

RENT AND LICENCE FEE COLLECTION

(Including arrears, former tenant arrears and write-offs)

Policy & Procedure Implementation Checklist

Policy lead:	<i>Chief Executive</i>
Document author:	<i>Director of Business</i>
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Approved by:	<i>Finance Sub Group</i>
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Diversity / Equality Impact Assessment required:	<i>No</i>
Data protection compliant:	<i>Yes</i>
Staff training / update required:	<i>Staff updated via Service Manager cascade</i>

The summary of this Policy (on page 2) was created with assistance from AI technology. Human oversight and editing were applied to ensure accuracy and appropriateness.

Policy Summary

BACKUP takes a "rent first" approach - fair but firm - recognizing young people face real financial difficulties while replicating "real world" responsibilities. Prevention through early intervention is the priority. Eviction is a last resort after all options exhausted.

3-Stage Arrears Process

Stage 1 - First missed payment

- *Support Worker meets resident face-to-face*
- *Agree & sign Repayment Plan*
- *Service Manager sends Ar1 letter*

Stage 2 - Before 2nd payment due

- *Pre-termination meeting with Service Manager & Chief Operating Officer*
- *Agree monitoring period*
- *Notice may be issued immediately if pattern of non-engagement³Second missed payment*

Stage 3 – Second missed payment

- *Notice issued*
- *Can be withdrawn (with COO approval) if genuine attempts made*
- *Reinstated if agreement broken*

Communication mix: Letters, texts, WhatsApp, phone calls, visits

Staff Responsibilities

Business Support, Support Workers, Service Managers and the Chief Operating Officer have responsibilities for different elements of arrears prevention and management.(

Former Tenant Arrears (FTA)

- *Re-referrals: Must pay 75% of previous debt before re-accommodation. LAC residents: liaise with Leaving Care Team.*
- *Internal transfers with arrears: Only permitted if exceptional circumstances (safety risk, support needs change, engagement strategy). Requires signed repayment plan before move.*
- *Recovery steps: Contact next of kin if no forwarding address → Send payment request letters → Minimum 3 letters for debts ≤£30; 5 letters + 7-day reminder for debts ≤£60*

- *Enforcement: COO pursues debts appropriate to amount/age → May refer to Collection Agency → Money Judgement Order required for debts over £600 (valid 6 years)*

Write-Offs (Board approval required biannually)

Circumstances:

- *Resident absconded*
- *Deceased with no estate*
- *Long-term hospital/prison*
- *Debt ≤£30 (after 3 letters)*
- *Debt ≤£60 (after 5 letters + reminder)*
- *Debt over 3 years old*
- *Former resident over age 25 (after 3 letters)*
- *COO recommendation*

Process: Service Managers exhaust recovery attempts → COO recommends to Board (October & year-end) → Board approves → Business Support updates SASSHA/Xero

Important: Written-off debts reinstated if resident re-referred (75% must be paid before re-accommodation)

Housing Benefit Overpayments

BACKUP appeals overpayments caused by resident error or unknown to charity and accepts responsibility if caused by BACKUP error. Business Support verifies accuracy and contacts HB to query. Bolton at Home overpayments reviewed quarterly to determine treatment (credit account, repay, or suspense account).

Policy

1. Principles

- 1.1. The prevention and effective management of rent, licence fees and other debt is crucial to the maximisation of the resources available to BACKUP to deliver services. The charity has clear and concise policy and procedures in place that will prevent or reduce the impact of arrears on the organisation and young people¹.
- 1.2. BACKUP recognises that our young people face very real difficulties in managing their income. Arguably, levels of welfare benefits are not sufficient to support individuals to start with, and then are reduced and tapered as circumstances change (age, employment, etc.) and responsibility for paying Council Tax and water rates added.
- 1.3. In addition, we recognise that sometimes staff may feel there is a conflict between supporting young people and chasing them to pay rent, licence fees and personal charges. However, as the charity needs to replicate 'real world' behaviours, staff must be able to do both activities equally.
- 1.4. Welfare rights and general budgeting advice will be offered by staff, as a means of helping to prevent and manage arrears. BACKUP will take action to keep to a minimum any arrears of rent and utility payments owed to BACKUP consistent with enabling young people to break the cycle of homelessness and obtain paid employment.
- 1.5. A sympathetic, but practical approach will be taken towards former residents who left BACKUP accommodation with outstanding rent, service charge and/or personal arrears.
- 1.6. Service Managers will review, as a standard item, the rent and licence fee accounts of each young person with their Support Worker at their Supervision meetings; ensuring the procedure and timescales set out in this document are adhered to.
- 1.7. Good communication, close monitoring and prompt action are the three main principles of minimising arrears of rent and utility payments. While Support Workers, Administrators and Service Managers all contribute to effective practice; the final responsibility for the management of BACKUP rents and utility charges, lies with the relevant Service Manager.

