



Income collection policy

1.0 Purpose and scope

This Policy outlines Notting Hill Genesis's approach to collecting income. It covers all tenure types. It does not apply to companies, other registered providers of housing and individuals who sublet their property. We manage income collection for any companies or individuals who own their property for commercial reasons strictly in line with lease provisions. Further information will be included in the procedures.

An effective income collection service objective is to make housing costs easy to pay which in turn will ensure residents feel safe in their home. It is also to ensure that residents pay their rent(s) service charge and other charges in accordance with their occupancy agreement. We also rely on income to operate our core business functions, provide services and invest in housing.

We recognise that engaging and supporting residents will help minimise debt whilst observing our legal and regulatory obligations. Notting Hill Genesis aims to provide a model based on early intervention, resident engagement, and tenure sustainment.

2.0 Definitions

Commitment to Refer - The Commitment to Refer is a voluntary scheme developed by the National Housing Federation to support the aims of the Homelessness Reduction Act by assisting households who are homeless or threatened with homelessness.

Discretionary or mandatory grounds for possession - These are grounds of possession that Notting Hill Genesis uses when serving a notice, in which the court can decide to, repossess the property.

3.0 Expectations of residents

Residents are expected to pay their rent(s) and any service charges, as stated in their occupancy agreement. We encourage residents to inform Notting Hill Genesis if they are experiencing problems with paying their rent as early as is possible, so that we can assist in preventing the build-up of arrears.

If a resident would like to nominate a person to act on their behalf in their relationship with Notting Hill Genesis, also concerning repairs, they can do so by following the process outlined here: [Authority of representation](#)

Welfare support

Should they need support paying their rent, residents are expected to make an application for housing benefit or universal credit when they move into their new home, and to inform the local authority and DWP about any changes to their circumstances.

Universal credit migration

When a customer is moving from different benefits and migrating to universal credit we will still have an expectation that you will pay rent. If your benefits stop while the migration occurs please contact us so that we are aware.

External repayments

Residents are expected to keep up to date with payments to any external agencies which could impact their ability to fulfil their obligations under the occupancy agreement. This might include mortgage lenders, external managing agents, communal utility or heating charges, or other financial institutions.

4.0 Engaging with our residents

We understand that at times we need to be proactive and engage with our residents to prevent the build-up of arrears or from them occurring in the first place. We understand our staff are sometimes in the best position to provide this service. To effectively engage with our residents, we provide the following services:

Early and Preventative Intervention

Notting Hill Genesis will ensure that new tenancies and leases are sustainable to prevent residents from falling into arrears. To do this, we will:

- Complete an affordability check with new or existing residents. (in some cases, such as temporary housing, the local authority will do this)
- Ensure that the resident is aware of all estimated costs of their new home and the property is affordable
- Ensure residents pay all charges in advance in accordance with their occupancy agreements
- Keep residents informed about their account balance and make prompt contact when if a payment has been missed

We seek to let our homes in a responsible manner. We aim to create sustainable tenancies and communities to avoid establishing tenancies that will fail. We may refuse a property where an applicant is unable to demonstrate their ability to manage their tenure or where the applicant needs a level of support which we or another provider cannot facilitate. Where we withdraw an offer of accommodation, we give clear reasons why.

Making it easier to pay

We will encourage early and on time payment and provide our residents with a variety of payment methods, including all relevant payment reference numbers or any other information which will support the resident in paying on time. We will also take payment over the phone, online, or direct debit.

We understand that it will benefit our residents to have an easy, streamlined service to pay. It is important that residents know about setting up a payment account with us so that they can use our self-serve portal, [My Account](#). We encourage all residents to register for My Account as it is the most convenient way to contact or make payments.

Making reasonable adjustments

We provide a service which caters to reasonable adjustments and is in line with Equality Act 2010. In keeping with this Act, we will ask about any communication needs and provide alternative formats where required. We can ensure this by actively listening and remaining engaged to the sometimes changing needs of our residents.

For example, where a resident with a learning disability asks us to notify them by phone or in person because they have a learning disability or impairment which might mean they are not able to receive letters in the post.

We also provide alternative formats, such as braille or British sign language which can be found in our [Communications Procedure](#).

Making use of support

We will make use of the support services internally and externally at Notting Hill Genesis. Depending on the tenure, this could be engaging with the tenancy sustainment team, or signposting to external agencies for debt-help. We have an extensive amount of support for all tenure types which can be found on the [Notting Hill Genesis website](#).

We also offer reverse staircasing for leaseholders who can prove financial difficulty, more information on this can be found in the [buy back policy for leaseholders](#).

