
Rent Collection Policy

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Rent Collection Policy

1. Introduction

Rykneld Homes Limited (RHL) is responsible for the management, maintenance and improvement of around 7,600 properties, and the neighbourhoods in which they are located, on behalf of North East Derbyshire District Council (NEDDC). The housing management service includes the collection of rent and other charges.

Rykneld Homes Limited is also a Registered Provider of Social Housing (RSL) and currently has a portfolio of over 200 properties that it owns and manages where the rent and other charges are collected.

This Policy outlines the approach that RHL will endeavour to follow in the prevention, collection, management and recovery of rent arrears. This Policy relates to all tenancy types across RHL.

2. Policy Aim

Rykneld Homes is committed to sustaining tenancies, minimising the level of rent arrears and maximising income in a sensitive but effective manner. To sustain tenancies and protect the provision of services, RHL aims to promptly collect rent and other charges.

Rykneld Homes will take a firm but fair approach, ensuring that customers are supported and have financial inclusion expertise to aid in resolving financial difficulties and hardship.

This Policy outlines recovery action and where legal action will be considered and in what circumstances and where necessary, eviction may be sanctioned.

The Policy aims to:

- Maximise rent and service charge collection, including garages and plots
- Minimise and reduce arrears
- Promote a 'rent first' culture
- Support customers to maintain their tenancies
- Promote financial inclusion
- Ensure rent collection is in line with current legal requirements, regulatory guidance, and best practice
- Meet and exceed targets, where possible
- Support customers by working 'with' them rather than 'for' them through signposting, support, and advice
- Emphasis on effective prevention and intervention.

It is critical that RHL keep income lost through rent arrears to a minimum as RHL rely on the income to manage and maintain properties and communities on a day-to-day basis. The Policy and procedures are, therefore, based on preventative methods of control and design systems to ensure that any cases or arrears are identified as early as possible and pursued where required through the agreed processes.

3. Equality Act Duty and Customer Care

The Policy defines the commitment to equality and proportionality within the rent collection process. This Policy aims to treat all customers fairly, with respect and professionalism. Rykneld Homes, in delivering this Policy, will operate in accordance with the Equalities Act 2010 to ensure that no individual is discriminated against on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

The Policy aims to be:

- Fair
- Efficient
- Accountable
- Responsive and flexible
- Sensitive to the needs of individuals.

Rykneld Homes will adopt, through this Policy, a focus on the individuals' circumstances and understanding these to provide appropriate support and advice. Consideration will be given to the needs of customers with protected characteristics.

Rykneld Homes recognises it manages a wide, diverse customer base and is committed to providing equal access to services. Rykneld Homes will endeavour to provide clear information, providing information in differing formats or languages where requested. Rykneld Homes will make reasonable adjustments if a customer requires additional support or help.

An Equality Impact Assessment will be undertaken to establish if a customer requires additional support in line with Pre-Action Protocol for Possession Claims for Social Landlords.

4. Policy Implementation

The Rents Team at RHL will apply this Policy in the collection of rent and service/other charges due on NEDDC and RHL properties.

The Rents Team at RHL manage and administrate income relating to rent, rent credit and arrears, former tenancy credit and arrears, garages, and plots. The team deal with all aspects of rent recovery from early intervention and prevention to legal action, court, and eviction. The Rents Team work holistically with other teams within RHL such as Neighbourhoods, Property Services, Finance and Choice Move.

The overall responsibility for the management, control, and recovery of income rests with the Head of Neighbourhoods. The day-to-day management and responsibility for this Policy and procedure are the Neighbourhood Manager and Rents Manager. Any updates to this Policy or associated procedure will be circulated to staff.

To achieve the Policy objectives, RHL will commit to managing arrears following the principles below:

- Priority is to prevent arrears from arising
- Prompt action and early intervention will be taken on any arrears accruing
- Fair and appropriate repayment agreements will be made
- Distinction will be made between technical and non-technical arrears and actions will be pursued appropriately
- Pre-action protocol will be followed and on condition this has been satisfied, legal action will be considered and taken, where appropriate
- Staff will be provided with necessary and adequate training relevant to their roles.

5. Tenant Responsibilities

The term 'tenant' includes sole, joint and any multiple tenants. If two or more people have signed the Tenancy Agreement, they are jointly and severally liable for the payment of rent. This means that each person is fully responsible for the payment of rent and any rent arrears.

All tenants of NEDDC and RHL sign a Tenancy Agreement which is a legal contract. Tenants have an obligation under the terms of the Tenancy Agreement to pay rent when due. Tenants have a responsibility to inform RHL of any changes in their circumstances that may affect their ability to make payments.

