



Provanhall Housing Association Limited

POLICY

Rent Management

AUTHOR

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On request, the Association can provide services for an interpreter, preferred method communication for those with hearing impairments and translation of all our documents, policies and procedures in various languages and other formats such as computer disc, tape, large print, Braille etc. These can be obtained by contacting the Association's offices

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1. Introduction

Provanhall Housing Association (PHA or the Association) is a community based not-for-profit organisation located in the Provanhall area of Easterhouse. The Association is run by an elected and voluntary Management Committee. Policies of the Association are agreed and approved by the Management Committee with the implementation of these policies the responsibility of staff.

The purpose of this policy is to outline how we will manage and recover rent arrears fairly and effectively by working closely with tenants and providing them with advice, assistance, and access to voluntary service providers and income advice services. This ensures that tenants receive relevant support and information to help them to sustain their tenancy.

2. Policy Context

The main aims of the organisation is to provide affordable, high quality homes and deliver an excellent standard of services which are efficient and effective. To achieve these aims it is crucial that the Association maintains financial viability by maximising rental income and minimising rent arrears.

The Association believes that a robust rent management policy successful in the prevention, control and recovery of rent arrears assists in achieving organisational aims. By meeting the aims of this policy it helps current and future tenants receive value for money as rent increases are minimised and rents remain affordable.

It is the tenant's responsibility to pay their rent in full and on time every month in advance. Where this is not possible, we will ask for an arrangement to achieve this. Having rent paid one month in advance will assist tenants should their circumstances change in the future.

The Association recognises where a tenant's circumstances may result in them accruing rent arrears. We will at all times act in accordance with the policy and promote a preventative arrears culture. We will employ discretion and support where required depending on individual circumstances. Where necessary, we will take court action up to and including the eviction of the tenant (as a last resort) to safeguard the Association's interests in being able to operate, improve conditions and develop new homes. As part of our commitment to preventing homelessness caused by eviction for rent arrears, we commit to:

- Only act in accordance with the current regulatory and legal framework outlined by the Scottish government and Scottish Housing Regulator
- Preventing rent arrears from the start of a tenancy and throughout the tenancy
- Engage with tenants in arrears through telephone, email, letter and personal visits
- Adopt a fair but firm approach treating tenants with dignity and not acting a threatening way
- Be open honest and transparent on the steps the Association may take and impact this may have on the tenant
- Promote our welfare rights and money advice service along with other agencies who can help tenants with debt in every contact regarding rent arrears.

- Actively promote income maximisation and take an individual approach to assisting, where possible, a tenant experiencing financial hardship.
- We will only evict a tenant as a last resort where all other avenues of assistance and engagement have failed.

3. Policy Objectives

The objectives of the Rent Management Policy are:

- Maximise rental income
- Minimise rent arrears
- Manage and recover rent arrears efficiently, effectively and fairly
- Sustain tenancies and prevent homelessness
- Implement prevention measures to reduce instances of arrears accruing
- Offer a variety ways to pay rent
- Promote a positive payment culture
- Ensure legal action is used appropriately
- Ensure that court action and eviction is only used as a last result

4. Legislation and Best Practice

The Association's Rent Management Policy should be considered alongside relevant legislation, guidance, and best practice, particularly the current editions of:

- Housing (Scotland) Act 2001, 2010
- Homelessness etc. (Scotland) Act 2003
- Human Rights Act 1998
- Equality Act 2010
- Data Protection Act 2018

In terms of the Scottish Social Housing Charter, the Scottish Housing Regulator has identified a number of key indicators relevant to Rent Management by which it will measure landlord performance, including the following:

Charter Outcomes

- Equalities

Social landlords perform all aspects of their housing services so that: "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."

- Communication

Social landlords manage their businesses so that: "tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides."

- Housing Options

Social landlords have a role to prevent homelessness and should ensure that: “people at risk of losing their homes get advice and information on preventing homelessness.”

- Tenancy Sustainment

Social landlords ensure that: “tenants get the information they need on how to obtain support to remain in their home; and ensure suitable support is available, including services provided directly by the landlord and by other organisations.”