5.0 When a resident is not able to pay

Our priority is to work with all our residents to ensure that rent, service charges, and other charges are paid in a timely manner. We understand that circumstances can sometimes make it difficult to make payments, so we will aim to consider an individual situation and work with them to find an affordable and appropriate repayment plan.

If a resident falls behind on payments, we will closely monitor the situation and reach out to understand the reasons why so that we can help identify what support might be available. We want to ensure that repayments are re-established as soon as possible, and we will continue to support residents who show a genuine commitment to working with us to clear the debt.

If a resident is unable to make satisfactory repayments, despite our efforts to provide support, we will assess the situation on a case-by-case basis. In situations where there is a high risk of continued non-payment, we may apply to court, or in the case where one is available, we may approach the mortgage lender, or where available providing information to sell their flat. However, this will always be a last resort, and we will ensure that all actions taken are in accordance with relevant legal requirements.

Where we have cause for concern around a residents capacity to manage their finances or engage with the court process we will seek confirmation via capacity

assessment and liaison with adult social care (ASC). Actions will then be determined by the outcome of the assessment and any best interest meetings (chaired by ASC) that have been held with all appropriate stakeholders.

Applying to court

When applying to court for possession or forfeiture we will:

- Keep residents informed of all actions taken and continue to offer support
- Issue proceedings using grounds 8, 10 and 11 or all grounds depending on the tenure, individual resident circumstances, and the Occupancy Agreement. This will be assessed on a case by case basis.
- Comply with relevant legislation for individual tenures.
- Comply with the [Commitment to Refer](#) procedure and liaise with the local authority homelessness unit if eviction is sought
- Encourage residents to attend court where appropriate, give information about independent legal advice and support
- Urge any resident (adult or minor) who require support to appoint a McKenzie friend or if needed, a litigation friend
- Where applicable, we will adhere to the [pre-action protocol for possession claims by social landlords](#) (This does not apply to long leases).
- Wait a minimum of 8 weeks accumulated arrears before legal proceedings begins.

Eviction

- Evictions are a last resort and are not considered a successful outcome. Our aim is to work with the resident and prevent all evictions, although there are times when we have exhausted all possibilities and we must consider the eviction route.

6.0 Breathing Space

Notting Hill Genesis will adhere to the government legislation under [The Debt Respite Scheme \(Breathing Space Moratorium and Mental Health Crisis Moratorium\) \(England and Wales\) Regulations 2020](#), also known as 'Breathing space'. As a creditor we will ensure that when we are informed by the Insolvency Service that a resident (the debtor) is entering into a breathing space, the instructions are fully applied. In accordance with our income collection approach, if not already happening, we will signpost our residents to independent professional financial advice.

When we are formally notified that a resident is under a breathing space we will:

- Check the type of breathing space, whether a standard breathing space or a mental health breathing space
- Avoid – from the start of the breathing space - any contact about the debt, e.g. letters, calls, texts, notices or court proceedings, with the resident in relation to the debt covered by the breathing space until the breathing space ends

- Follow the [internal Breathing Space procedure](#) and contact the debt adviser.

7.0 Our approach

In writing this policy we have carried out assessments to ensure that we are considering equality, diversity & inclusion.

The findings show that the financial hardship is an issue that disproportionately impacts low-income households, residents who identify as ethnically diverse, residents who identify as women, pregnant women and women on maternity leave, younger residents as well as older residents, and disabled residents. We are committed to providing a service which acknowledges there are unique differences in our residents and that these differences might impact the way they pay their rent and have tailored our commutations to meet the varying needs of our residents

8.0 Reference

Legislation, regulation and guidance

- Domestic Abuse Act 2021
- The Debt Respite Scheme (Breathing Space Moratorium and Mental Health Crisis Moratorium) (England and Wales) Regulations 2020
- Pre-Action Protocol for Possession Claims by Social Landlords 2020
- Deregulation Act 2015
- Equality Act 2010
- Housing Act 2002
- Housing Act 1988 (as amended by the Housing Act 1996)
- Housing Act 1985 (as amended by the Housing Act 1996)
- Protection From Eviction Act 1977
- Landlords and Tenants Act 1954
- Law of Property Act 1925

Document control

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Version Control

The version number should increase by 0.1 if the changes are minor, or by 1.0 if there have been significant changes.

| Date | Amendment | Version |
|----------|--|---------|
| 3.4.2023 | New policy, merged leasehold and general needs policy. Moved tenure specific items to specific procedures. Changed language throughout, non tenure specific and softer tone. | 2.0 |
| 12.04.24 | Added exclusions to scope of policy: companies and individuals who sublet. | 2.1 |
| 21/10/24 | Added a statement around authority of representation | 2.2 |