewshire Council  
Rent Collection and Arrears Management Policy  
October 2023

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## 1. Introduction

- 1.1 This policy sets out the approach that East Renfrewshire Council (the council) will take when managing current and former rent arrears for Scottish Secure Tenancies within Council Housing.
- 1.2 The Housing Revenue Account where rent income is directly paid, funds a range of housing services for all tenants, including tenancy/estate management, repairs and maintenance and our Housing Investment Programme.
- 1.3 The Council has in place an annual programme for setting council house rent levels which is both robust and well established. In addition, ensuring effective engagement with tenants to ensure that rent levels remain affordable and quality housing services continue to be delivered in line with customer priorities.
- 1.4 The policy was developed to meet regulatory requirements and is in accordance with the Housing (Scotland) Act 1987, as amended.
- 1.5 The policy is consistent with the Council's mission to make life better for our residents and our vision for the future in that we will be modern, ambitious council creating a better future with all.

## 2. Policy aims and Objectives

- 2.1 The aims and objectives of this policy are to:-
  - Ensure that we operate within a positive payment culture where all our tenants are aware of their responsibilities to meet their financial obligations
  - To ensure that we have collection methods that are simple and convenient
  - Maximise rental income to fund the delivery of housing services to our tenants
  - Provide early intervention support and advice
  - Manage arrears in a consistent and fair manner that also ensures the needs and circumstances of individual households are taken into account
  - Promote tenancy sustainment and prevent homelessness where possible

## 3. Our approach

- 3.1 We will develop detailed procedures and processes to support this policy to ensure that we have a consistency of approach and that all tenants are treated fairly and sensitively.
- 3.2 We will help our tenants understand their responsibilities to pay rent and make it straightforward to pay and keep payments up to date.
- 3.3 Where tenants fall behind with their rent, we will engage and work with them to help them to bring their rent up to date, whilst taking account an individual's circumstances.

- 3.4 We shall try to keep our tenants financially included and able to stay in their tenancies by reducing debt owed.
- 3.5 We recognise that action to evict may regrettably be necessary for a small number of our tenants who, despite our best advice, do not assume responsibility for paying their rent. In all circumstances, the council considers eviction as a last resort.
- 3.6 We will encourage tenants to engage with us.
- 3.7 We will identify underlying causes of the rent arrears
- 3.8 We will work with the tenant to agree an appropriate solution
- 3.9 There will be 3 main parts to our approach to rent collection.
  - Prevention –
    - We will make every effort to ensure that all tenants are clear about their responsibilities to pay rent and are fully supported and informed of all costs associated with managing and sustaining a tenancy.
    - We will provide information in relation to rent charges and payment methods in a clear manner
    - We will, in order to maximise welfare benefits entitlement, support and signpost to partner agencies.
  - Early intervention
    - We are committed to intervening at the earliest stage, ensuring tenants are fully aware of their rent arrears and to support them to maintain payments of rent, prevent the escalation of rent arrears and sustain their tenancy.
    - We will make early personal contact with tenants in arrears to discuss and agree how to resolve the situation
    - We will refer tenants experiencing financial difficulties to specialist services such as the Councils debt and money advice service
  - Person Centred –
    - We will work with tenants and partner agencies to identify any vulnerabilities or risks to a tenancy at the earliest stage.
    - We will take a personal approach tailored to the needs of each tenants, taking account of individual circumstances.

## 4. Tenant Responsibilities to Pay Rent and Keep Us Informed

- 4.1 We will ensure that our tenants are aware of their responsibilities in terms of rent, which include:
  - Paying their rent in a timely manner, either in advance or on or before the first day of the rental period.
  - Informing us at the earliest opportunity of any changes in circumstances that might affect their ability to pay their rent – this would include changes in paid work; changes of benefit; changes in the people staying in their

home; and changes in the income or circumstances of people staying in the household where there is a rent charge for them to pay.