¹ BACKUP uses the term "young people" to refer to the people who need to use its services; as opposed to service users, customers or clients.

2. Commitment

2.1. BACKUP will take a fair but firm approach to rent and licence fee arrears recovery, seeking to embed a 'rent first' culture where young people attach a high degree of importance to prioritising rent and licence fees and paying in line with the requirements set out in their Tenancy or Licence agreement.

2.2. We will:

- Work intensively and in line with this policy and procedure to ensure that all reasonable action is taken to minimise arrears, including taking the appropriate legal action.
- Assist young people to avoid rent and licence fee arrears through early intervention and a preventative approach. Young people will be alerted at the earliest stage to arrears issues and offered financial inclusion support including budget management advice, debt advice and income maximisation advice.
- Work in partnership with other agencies, including Housing Benefit Departments (HB), Department of Work and Pensions (DWP), landlords of any properties let to BACKUP and specialist advice agencies to ensure that all appropriate advice and assistance is available to young people.
- Ensure that any action taken by the charity in respect of rent arrears is proportionate to each young person's circumstances; eviction will only be sought when all other avenues have been explored.
- Ensure Former Tenant Arrears (FTAs) are dealt with promptly and where there is a high probability that the debt will not be recovered, write off the arrear.
- Ensure that young people referred to the charity with previous arrears enter into agreements to repay that debt.
- Ensure that young people who move between BACKUP schemes enter into agreements to repay any monies owed from their previous BACKUP accommodation.

Procedure

1. Housing Benefit Assessment

- 1.1. Once a young person has moved into a BACKUP scheme, Support Workers should make a claim for HB as quickly as possible unless their placement is funded by leaving care. Service Managers should assess the likely level of HB to be awarded to the service user and the amount they will likely need to pay in rent, licence fees or personal charges.
- 1.2. If the young person has the funds, they can be asked to start paying their personal charges from the date of their occupancy agreement; this payment is to be recorded in the normal way (receipt for payment issued, noted on SASSHA and banked in line with BACKUP's Cash Handling Procedures).
- 1.3. Where a young person is working and the Service Manager calculates that they are likely to be required to pay an amount of rent or licence fees themselves, they can be asked to start making payments before their Housing Benefit is received. This should not be described as a deposit – because it isn't. This payment should be recorded in the normal way (receipt for payment issued, noted on SASSHA and banked in line with BACKUP's Cash Handling Procedures).

2. Advance payments

- 2.1. Rent deposits are a specific and legally defined system for taking deposits from Assured Shorthold Tenants which requires any money taken to be banked safely and returned to tenants on their departure. BACKUP does not operate a formal rent deposit scheme, instead it attempts to persuade all young people moving into any one of its schemes to try to get ahead of themselves by paying some of their charges in advance.
- 2.2. All payments taken from service users are to be banked as soon as possible and credited to their rent / licence fee account.
- 2.3. Advance payments are to be credited to the rent/licence fee/personal charge record of the young person concerned on SASSHA. They are not to be recorded '*off book*' and kept in a separate account, the scheme safe, or elsewhere and used for anything other than the reason it was made to BACKUP.