- 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”

- Rents and Service Charges

Social landlords set rents and service charges in consultation with their tenants and other customers so that: “a balance is struck between the level of services provided, the cost of the services, and how far current and prospective tenants and service users can afford them.”

Charter Indicators

- *Percentage of new tenancies sustained for more than a year, by source of let*
- *Percentage of the court actions initiated which resulted in eviction and the reasons for eviction*
- *Percentage of tenants who feel that the rent for their property represents good value for money*
- *Rent collected as a percentage of the total rent due in the reporting year*
- *Gross rent arrears (all tenants) as at 31 March each year as a percentage of rent due for the reporting year*

Charter Contextual Indicators

- *Rent increase*
- *The number of households for which landlords are paid housing costs directly and the total value of payments received in the reporting year*
- *Amount and percentage of former tenant arrears written off at the year-end*

5. Equal Opportunities

The Association is an equal opportunities organisation. The Association’s Equality and Diversity Policy seeks to ensure that all suppliers are treated equally. This policy will not unfairly discriminate against any suppliers, individual, or group of persons dealt with under the policy on the grounds of:

- Race, ethnicity, national or social origin.
- Disability including physical, learning or mental health.

- Gender or marital status.
- Sexuality or sexual orientation.
- Religion, religious beliefs or opinions such as political opinions.
- Age, appearance or financial status.

The Association wishes to ensure there are no barriers in accessing its services. Relevant documents can be translated into a range of languages or formats on request. We will also make available translation services for those who wish more detailed information and to assist those who wish to make personal enquiries.

For anyone with visual or hearing problems, documents can also, on request, be made available in larger print, on tape, in Braille or on any other format required.

All suppliers will be required to accept the Association's Equality, Diversity & Inclusion Policy or to have developed policies of their own which are acceptable to PHA.

Any complaints received in relation to breach of this policy will be addressed via the Association's Complaints Policy.

(Cross reference: Equality, Diversity & Inclusion Policy, Complaints Policy)

6. Complaints

The Association has a Complaints Policy and procedure which explains how tenants or suppliers who are dissatisfied with the operation of any service Provanhall Housing Association provides may make a formal complaint to the Association. This policy also includes an appeals process.

(Cross reference: Complaints Policy)

7. Delegated Authority

The overall control of the Housing Services function rests with the Management Committee. However, delegated authority for monitoring and evaluating rent management performance as well as approving any actions (including legal action) has been passed to the Operations Sub-Committee.

The decision to enforce any decree granted and proceed with eviction action will require advance approval by the Management Committee.

(Cross reference: Standing Orders)

8. Responsibilities

The Association's Director has overall responsibility for overseeing the Rent Management Policy. However, the Operations Manager (OM) is responsible for operational duties and tasks associated with ensuring the policy is successfully implemented and managed.

9. Partnership Working

We believe that partnership working is key to achieving the aims of this policy as well as the legislative, guidance, and good practice requirements. In this respect, we work with and refer our customers to the following service providers:

Glasgow Health & Social Care Partnership (GHSCP)

- North East Community Homeless Team
- Children & Families Services
- Addiction Services
- Mental Health Services
- Adult/Older Peoples Services
- Physical & Disability Services
- Cordia Home Care Services

Connect Community Trust

- Income Advice Service
- Employability
- Digital Inclusion

Department of Work & Pensions (DWP)

- Universal Credit & Benefits

Glasgow's Advice & Information Network (GAIN)

- Universal Credit & Benefits

Greater Easterhouse Money Advice Services (GEMAP)

- Financial Inclusion & Money Advice

Glasgow City Council Financial Benefits Centre

- Housing Benefits

Addaction

- Alcohol Advice & Tenancy Support

Greater Easterhouse Alcohol Awareness Project (GEAPP)

- Alcohol Advice

GENR8 (Action for Children)

- Youth Homelessness & Tenancy Sustainment

Trussell Trust

- Easterhouse Foodbank

Fuel Bank Foundation

- Fuel Vouchers

The Wise Group

- Employment Support Services & Mentoring

Citizens Advice Bureau

- Advice Service

Fair Start Scotland

- Employment Support Service

Turning Point Scotland

- Flexible Homeless Outreach Support Service (FHOSS)

Shelter Scotland

- Homeless Advice

10. Tenancy Sustainment

Shelter Scotland defines Tenancy Sustainment as: Preventing a tenancy from coming to a premature end by providing the necessary information, advice and support for tenants to be able to maintain their tenancies.

