



Bristol City Council Housing and Landlord Services

Rental income and arrears management policy

Version 4

- **Approved by:** Head of Service for Housing Management and Estates
- **Author:** Policy and Practice
- **Date approved:** 25/09/2025
- **Date adopted:** 25/09/2025
- **Date for Review:** October 2030
- **Service Area:** Income and Rents Estate Management
- **Classification:** Operational

History of most recent policy changes			
Date	Page	Change	Origin of change (e.g. legislation)
27.1.22		Revised EqIA agreed by both Equalities Team and Director of Homes and Landlord Services	Update supporting information for Cabinet Decision on revised policy.
29.05.21	3, 7, 8	Insertion of reference to 'Breathing Space'	Legislation
18.3.21	Title	Changed name to Rental Income and Arrears Management	
18.3.21	Whole doc	Housing and Estates replaces Estate Services	Reflect changed department name
18.3.21	2	Added equalities statement	
18.3.21	4	Removed ref to joint tenants	Covered in contract
18.3.21	6	Removed sections Housing Benefit and Universal Credit and Housing Register	Not necessary for this policy – referenced in appendix
18.3.21	8	Removed sections 6,7 and part of 8	To be written into an overarching statement for all policy.
18.3.21		Added date for review to title page	
26.8.21	3	Addition of Strategic Context Section	Director
26.8.21	3	Re-wording and additions to Policy Statement to include further references to early intervention. Addition – links to Homelessness, Social Services and Adult Social Care	Director
26.8.21	4	Introduced objective "To ensure where issues of proven fraud, illegal occupancy, hate crime or Anti-Social Behaviour are recorded and evidenced enforcement procedures including referral to the courts, Police and other relevant agencies are made in good time and fully recorded."	Director
28/7/25	All	New Template	Revised Policy Framework and Template

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1. Purpose

The purpose of this policy is to describe Bristol City Council's approach to collecting rental income. It also includes information about how we manage rent accounts to help stop residents from getting into debt because of unpaid rental income (arrears), including collection of arrears debt.

BCC's corporate vision is for 'safe, healthy neighbourhoods with good quality, affordable housing'¹. BCC owns and manages approximately 28,000 residential properties and rental income is the main source of funding for managing and maintaining those homes.

We know that having a safe and good standard home is one of the most important influences on a person's wellbeing and quality of life. One of the ways we can support this is to make sure that we collect as much rental income as possible to be able to provide good quality homes, reliable services, and value for money for residents.

2. Scope

The policy applies to: -

- Residents with BCC Secure, Demoted and Introductory tenancies and covers all other charges raised by Housing and Estates including rent paid for garages and service charges but excluding district heating charges.
- Persons in Use and Occupation of a BCC residential property.
- BCC licensees including licensees in HRA funded temporary accommodation.

This policy explains Housing Management and Estates service approach to rental income and arrears management and is in line with Corporate Debt Management.

3. Aims and objectives

The aims and objectives of this policy are as follows:

- To maximise income collection and ensure effective management of rent collection.
- To minimise arrears through early intervention, advice and support that helps residents maintain their tenancy and avoid eviction.
- To provide a clear framework for staff of their responsibilities for rental income management and arrears recovery.
- To ensure we advise and support residents to maximise the use of housing related benefits prior to using any enforcement proceedings.
- To explain the responsibility of residents to pay rent, charges related to the property and arrears, and how and where those payments can be made.
- To communicate with residents in clear accessible ways to help them manage their debts.
- To refer tenants and residents to third party advice agencies for independent support and advice including referrals to Housing Related Support for those residents identified as 'vulnerable'. (Tenancy Resilience Policy and Reasonable Adjustment Policy)
- To afford residents opportunities to fulfil their obligations in terms of repaying arrears before taking initial or escalating existing enforcement action.

¹ <https://www.bristol.gov.uk/council/policies-plans-and-strategies/corporate-strategy>

4. Roles, responsibilities and authority

The Director of Housing and Landlord Services and the Head of Housing Management and Estates are responsible for the implementation of this policy.

All staff involved in income collection activities have responsibility for delivering this policy.

Referrals for Initial Court proceedings will be signed off by the Income and Rents Manager. Referrals for eviction will be signed off by the Head of Service and/or the Director of Housing and Landlord Services.

5. The Policy

5.1 Legal Context and Consumer Standards

Where failure to pay rent is the only breach of a tenancy agreement, BCC will comply with the Pre-Action Protocol for Possession Claims by Social Landlords.

The transparency, Influence and Accountability Consumer Standard provides that BCC give tenants information about rents and service charges payable. This policy describes BCCs approach to collecting rent and managing arrears where they are accrued, including assurances that tenants are kept informed about rent due and any arrears amounts.

5.2 Tenant's rights

Tenants have a right to be informed of their rent amount and any variations to it, with a minimum of 28 days' notice.