- 2.4. When a young person gives notice, or is asked to leave, their rent/licence fee account will be checked by Business Support and if the account is in credit, a member of the team will contact the Service Manager and:
- Ask if the young person caused any damage to BACKUP property that they have not yet paid for. (Paperwork linked to this will need to be supplied.)
 - Ask if the young person owes any other debt to BACKUP that the team are not aware of. (Paperwork linked to this will need to be supplied.)
- 2.5. The Business Support Team will check the rent/licence fee account for HB overpayments and report to Bolton at Home.
- 2.6. Once Business Support have confirmed that the young person is owed money, they will be contacted and their money returned to them, in line with the Section of this Procedure covering Rent / Licence Fee Account Credits.
- 2.7. If the young person doesn't contact BACKUP to confirm their bank account details, they should be written to and advised that we will assume that they wish to donate their credit to the charity and given 21 days to contact Business Support.

3. Current tenant arrears

The key elements of the arrears procedure are:

- 3.1. A risk based approach; ensuring each resident can afford the rent/licence fee and service charge.
- 3.2. Weekly monitoring of arrears (by scheme staff).
- 3.3. A staged response to arrears and action at each stage/level of arrears. Key stages include:



Stage 1:

Early intervention – when the first payment of rent / licence fee or personal charge is missed, the young person's Support Worker must meet with them to discuss the possible consequences of non-payment (Support Intervention); discuss reasons for non-payment and encourage payment as quickly as possible. Support Workers should also complete budgeting plans and identify any further support the young person may need to improve their financial literacy.

Repayment Plan to be agreed and signed and the young person issued with a follow up letter detailing what has been discussed and agreed to be sent following the meeting, from the Service Manager (**Ar1** – See Appendix D).



Stage 2:

A Pre-termination meeting should be arranged before the second pay date a Pre-termination meeting must be arranged between the young person, the Service Manager and the Chief Operating Officer.

An agreement should be reached regarding what needs to happen to avoid notice being issued, unless:

- there is a pattern of non-engagement (e.g. young person agreeing to adhere to the payment plan, but then doing so infrequently to avoid being issued with notice)
- young person has paid any charges/fees throughout any of the above stages, or doing so infrequently)

in which case, notice will be issued.



Stage 3:

If a second payment has been missed, Notice will be issued.

Notice can be stalled or withdrawn – ***with the agreement of the Chief Operating Officer***- as the agreement is adhered to and reinstated/reissued if the agreement is broken. However, where there is a pattern of non-engagement or young people only paying when Notice is issued, Notice will remain in place.

See Appendix A for the Arrears Recovery Flowchart.

- 3.4. A mix of communication is to be used including letters, text messages, WhatsApp messages, phone calls and visits to advise the young person of the arrears and the need to repay outstanding arrears and remain in contact with staff.
- 3.5. Intensive/proactive management of HB claims and payments and payments via Universal Credit.

3.6. Responsibilities for different roles are as follows:

Business Support Team	At referral/ sign up	• If an ex-resident has been re-referred to BACKUP, contact them and advise them of any outstanding arrears (young people who leave with arrears are not considered for accommodation until they have paid at least 75% of any existing debt). • Process changes in tenancies / licences and the circumstances of residents and ensure relevant information is provided to HB within the required timescale.
	During support	• Ensure accuracy of SASSHA so that Service Managers can run up-to-date arrears reports • Process changes in tenancies / licences and the circumstances of residents and ensure relevant information is provided to HB within the required timescale • Liaise with the Service Manager regarding any changes to rent/HB amounts/licence fees as soon as it is known and inform resident as soon as possible • Maintain regular contact and a good working relationship with the HB team at Bolton Council • Ensuring FTAs are noted on SASSHA and transferred between properties once the Tenancy Change Form and repayment plan is provided
Support Worker	At sign up	• Check for FTAs and set up a repayment plan is necessary (Appendix C) • Establish income and get proof for HB claim including most recent bank statement • Complete HB form online and notify Business Support of claim reference number • Ensure accuracy of details on sassha record to prevent errors around names/dates etc which can effect HB claim