When a tenancy is brought to an end within 1 year of commencing this is classified as a failure to sustain. This can occur for positive or negative reasons however the Association will do all it can to make sure tenants remain in their home for as long as they wish. One of the aims of this policy is to sustain tenancies and prevent homelessness and we do this by:

- Establishing a good relationship with tenants from the start
- Identifying support needs at the earliest possible stage
- Arranging pre-tenancy income advice appointments
- Carrying out pre-tenancy viewings
- Providing advice and information regarding external provider services
- Making referrals to the Scottish Welfare Fund
- Applying for Discretionary Housing Payment (DHP)
- Ensuring communication with tenants is simple and clear
- Carrying out new tenant visits and existing tenant visits
- Ensuring Officers are accessible via visits, phone, email etc.
- Partnership working

11. Vulnerable Tenants

It is crucial to identify any support needs and vulnerabilities of existing tenants and prospective tenants. This will be done initially at the pre-tenancy stage and during the sign up process. Thereafter all staff members will be responsible for identifying issues during subsequent contact with tenants. Staff members will do all they can to help keep tenants in their homes by working closely with them and their support network.

12. Promoting a Positive Payment Culture

The Association promotes a positive payment culture by liaising with tenants at all stages of the rent management process (prevention, control and recovery) and encouraging them to pay rent on time and avoid falling into arrears. In addition, the Association will make clear the connection between rental income and the ability to provide high quality homes and fund maintenance and improvement programmes.

13. Providing a Range of Payment Options

The ability to provide a range of payment options for tenants is crucial to meeting the aims of this policy. Ensuring payment methods are convenient, flexible, accessible and available 24 hours per day, 7 days per week, makes it as easy as possible for tenants to pay their rent.

The Association regularly reviews its rent collection methods and is committed to adopting the most efficient and effective payment mechanisms which is accurate, secure, and minimises the delay between payments being made and the money being credited to a tenants account. This includes assessing staff resources and information communications technology (ICT).

The Association currently uses AllPay payment collection services and options for payment include:

- Direct Debit (Weekly, fortnightly, 4-weekly, monthly)
- Standing Orders
- Online (Debit or Credit Card – 24 hours, 7 days per week)
- Online Banking/BACS Transfer
- AllPay Smartphone APP (Debit or Credit Card – 24 hours, 7 days per week)
- AllPay Text (Debit or Credit Card – 24 hours, 7 days per week)
- AllPay Telephone (Debit or Credit Card – 24 hours, 7 days per week)
- CallPay (Debit or Credit Card during office hours)
- Cheque
- Rent Payment Card (Cash, Debit or Credit Card at any Post Office or PayPoint outlet in the UK. Locally situated within Provanhall, Easterhouse Shopping Centre, and Glasgow Fort).

14. Rent Increase Notification

In line with Rent Setting Policy and the Scottish Secure Tenancy Agreement, we will inform tenants at least four weeks in advance of any change or increase to their rent charge. The notification will inform tenants of the date their new rent charge begins, details of payment options, and money advice services.

The Association will notify Glasgow City Council's Financial Services in advance of the new rent charge to allow them to amend payments for tenants in receipt of Housing Benefit. The Association will also contact tenants in receipt of Universal Credit and advise them that they must update their journal with the new rent charge. Staff can provide assistance with this if required.

(Cross reference: Rent Setting Policy, Scottish Secure Tenancy Agreement)

15. Income Advice, Employability and Digital Inclusion Services

The Association in partnership with two other RSLs pay for in-house Income Advice Services provided by Connect Community Trust. We believe that by maximising income for low income households and advocating for their debts this can help lift them out of poverty and reduce their vulnerability to falling into arrears.

