



WILLIAMSBURGH
HOUSING ASSOCIATION LTD

Write Off/Write Back Policy

Endorsed by Committee	9 th August 2023
Next Review Date	8 th August 2026

This policy is available in different languages and other formats such as Braille or tape on request.

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1. Introduction

Every year the Association has to consider what debts have been left behind by tenants when they have vacated their properties and decide which of these are still recoverable and which should be considered as "bad debts" and therefore "written off" i.e. no longer actively pursued.

Former tenant debt can accrue as a result of tenants abandoning their properties, being evicted or on the death of a tenant, or if the tenant terminates the tenancy but does not set up a repayment arrangement or leave a forwarding address. The aim of this policy is to address this issue.

No Former tenant debt will be written off until all avenues for recovery have been exhausted.

2. Equal Opportunities

The Association is committed to the principles of equal opportunities and good practice. In this regard, we acknowledge the Scottish Social Housing Charter (2012): 1 - Equalities, which states:

"every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services".

Accordingly, we shall ensure that specifically in regard to the Write Off/Write Back policy, all former residents are treated equally, irrespective of their sex or marital status, race, disability, age, sexual orientation, language or social origin, or other social attributes, including beliefs or opinions such as religious beliefs or political opinions.

3. Scottish Social Housing Charter

The Social Housing Charter came into effect in April 2012 and this sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. The Association's Write Off/Write Back Policy will take account of and comply with the relevant Outcomes contained within the Social Housing Charter:

13: Value for money

Social landlords manage all aspects of their businesses so that:

- *tenants, owners and other customers receive services that provide continually improving value for the rent and other charges they pay.*

This **standard** covers the efficient and effective management of services. It includes minimising the time houses are empty; managing arrears and all resources effectively; controlling costs; getting value out of contracts; giving better value for money by increasing the quality of services with minimum extra cost to tenants, owners and other customers; and involving tenants and other customers in monitoring and reviewing how landlords give value for money.

4. Aims of the Policy

Where tenants terminate their tenancy and debt exists, the Association will expect them to either clear the sums due or make an arrangement to do so. The Housing Assistant will analyse the former tenant arrears accounts on a monthly basis, in an effort to establish whether or not they can be recovered from the former tenant, if we have a forwarding address.

Where payments are not received, our Housing Assistant will contact the former tenant, by phone if we have a number, or by email if we have an email address or in writing, at their forwarding address requesting that payments, as arranged, be made.

Where there is still no payment made, the case will be referred to the Association's debt recovery agent.

Where all of the foregoing steps have been taken, and all reasonable and legal means available to us have proved unsuccessful, the Management Committee will consider whether the debt concerned should be written off.

Any former tenant applying for rehousing or to mutually exchange with a current tenant, will be expected to adhere to the Association's Allocation Policy in respect of repayment of debt, regardless of whether this has been written off.

5. Write Off Categories

- All bad debts of less than £50.00 will be written off, unless the former tenants have transferred to another of the Association's properties.
- Any debt remaining following the death of a former tenant will be written off, unless there is an estate or the family are willing to settle the debt.
- Debt lost through abandoned properties will be written off, unless we subsequently are able to trace them.
- Debt lost through evictions will be written off, unless we subsequently are able to trace them.
- Debts owed by former tenants, where there is no forwarding address, will be written off, unless we subsequently are able to trace them.
- Debts owed by former tenants where mail has been returned, from the forwarding address as no longer living at this address, will be written off.
- Exceptional circumstances e.g. where the former tenant is suffering from a life threatening illness with no family support that could pay the debt.
- Trust Deed/Sequestration

When attempts to recover the outstanding debt by both housing staff and the Association's appointed debt recovery agent have failed, a report will be presented to the Association's Management Committee to consider writing off the debt.

6. Write Back

Where tenants terminate their tenancy and their account is prepaid, the Housing Officer/Area Housing Assistant will request bank details and will arrange a bank transfer for the pre-paid amount, within one month of the termination date.

The Area Housing Assistant will analyse the former tenant pre-paid accounts on a monthly basis, in an effort to issue refunds to the former tenant where we have a forwarding address/contact details.

Where we cannot contact the former tenant, the case will be referred to the Association's debt recovery agent to trace the former tenant.

Where all of the foregoing steps have been taken and proved unsuccessful, the Management Committee will consider whether the debt concerned should be written back into our finance system.

Should the former tenant make contact with us at a later date for any reason, we will arrange for the money that was written back into our finance system, to be refunded to them.

7. Staff Training

We will ensure that all staff are aware of this policy and receive appropriate training.

8. Complaints

Although we are committed to providing high levels of service, we accept that there may be occasions where you may not be satisfied with the service you have received from us. We value all complaints and use this information to help us improve our services. Our Complaints Policy describes our complaints procedure and how to make a complaint.

9. Data Protection

The Association will store personal information provided securely on both our computer and filing systems. At all times we will act in compliance with the Data Protection Act 1998 and the EU General Data Protection Regulation (GDPR).

10. Review

This policy will be reviewed by the Committee on a 3 yearly basis, to ensure that it responds to any changing circumstances.