Where a person accesses the Debt Respite Scheme, known as 'Breathing Space'², BCC will comply with its legal obligations and the government guidance relating to the Scheme, following our procedures.

5.3 Responsibilities

Residents and Licensees are responsible for: -

- Engaging with lettings teams and rental income officers to plan for taking on a new tenancy (existing or potential residents). This should include affordability of the rental income.
- Maintaining their current rent account in accordance with the conditions set out in their Tenancy Agreement or Licence Agreement.
- Pay all charges, including service charges, rent, and garage charges, related to their tenancy/ies and use of the property, as they fall due.
- Claim any welfare benefits they are entitled to, which may support payments.
- Contact BCC should their rental income account go into arrears to enter payment arrangements and seek support.
- Follow any agreements that are made between the resident and BCC and make the agreed payments so that arrears can be cleared. Commit to repaying arrears as soon as possible.
- Clear all arrears before ending any tenancy or licence.

² (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020.

Persons in use and occupation are responsible for paying the use and occupation charges and claiming any benefits they are entitled to.

Rent is paid in advance of the residents' chosen payment frequency.

BCC are committed to: -

- Support existing or potential residents to think about affordability of rental income when considering a new tenancy.
- Facilitate payment of rent and charges related to the property and follow all relevant Pre-Action Protocols to recover arrears.
- Provide information to new residents to enable them to pay their rent in accordance with their Tenancy or Licence Agreement, including, but not limited to, the payment terms and the different ways a resident can pay.
- Make the residents and licensees aware of the impact of non-payment of rent and charges related to the property on their tenancy or licence.
- Advise the resident about different ways they can maximise their income including claiming benefits such as Housing Benefit or Universal Credit independently, that may support payment of their rental income.
- Make sure that, if necessary, residents are signposted to relevant advice and support services, both internally and externally of BCC.
- Make sure appropriate and timely referrals to Housing Related Support are made for those residents identified as 'vulnerable' in accordance with the Tenancy Resilience Policy. (Further information about Housing Related Support available can be found on the BCC Web site)
- Where BCC is aware that a person to whom this policy applies may have a protected characteristic under the Equality Act 2010, it will have regard to that protected characteristic(s) and consider whether a resident is vulnerable and the impact of their vulnerabilities when applying this policy.
- Give the resident opportunities to fulfil their obligations in terms of repaying arrears before taking initial or escalating existing enforcement action.
- Complete annual rent review and set rents according to the Government's Rent Standard. (See Rent Setting Policy) ³
- Provide a minimum of 28 days' notice to the resident of any change to their rent.

5.4 Methods of payment

BCC recommends payment by direct debit where residents have a bank account.

BCC will facilitate other methods of payment where appropriate, such as:

- Online
- Allpay Swipe cards – payments can be made at applicable Post Offices and at any outlet with a PayPoint sign.
- Text message with registered bank card or swipe card.

³ <https://www.gov.uk/government/publications/rent-standard-2020>

- Telephone or internet banking.
- Standing orders.

5.5 Refunds

Residents can request a refund if their rent account is in credit due to overpayment. Refunds should be agreed by the team leader, and they should leave the account in advance as per the terms of their tenancy.

All residents at the property will be informed of any overpayment received and of any refund that may be due.

5.6 Enforcement

The enforcement of rent arrears recovery is based on a staged escalation process that depends on both the amount owed and the length of time a resident is in arrears.

BCC will not seize a resident's goods or possessions as a means of collecting rental income debt.

BCC will follow the Pre-Action Protocol for Possession Claims by Social Landlords, after which BCC may apply to the courts for a possession order to evict residents or licensees on grounds of rent arrears.

If possession proceedings are started, BCC will also request an order from the courts for all costs of those proceedings to be paid by the resident or licensee.

When a resident is occupying under use and occupation, they will be informed at the outset of their occupancy that the level of any arrears may impact their eligibility to access social housing in future.

Where possession of a property occupied by a person who does not have a tenancy is sought through the courts BCC will also seek to recover any use and occupation charge arrears in those court proceedings.

Where an occupier has given up possession before any court proceedings have started, any use and occupation charge arrears will be treated as former resident arrears.

5.7 Equality and Diversity

We will act fairly and sensitively towards the diverse needs of individuals and communities, and we will take positive action to reduce discrimination and harassment.

An EqIA exists for this policy has been reviewed and agreed by the Equalities Team.

The policy clearly sets out the council's responsibility in keeping the tenants informed of their rent, and any arrears, and action that is being taken.

There is provision within the policy for decisions to be made considering a tenant's individual circumstances and to make referrals to internal and external agencies specific to the person's needs that will include some services that offer targeted support to people with protected characteristics.

5.7 Complaints

If residents are unhappy with the services provided by BCC or how their concerns have been handled, they're encouraged to use the official complaints procedure. [Complaints and feedback](#)

6. Quality Assurance

6.1 Publishing

This policy will be published on the BCC Website and communicated to relevant operational teams via policy briefings and other appropriate communications.