The Income Advisor provides a range of services for tenants and residents and is based at Connect Community Trusts office for easy access. Appointments are free, independent, and confidential. The Income Advisor can assist with:

- Completing a financial assessment and maximising income by ensuring people are receiving the correct benefit entitlements
- Dealing with Housing Benefit and Universal Credit
- Budgeting and money management
- Debt advice and advocacy services to creditors
- Welfare benefits advice and how employment can affect entitlements
- Completing claim forms
- Appealing decisions

The Income Advisor provides a quarterly performance report to the Operations Sub-Committee to ensure the service is still relevant and effective.

Connect Community Trust's also provide Employability and Digital Inclusion services at the Connie Community Centre. Staff are based onsite and operate a free appointment and drop-in service which is independent and confidential. They can assist with:

- Employment support service – completing CVs, Job searches, interview skills
- Further education, training, and work experience
- Online and digital inclusion
- Opening bank accounts and accessing online services
- Savings and cheaper loans
- Reducing electricity and gas bills

16. Prevention of Arrears

The Association believes that a proactive focus on prevention is an essential element of arrears control. The following actions will ensure that we minimise the risk of tenants falling into arrears:

- Pre-tenancy advice, assistance, and assessment
- All new tenants will be asked to pay one month rent in advance of commencing their tenancy. Where this is not possible, we will ask for an arrangement to achieve this. Having rent paid one month in advance will assist tenants should their circumstances change in the future.
- Accompanied viewings
- Robust signup process
- Income Advice appointment
- Scottish Welfare Fund / Discretionary Housing Payment application
- Providing paint packs
- Providing information leaflets and tenants handbook
- Providing a wide range of payment options including setting up Direct Debits
- Carrying out new tenant visits
- Providing easy access to Housing Officer (HO)
- Promoting a positive payment culture
- Promoting a good tenant and landlord relationship
- Making tenants aware of the consequences of accruing arrears

- Encouraging tenants to make contact at the first sign of financial issues

17. Early Action

Any accounts in arrears will be actioned within 7 working days following system close-down of previous month. HO will monitor all repayment plans for tenant's currently in arrears and make contact if there are any defaults. Prior to making contact they will check if the tenant is vulnerable or has any support needs and take appropriate action. For any new cases early contact is essential to discuss the cause of the arrears, identify any underlying issues, and agree a repayment plan. The HO will carry out an income and expenditure exercise to ensure that any repayment plans are affordable. An Income Advice appointment will also be considered at this stage.

If a tenant is more than eight weeks in arrears and is in receipt of any DWP benefits, the HO will discuss the option of Alternative Payment Arrangements or Arrears Direct deduction. These deductions will be taken at source from the tenant's benefit entitlement and paid directly to the Association. Depending on the circumstances and level of engagement with the tenant, HO may make an Arrears Direct deduction application and notify the tenant of this action.

If the arrear is due to a Housing Benefit / Universal Credit issue or a change in circumstances HO will provide help and assistance as required to resolve the matter.

HO will adopt a person centred approach when communicating with tenants and contact will be made via their preferred option. However, where there is lack of engagement all methods of communication will be explored.

All contact with tenants will be recorded for audit and assurance purposes as evidence of action taken in managing arrears. Such records are essential if cases are later referred for legal action. During any contact with tenants HO will ensure we have up to date information concerning members of the tenant's household and confirm if an application for benefits has been submitted. They will also ensure that Pre-Action Requirements (PARS) as set out in the Housing (Scotland) Act 2010 have been met. The following contact methods will be used by officers:

- Home visits
- Telephone
- Text message
- Email
- Letter

No further action will be taken against a tenant if:

- The arrears are cleared in full and rent due is being paid
- A repayment plan has been agreed and is being maintained
- Confirmation of an application for Housing Benefit / Universal Credit has been submitted
- It is reasonable due to particular circumstances of the case

If the Association suspect that a tenant is no longer residing in the property then will investigate the matter by following the Abandonment procedure.

18. Legal Action

The Association will instigate legal action if a tenant continually fails to pay their rent, maintain a repayment arrangement, engage, or submit a claim for Housing Benefit / Universal Credit. This should be considered as a last resort in order to try and prevent homelessness.

If the level of arrears continues to rise HO will ensure that Pre-Action Requirements (PARS) are met and serve a Notice of Proceedings for Recovery of possession (NPRP) on the tenant and any qualifying occupiers. They will continue to monitor the account and liaise with the tenant to try and resolve the matter.