	During support	• Support young person with Benefit Agency requirements including attending job centre, medicals etc • Advise Business Support of any changes to circumstance including getting a job, being awarded DHP and receiving right to remain and provide evidence • Support working residents to calculate and pay any shortfall in benefits including making an application to the Discretionary Fund • Support young people to make regular payment of personal charges. This should include a minimum £1 a week additional charge if they have outstanding arrears. • Obtain accurate contact details for young people and contacts to help chase FTAs
Service Manager	At sign up	• Use the HB assessment to assess the level of advance payment that can be asked of / afforded by the young person
	During support	• Have oversight of Support Worker's actions in supporting the young people and liaise with LAC for payments to support arrears • Monitor arrears reports weekly and ensure arrears do not accrue • Report current and former arrears to Director of Business and Chief Operating Officer to take to finance-sub • Advise Business Support of any changes to circumstance including getting a job, being awarded DHP and receiving right to remain and provide evidence • Issue the appropriate notice to end the tenancy/licence at agreed stages of arrears where other methods of rent management have failed. • Take prompt and appropriate action to minimise rent/licence fee arrears. • Where residents are to move on internally, set up a Repayment Plan and pass to their new Project Manager to action. The amount should be a minimum of £1 per week.

Chief Operating Officer/Director of Business	During support	• Produce quarterly arrears Key Performance Indicator information for Board of Trustees • Monitor the operation of rent and service charge collection by Support Workers and Project Managers. • Ensure prompt and appropriate action to minimise rent/licence fee arrears is being taken by Support Workers and Project Managers. • Agree to the withdrawal/issuing of notice in response to service user payment/non-payment of arrears.

4. Former Tenant Arrears Principles

- 4.1. The Chief Operating Officer has overarching responsibility for the monitoring, reporting and management of FTAs including reporting them to the Finance Sub Committee and agreeing ones to be written off.
- 4.2. Ex-residents who are re-referred to BACKUP are normally not considered to accommodation ***until they have paid at least 75% of the money owed at departure.*** If the young person is a LAC, the Service Manager should liaise with the relevant Leaving Care Team to see if they are willing to clear the arrears to enable the young person to be rehoused, or are able to support BACKUP in securing payment.
- 4.3. Current residents are only permitted to move between properties while they have arrears in exceptional circumstances such as risk to health and safety, changes in support needs or move to increase engagement.
- 4.4. If a transfer to a different property is approved, this will be dependent on a signed repayment plan and Service Managers should detail this agreement on the internal referral.
- 4.5. Where a forwarding address is not known, Service Managers must contact the next of kin or other recorded relatives/friends asking that the former tenant contact them.
- 4.6. Where a forwarding address is known the Service Manager should write and ask the former resident to pay the debt in full or set up a Payment Plan that is affordable and has a reasonable time scale.
- 4.7. It should be stated in the correspondence that if the reader is not the intended recipient they should return the letter along with the address of the intended recipient if known.
- 4.8. If a resident has died and there is no known next of kin or estate, the debt will be written off.
- 4.9. If BACKUP has the details of the resident's next of kin, the Service Manager will decide if the resident's relationship with their family member is likely to result in any payment being made to BACKUP, or if the debt should be written off.

5. Former Tenant Arrears Enforcement

- 5.1. Young People that end their tenancy/licence by notice and have arrears on their account will be asked to agree a Repayment Plan within their termination document. They must provide a forwarding address and contact details.
- 5.2. The Chief Operating Officer will be given copies of each Repayment Plan and the Business Support Team will monitor payments received from each former resident and update the Chief Operating Officer on a monthly basis (i.e. payment statements will be provided).
- 5.3. Each young person will be given a reference number/unique reference to quote when making payments to help ensure that their payments are recorded accurately and their payments recorded to the correct account.
- 5.4. Service Managers should monitor FTAs and send recovery letters (Appendix D) and evidence this before requesting any write-offs on the following conditions:
 - Where the debt is £30.00 or less, at least three letters should be sent
 - Where the debt is £60.00 or less, at least five FTA letters, and a 7-day reminder letter should be sent.
- 5.5. The Chief Operating Officer will take enforcement action against former residents in arrears that fail to repay the debt or adhere to a Repayment Plan and will use methods and processes in pursuit of FTAs appropriate to the amount and age of the debt.
- 5.6. The Chief Operating Officer may refer the debt to a Collection Agency.
- 5.7. The Chief Operating Officer must obtain a Money Judgement Order for all arrears of more than £600 before any other court recovery action can be pursued². A Money Judgement is valid for six years and can be enforced at any point throughout that period. Only the amount specified in the judgement can be enforced.
- 5.8. The Chief Operating Officer will refer a case back to court for a warrant ordering payment if the debtor does not honour the conditions of a County Court Judgement (Money Judgement) Order.