6.2 Review

This policy will be reviewed in five years or sooner if there is a change to legal or regulatory requirements, in accordance with our procedures.

6.3 Monitoring and reporting requirements

Service delivery and performance is measured against the Housing and Landlord Services Performance Framework.

BCC uses performance management to enhance service delivery standards and improve tenant experience. We measure performance to monitor success. In relation to this Policy BCC will:

- provide data and information to the Regulator for Social Housing within the returns provided to National Register of Social Housing (NROSH) which includes information about rents charged and compliance with the Rent Standard.

The rental income team will carry out quarterly performance monitoring.

Services need to meet the KPI's set and other reporting responsibilities to the regulator. BCC monitor satisfaction, using data and insight from, as a minimum reporting in relation to:

- Complaints
- Tenant Satisfaction Measures

Appendices

Appendix A - Legal and Policy Context

External

- Pre-Action Protocol for Possession Claims by Social Landlords
- Pre-Court Action Protocol for Debt Claims
- Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020.

Internal

- Bristol City Council Tenancy Agreement(s)
- HomeChoice Bristol Allocations Policy
- Former Tenant Arrears and Write-off Policy
- Tenancy Resilience Policy

Appendix B – Roles and responsibilities

Income Recovery Officer

- Provides information to new tenants relating to their rent payments
- Identify arrears
- Contact tenants
- Assess circumstances with the tenant
- Negotiate repayment arrangements
- Maintain accurate records of all contact, agreements, and actions taken
- Monitor repayment progress and follow up on missed payments
- Reassess cases periodically, especially if new information arises

Team Manager

- Monitor performance against recovery targets and ensure continuous improvement
- Supervise and support Income Recovery Officers in managing cases
- Provide guidance on complex or sensitive cases, including those involving vulnerability or legal action
- Ensure officers are trained and up to date with relevant policies and procedures
- Review cases recommended for legal action
- Conduct regular audits of cases
- Produce reports on arrears recovery performance, trends, and risks
- Liaise with legal services, external debt recovery agencies, and other departments (e.g. Housing Options, Revenues)
- Make applications to enforce money judgements, using Money Claims Online

Housing Officer

- Provide the Income Recovery Team with relevant case history, including:
 - Vulnerabilities or support needs
 - Abandonment or eviction details
 - Any known financial difficulties
- Assist in engaging tenants if needed

Head of Service / Director

Assist in decisions and sign off on some enforcement action (e.g., eviction)

Appendix C - Glossary of terms

- **Resident:** Person who is liable for payment of the rental income.
- **Rental Income:** Includes rent paid as part of a tenancy agreement, payments under the terms of Use In Occupation, rent under licence for temporary accommodation, defect charges, charges related to the property, and any arrears arising from missed payments.
- **Licensee:** Pays rent under licence for HRA-funded temporary accommodation (e.g., Youth Projects).
- **Bid:** Registering an interest in a social housing property being advertised for letting via the choice-based lettings system, HomeChoice Bristol.
- **Housing and Estates:** Includes services tackling Anti-Social Behaviour, Caretaking, Estate Management, Income Management, and Support to Older People Services.
- **Income Management Team:** Responsible for monitoring rent payments and arrears, contacting residents to discuss arrears, and taking possession proceedings for arrears.
- **Notice of Possession Proceedings:** Written notice for Introductory council tenants of the council's intention to pursue possession proceedings.
- **Notice of Seeking Possession:** Written notice for Secure council tenants of the council's intention to pursue possession proceedings.
- **Pre-Action Protocol for Possession Claims by Social Landlords:** Ministry of Justice protocol that must be followed by social landlords before beginning possession proceedings for rent arrears.
- **Strategic Interest:** Contributing to the vision and priorities for the city and the council, meeting the aims and objectives set out in the Corporate Strategy.
- **Suspended Possession Order:** A court order allowing a tenant to stay in their property as long as they make the payments or obey the conditions set out in the order.
- **Warrant of Eviction:** A warrant granted by the court to enable a bailiff to evict the tenant.
- **Debt Recovery Orders:** Freezes debt repayments and interest for 12 months. If the financial situation hasn't changed at the end of this period, all included debts are written off.
- **Bankruptcy Orders:** Legal status that usually lasts for a year and can clear debts that can't be paid. Non-essential assets and excess income are used to pay creditors. Most debts are cancelled at the end of the bankruptcy.
- **Bad Debt:** A debt that can't be recovered.
- **Notice to Quit:** A legal notice to formally end a tenancy or licence.

- **Breathing Space:** A resident can apply through a registered agency for breathing space, defined as either Standard or Mental Health Crisis.
- **Standard Breathing Space:** 60 days during which no contact should be made with the resident by their creditors.
- **Mental Health Crisis Breathing Space:** Lasts for the duration of mental health crisis treatment and 30 days after the last day of treatment.