The OM will be responsible for administering all court action cases including the following:

- Seeking approval from the Housing Services Operations Sub-Committee to raise court action
- Preparing the case and referring to Solicitors
- Sending 11 notice to Glasgow City Council
- Notifying HSCP North East Homelessness Community Casework Team that court action has been raised and invite them to a joint discussion (if required)
- Ensuring the tenant is kept fully informed and up to date at all stages and provided with advice
- Ensuring that HO continue to liaise with the tenant and pursue payment / re-payment options
- Involve any other partners as required

19. Decree and Eviction

If a decree for eviction is granted by the Sheriff it can be used and enforced up to a maximum period of 6 months. The tenancy will only be terminated if the Association proceeds with eviction.

Further joint discussions may take place with partner if a significant change has occurred to successfully resolve the situation without proceeding to eviction.

Management Committee approval is required to enforce a decree and proceed with eviction. Approval will be sought only if all other action continues to be unsuccessful and the Association is left with no other options.

If an eviction proceeds staff will offer the tenant an appointment with NSCP North East Homelessness Community Casework service and provide any other information and advice regarding accessing emergency accommodation or crisis services.

20. Former Tenant Arrears

The Rent Management Policy is designed to minimise current rent arrear. This should also assist in reducing former tenant arrears. In line with the objective of maximising rental income the Association will pursue payment for former tenant arrears. HO will contact former tenants and discuss the outstanding balance to be paid and agree a repayment plan.

The Operations Sub Committee will approve actions for each former tenant arrears case. If there is no forwarding address or if the former tenant is unwilling to cooperate the Association may refer their case to a debt recovery agency.

It is uneconomical to pursue court action against any former tenant with a low level arrears balance. The current cost of pre-legal and court action fees is >£700.00 however this rises significantly if the case is defended. In this respect, court action will be approved by the Operations Sub-Committee.

The Association makes budget provision each year for bad debts and it is good business practice to write-off former tenant arrears. This does not mean that the debt is not recoverable. While we would not legally pursue a debt that has been written off, we may still hold the former tenant responsible for any outstanding balances.

At the end of each financial year a report will be submitted to the Management Committee seeking approving to write off any former tenant arrears and providing reasons why each case has been identified.

21. Monitoring and Reporting

It is important to ensure that the aims of the policy are being met therefore regular monitoring and reporting is required. In this respect, performance reports will be provided to the Operations Sub-Committee and Management Committee. This will inform the Committee regarding how the Association is performing and will assist in setting targets and identifying future changes to the policy as required.

Performance information will also be reported annually through the Annual Return on the Charter (ARC).

22. Benchmarking

The Association will benchmark its performance against other landlords and use this to set, monitor, and report on targets. This will be done via the Management Committee, Annual General Meeting, Scottish Housing Regulator Landlord Report, Annual Report, and any other publications.

23. Decision Review

A tenant dissatisfied with any decision taken regarding this policy has the right to request a review. They can submit a request to review to the OM in person, by phone, email, letter, or via the Association's website. Once received, they will receive a written response within 5 working days.

If the tenant does not accept the decision they have the right to submit a request for a final decision review to the Director of the Association in person, by phone, email, letter, or via the Association's website. Once received, they will receive a written response within 5 working days.

24. Audit Trail

An audit trail will be maintained for any actions taken relating to this policy.

25. Notifiable Events

Any issue that arises as a result of this policy which is deemed a Notifiable Event will be reported to the Scottish Housing Regulator.

26. Confidentiality

All information will be treated with the strictest confidence and in line with current legislative requirements and information sharing protocols. Any information provided to the Management Committee or Sub-Committee will protect the identity of the tenant.

27. Policy Review

The Policy and related procedures will be reviewed 3 years from the date of approval, or earlier should the need arise to reflect changing circumstances or changes in legislation or good practice standards.

28. Cross reference: Documents

- Equality, Diversity & Inclusion Policy
- Standing Orders
- Scottish Secure Tenancy Agreement
- Complaints Policy
- Rent Setting Policy
- Abandonment Procedure