² [Make a court claim for money: Enforce a judgment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/make-a-court-claim-for-money-enforce-a-judgment)

- 5.9. The extent and length of time to which a debt is pursued will depend on the level of the debt compared to the cost of recovery.

6. Write Off Procedure

- 6.1. Service Managers are to take robust action to recover any outstanding arrears, however, in some cases, the debts become unrecoverable and need to be considered for write off.
- 6.2. BACKUP will consider writing off FTAs in the following circumstances:
- Where the resident has absconded and their whereabouts are unknown.
 - Where the resident is deceased and have left no estate, or the charity is unable to approach their next of kin.
 - Where the resident is in long-term hospital care, or serving a long-term prison sentence.
 - Where the debt is £30.00 or less, after receiving three FTAs letter.
 - Where the debt is £60.00 or less, after receiving five FTA letters, and a 7-day reminder letter.
 - Where the debt is over 3 years old.
 - Where the former tenant is over 25, after receiving three FTA letters.
 - *On the recommendation of the Chief Operating Officer.*
- 6.3. Before debts can be written off, Service Managers need to ensure that they have exhausted every avenue trying to recover debts before write offs can be authorised.
- 6.4. A list of all FTAs to be considered for writing off without prejudice to future collection will be placed before the Board every six months. The Chief Operating Officer will identify the level of FTAs debt to be written off and secure Board of Trustee approval to do so each October and at financial year end.
- 6.5. Once the write offs have been authorised and agreed at Board then SASSHA must be updated by the Business Support Team for each account to ensure these are cleared and correspond with the agreed figures written off in the Xero accounts. The transactions are then to be forwarded to the Management Accountant.
- 6.6. If a resident's personal debt has been written off but they are re-referred to BACKUP at a later date, the debt will be reinstated and they will be expected to pay a minimum of 75% of the debt before being re-accommodated.

7. Housing Benefit Overpayments

- 7.1. Occasionally, BACKUP finds itself in the position where HB has been overpaid. The charity is normally expected to pay back overpayments, unless :
- They were caused by an official error.
 - The charity has some forms of debt relief in place for residents.
 - The local authority decides not to recover the overpayment.
- 7.2. When an overpayment is notified by HB, Business Support will check that the overpayment is correct and if necessary contact HB to raise a query.
- 7.3. As a general rule, if the overpayment was caused by an error on the part of BACKUP, it is reasonable to for it to be recovered from the charity. If the overpayment was caused by service user error or is something BACKUP was not aware of, then the decision should be appealed because it is unreasonable for it to be recovered from BACKUP. In this case, the Director of Services and Business Support Manager will discuss who is to lead the appeal.
- 7.4. HB must receive the appeal within the time limit they specify. The service user will be notified in writing of the overpayment.
- 7.5. If an overpayment demand is determined to be correct, the service users will be notified of this and the amount of additional payments required to repay the amount owed. (Overpayments are generally recovered from ongoing benefit payments / entitlement.)
- 7.6. Bolton at Home have previously advised that they do not expect overpayments to be repaid to them, however this cannot be assumed. BACKUP will collate quarterly statements where HB due to residents working has been overpaid and confirm how the overpayments are to be treated:
- Credited to the service user's current rent account.
 - Repaid to Bolton at Home.
 - Moved to an agreed BACKUP suspense account.

8. Rent/licence fee account credits

- 8.1. Credits owed to young people should be identified as soon as possible and all efforts made to return the credit to the young people.

- 8.2. When a young person gives notice, or is asked to leave, their rent/licence fee account will be checked by Business Support and if the account is in credit, a member of the team will contact the Service Manager and:
- Ask if the young person caused any damage to BACKUP property that they have not yet paid for. (Paperwork linked to this will need to be supplied.)
 - Ask if the young person owes any other debt to BACKUP that the team are not aware of. (Paperwork linked to this will need to be supplied.)
- 8.3. The Business Support Team will check the rent/licence fee account for HB overpayments (see above).
- 8.4. Once Business Support have confirmed that the young person is owed money, they will be contacted and their money returned to them.
- 8.5. If the young person doesn't contact BACKUP to confirm their bank account details, they should be written to and advised that we will assume that they wish to donate their credit to the charity and given 21 days to contact Business Support.