- Keeping to any arrangement to pay arrears or advise us straightaway of why an arrangement cannot be maintained. If no agreement is reached with the tenant, the council will escalate action as necessary to recover the outstanding rent and arrears owed.
- Utilising a range of methods to pay rent in order to keep rent up to date
- To support our tenants the Council will emphasise the advice and assistance available to them. This will include providing information on how to apply for housing costs/ housing benefit; making a referral to the council's debt and money advice service: advising of other sources of financial help; and signposting to independent advice services.

## 5. Arrears Management for our Tenants

- 5.1 Where tenants fall behind with their rent, we will aim to contact them at the earliest possible opportunity in order to work with them and support them to resolve any issues.
- 5.2 We will follow our operational procedure to move cases forward depending on tenants' circumstances and the level of arrears owed. Throughout the process, the council will consider whether there are any other interventions or supports required to help the tenant sustain the tenancy.
- 5.3 We will operate within a principle of strong engagement, engaging with tenants in a positive manner whatever their level or stage of arrears.
- 5.4 We will encourage all tenants concerned about paying rent to speak to us, and keep speaking to us, so we can help.
- 5.5 We will direct tenants to additional sources of support and advise to assist them to reduce or clear their outstanding arrear.
- 5.6 Before we raise any legal action to recovery a property due to rent not being paid, we will make sure we have provided, or attempted to provide, all the information, help and advice in line with our statutory and regulatory requirements.
- 5.7 To that end we will ensure that all our pre-action requirements for social landlords are met. Further details of these requirements are available at [Housing \(Scotland\) Act 2001 and 2010: repossession guidance for social landlords - gov.scot](#)

## 6. Legal Action for Current Arrears

- 6.1 Prior to consideration of legal action for non-payment of rent, we will serve an appropriate Notice of Proceedings on tenant(s) and any qualifying occupier(s) in

terms of the Housing (Scotland) Act 2001, updated in August 2012 Section 16(5A) to include pre action requirements.

- 6.2 While we wait for a Notice of Proceedings to become valid, we shall continue to provide tenants with help and advice to reduce arrears.
- 6.3 Should we decide to lodge a case to court for non-payment of rent, we shall continue to provide tenants with help and advice to reduce arrears.
- 6.4 The council will continue to engage with tenants throughout the legal process and provide ongoing advice and information. Tenants will also be encouraged to seek independent legal advice.
- 6.5 If a decree for eviction is obtained at court, we only evict tenants as a last resort. This will usually be if tenants have consistently failed to make payments or follow advice given.
- 6.6 We will only evict if tenants fail to engage with us and work to an agreed payment plan.

## 7. Former Tenant Arrears

- 7.1 For any council tenancy coming to an end, we shall encourage an up to date rent account at the date of termination. If a tenancy is likely to be terminated with arrears, we will encourage and make repayment arrangements to clear the debt owed.
- 7.2 Any rent arrears due from a former tenant are considered both payable and recoverable. Where the debt is reasonably due, recovery will be sought and reasonable repayment arrangements made. Payments arrangements shall be monitored to be sure that they are being kept.
- 7.3 At the point a tenancy ends with Former Tenant Arrears (FTA), contact will be attempted by a specialist Housing officer to discuss payment arrangement options.
- 7.4 The council operates an escalation policy for the recovery of FTAs.
- 7.5 Outstanding, Former Tenant Arrears may affect future housing opportunities with the Council.

**This document can be explained to you in other languages and can be provided in alternative formats such as large print or Braille. For further information, please contact Customer First on 0141 577 3001 or email customerservices@eastrenfrewshire.gov.uk**

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這份文件可以使用其他的語言解釋,亦可以提供其他形色的版本,例如大字和凸字。請聯絡客服務 (Customer First) 索取進一步的資料。  
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[www.eastrenfrewshire.gov.uk/housing](http://www.eastrenfrewshire.gov.uk/housing)