

## Housing Fraud in the last 3 years

### 1. How many properties have been reported to the Northern Ireland Housing Executive in the last three years as being unoccupied or for suspected housing fraud?

In the year 2019/20, 1036 reports of suspected tenancy fraud\* were recorded across all areas. 942 of these reports related to abandonment/non-occupation of NIHE dwellings with 30 sub-letting type allegations.

In the year 2020-21, 480 reports of suspected tenancy fraud were recorded across all areas. 393 of these reports related to abandonment/non-occupation, with 30 sub-letting type allegations.

In the year 2021/ 22, 599 reports of suspected tenancy fraud were recorded across all areas. 541 of these reports related to abandonment/non-occupation with 10 suspected sub-letting type allegations.

\*the following are included in the wider NIHE definition of tenancy fraud: Non-Occupation, Abandonment, Subletting, Providing False Information on a Housing Application, False Succession/Assignment, Right to Buy Fraud. The figures above constitute allegations of fraud which are not substantiated in every case. They can also involve multiple allegations of fraud at the same address. These figures are not reportable at council level.

### 2. In the last three years how many of these reported properties have had an investigation carried out by the Northern Ireland Housing Executive?

Local office staff are expected to investigate every report of suspected tenancy fraud. If a genuine suspicion of fraud is established they must continue to investigate and take action if necessary. I would note that, owing to the Covid-19 pandemic, staff were unable to conduct site based investigations from the onset of the pandemic in March 2020 until the resumption of site visits in April 2022. They were instructed to report every instance of alleged fraud across this period for later investigation.

### 3. In the last three years how many of these reported properties/tenants who have been found to be committing housing fraud by the Northern Ireland Housing Executive have been brought before a magistrate?

I would note that, as set out above, the majority of tenancy fraud investigated by the Housing Executive relates to abandonment or non-occupation of NIHE properties which are not criminal acts. Article 41 & 19a of The Housing Order (NI) 1983 (the 1983 Order) allows for recovery of properties that have been abandoned without the need for court action. Non-Occupation cases are treated as a breach of tenancy conditions for which the Housing Executive can serve a Notice to Quit and a Notice Seeking Possession under Ground 1 of Article 28 of the 1983 Order. Nevertheless, over the last 3 years the Housing Executive referred 2 cases to the PSNI for criminal investigation. 1 case remains under active investigation with the PSNI, the other resulted in the recovery of 2 dwellings, but not a housing fraud-related conviction.

In the year 2019/20, the Housing Executive recovered 312 properties that were subject to tenancy fraud. In 2020/21 and 2021/22\*, the recovery figures were 181 and 225 respectively.

\* At the outset of the Covid-19 pandemic, the Department for Communities (DfC) issued guidance that limited the commencement of possession proceedings in all but exceptional cases. This guidance remained in place until June 2022, however, recovery of abandoned properties resumed in August 2020.

**4. How many successful prosecutions have been brought to those people who have been found guilty of committing housing fraud in the last three years?**

There have been no prosecutions for housing-related fraud in the period in question.

**5. What new ideas are the Housing Executive employing to try to tackle housing fraud and has the Northern Ireland Housing Executive in the last three years suggested any new law/legislation/statute changes which would assist the Northern Ireland Housing Executive in their investigations into fraud/criminal activity.**

Since 2016, the Housing Executive has been requesting that the Prevention of Social Housing Fraud Act 2013 be enacted in Northern Ireland. At present, this piece of legislation only covers England and Wales. This legislation would provide the Housing Executive with greater investigative powers, the right to require information, and create specific housing/tenancy fraud-related offences. The existing legislation can be found at Prevention of Social Housing Fraud Act 2013 ([legislation.gov.uk](http://legislation.gov.uk)). Enacting this piece of legislation would be a very significant intervention in the Housing Executive's effort to address tenancy fraud.