BACKUP Policy, Procedure, Strategy this document relates to:	• Cash Handling Procedure • Placement Management Procedure
Ofsted Regulation Standards this document relates to:	• Regulation 6 – Accommodation standard

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This policy is due for renewal on the
30th January 2028

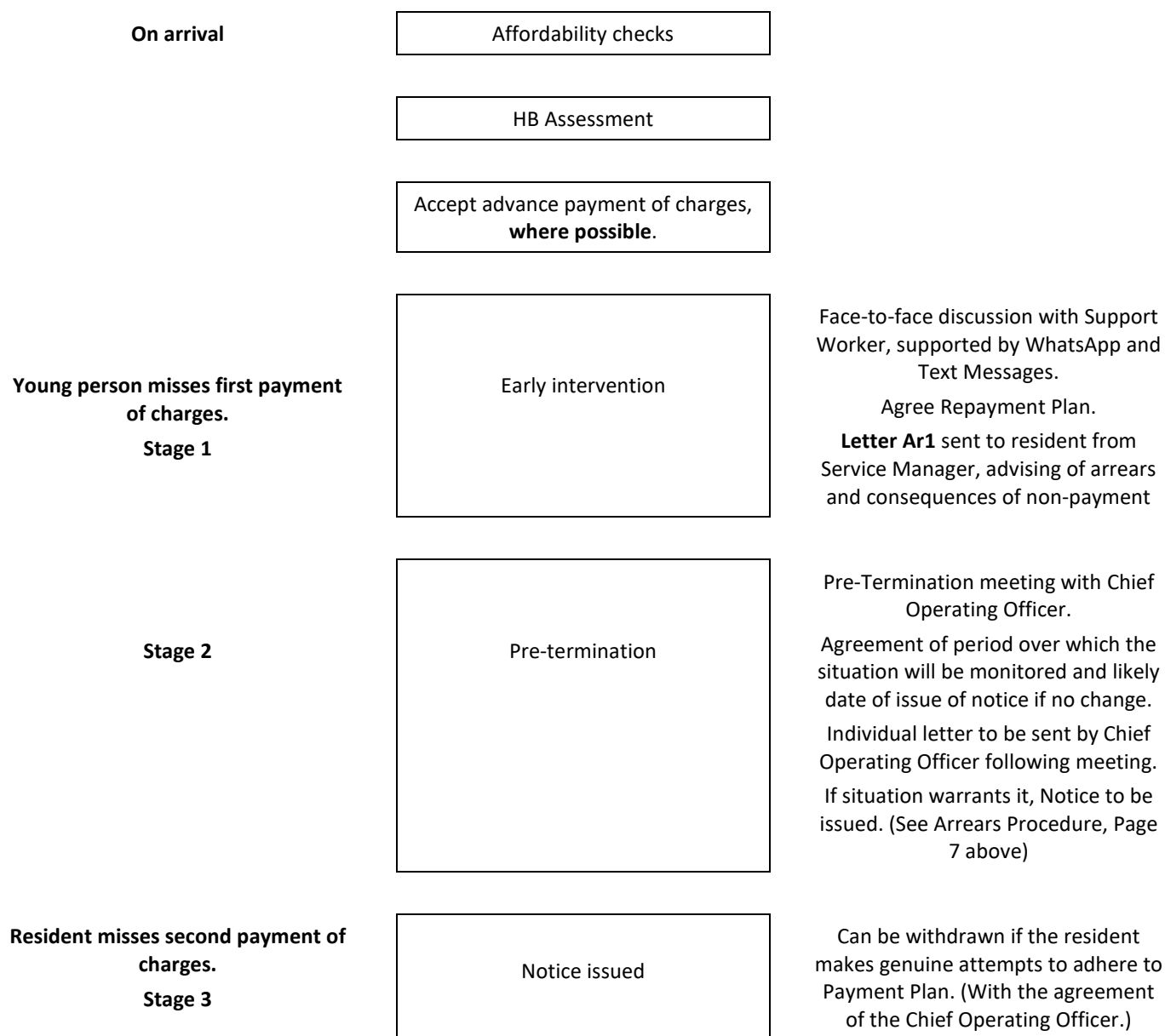
BACKUP NORTH WEST

Bridgeman House, 77 Bridgeman Street, Bolton, BL3 6BY.

www.backup-charity.org.uk

Registered Charity Number 1064698. Company Number 3399617.

APPENDIX A: ARREARS RECOVERY FLOWCHART



Service Managers will review, as a standard item, the rent and licence fee accounts of each young person with their Support Worker at their Supervision meetings; ensuring the procedure and timescales set out in this document are adhered to.

Notify:

Bolton MBC Commissioners and the young person's Social Worker if they have one, when a Notice to Quit is been issued to Under 18 year olds. (See Placement Management Procedure.)

APPENDIX B: RENT / LICENCE ARREARS REPAYMENT AGREEMENT

RENT / LICENCE ARREARS REPAYMENT AGREEMENT made (DATE)

Between: BACKUP North West

AND

(*'the Resident'*)

OF

(*address and postcode*)

The Resident agrees to repay £ _____ rent / licence fee arrears owed to BACKUP North West due and owing as of the date of this agreement.

The Resident agrees to the date and amount of each payment of rent / licence fee arrears as follows:

Amount to be paid:

£

Date on which to be paid each month:

Reference to be used on payment:

BACKUP Bank Account Details
Account Name: BACKUP North West
Account number: 70966608
Sort code: 08-90-18

If it is easier, you can make your payments in cash at:

BACKUP North West,
Bridgeman House | 77 Bridgeman Street | Bolton BL3 6BY.

If you want to do this, please ring 01204 520183 so we know you are coming (and we will sort out a Payment Card for you).

The office is open Monday – Friday between 9am and 5pm, if you want to call in.

BACKUP North West and the Resident agree to review the terms of this repayment should the Resident's circumstances change.

Signed (by the Resident):

Date:

Signed by Service Manager

Name (in capitals)

Scheme

Date

APPENDIX C: FORMER TENANT / LICENSEES ARREARS REPAYMENT AGREEMENT

FORMER TENANT / LICENCE ARREARS REPAYMENT AGREEMENT made (DATE)

Between: BACKUP North West

AND

(‘the Resident’)

OF

(address and postcode)

The Resident agrees to repay **£** _____ rent / licence fee arrears owed to BACKUP North West due in respect of the following properties:

Address	Dates Resident lived in the property (from – to)	Amount owing at the end of the tenancy / licence
Total:		£

The Resident agrees to the date and amount of each payment of rent / licence fee arrears as follows:

Amount to be paid:

£

Date on which to be paid each month:

Reference to be used on payment:

BACKUP Bank Account Details
Account Name: BACKUP North West
Account number: 70966608
Sort code: 08-90-18

If it is easier, you can make your payments in cash at:

BACKUP North West,
Bridgeman House | 77 Bridgeman Street | Bolton BL3 6BY.

If you want to do this, please ring 01204 520183 so we know you are coming (and we will sort out a Payment Card for you).

The office is open Monday – Friday between 9am and 5pm, if you want to call in.

BACKUP North West and the Resident agree to review the terms of this repayment should the Resident's circumstances change.

Signed (by the Ex-Resident):

Date:

Signed by Project Manager

Name (in capitals)

Scheme

Date

APPENDIX D: STANDARD LETTER Ar1 (1 payment missed)

Print onto Scheme Letter headed Paper

[Tenant / Licensee Name]

[Address]

Date

Dear [Tenant / Licensee name]

Re: [Address of property]

Formal demand for overdue rent / licence fee and personal charges³

Following your meeting with [Name of Support worker] on [Date] I am writing to advise you that it appears from my records that your rent / licence fee and personal charges is currently overdue as follows:

Outstanding Rent: [£...]

Due: [Date]

I therefore kindly request that the outstanding balance be paid immediately and that you ensure that all future payments be made in full on the due date.

Please be aware that unpaid arrears could result in you being asked to leave your accommodation.

If you would like to discuss this matter with me, please contact me as soon as possible.

Thank you for your co-operation in this matter.

Yours faithfully

Name

Service Manager, Scheme

³ Do not include any reference to rent if you are writing to a Licensee.