Rykneld Homes will request that any payment frequency other than weekly payments will be in advance. This is to minimise risk against any changes in income and avoiding an account unnecessarily falling into arrears between payments.

It is the tenant's responsibility to ensure rent is paid even if the tenant claims Housing Benefit or is in receipt of Universal Credit. It is the tenant's responsibility to ensure their claims are in payment and provide all information required to Revenues at NEDDC or the Department for Work and Pensions (DWP).

6. Prevention

Prevention is key to managing and reducing rent arrears. Rykneld Homes will prioritise prevention to ensure that tenancies are successful and sustainable. Rykneld Homes is committed to delivering a robust, efficient, and professional rent collection and income maximisation service through early intervention, advice, and support.

Rykneld Homes aim to promote a 'rent first' culture where rent payment is seen as a priority by staff and tenants. This can be achieved through:

- Affordability checks prior to sign up by the Choice Move Team to ensure the customer has the means to financially sustain the tenancy
- Early contact from the Rents Team with new tenants to reiterate the importance of rent payment and establish payment frequency/methods

- Working holistically with other departments such as Housing Management and CAST to ensure when a customer contacts RHL, we are checking their account and referring the customer to the Rents Team, if appropriate
- Promote payment in advance, unless paying weekly, as per the Tenancy Agreement.

Common reasons for rent arrears include:

- Housing Benefit/Universal Credit issues/delays
- Loss of income due to change in personal circumstances
- Low income
- Multiple debts and competing priorities
- Difficulty managing finances
- Missed rent increases
- Vulnerabilities/Disabilities.

The Rents Team will always seek to provide a manageable payment arrangement for the customer and help is also provided to maximise customer's income, and ensure customers are aware of and use the free financial inclusion support at all stages of their tenancy.

The Financial Inclusion Officer will assist customers who are financially excluded and could have difficulty obtaining a bank account or struggle to manage their finances. Rykneld Homes will help people who are at risk of becoming financially excluded and prepare them for the future by doing the following:

- Assist customers to claim all the benefits they are entitled to
- Support customers to organise finances, pay the rent, and understand the priority bills
- Support with budgeting and money advice
- Support with Energy Trust Fund Schemes and the Warm Homes Discount Scheme
- Support with the Council's Housing Benefit and Council Tax claims
- Support with the DWP Universal Credit claims
- Refer and signpost customers to other agencies who may be able to support them.

7. Early Intervention

Rykneld Homes will use account data and reporting to identify accounts in non-technical arrears in order to facilitate the earliest possible intervention and actions. Accounts are monitored on a weekly basis and the Rents Team will endeavour to contact the customer in arrears with 7-14 days of the payment being late. Contact can include letters, phone calls, text messages, emails, interviews, and visits. At all stages of recovery financial inclusion support is offered.

Rykneld Homes will enable customers to manage their rent accounts by issuing annual rent statements and providing these via post or email on demand when requested by the customer. Rent statements will also be issued when sending arrears letters to customers. Customers are also provided with up-to-date rent statements via our online portal at the “My Account” service which can be found at www.rykneldhomes.org.uk.

In some instances, it will not be possible to prevent arrears. However, early intervention helps to identify problems quickly so that people can be referred to organisations that are able to help. Rent arrears will not be allowed to build up without intervention from the Rents Team. The Rents Team will follow the staged rent recovery procedure as part of this Policy. This recovery procedure can be suspended by a customer choosing to pay rent and agreeing a repayment plan.

Prior to any formal legal action being taken, RHL will attempt to agree affordable repayment plans with customers and offer advice throughout as per our responsibility to the Pre-Action Protocol. Repayment plans will usually be an agreement to pay the rent, plus a further amount towards the arrears. The payment will be expected every week, however, Officers may agree for the payments to be calculated so that they can be made less frequently, for example, each month where this assists customers to manage their finances more effectively.

Rykneld Homes will work with a range of specialist services to provide support and financial advice including NEDDC Revenues, Universal Credit, Citizens Advice, Social Services and Derbyshire Law Centre.

8. Enforcement and Legal Action

Enforcement will only be taken where there has been no or little engagement from customers or a lack of, or no payments. Where customers are demonstrating they are actively seeking to address their arrears, this will be considered by RHL prior to any enforcement action.

Rykneld Homes will issue a Notice of Seeking Possession (NOSP), the first formal step in the legal process and a statutory notice, when a customer in a Secure/Assured tenancy is in debt over four weeks. Introductory tenants will be served a Notice of Possession Proceedings (NOPP). The process incorporates the legal duty to follow the rent arrears Pre-Action Protocol, which applies to possession claims brought by social landlords.

If repayment agreements are made with a customer and are complied with and sustained, the account will be monitored and there would be no requirement to progress to Court.

Where arrears continue to increase following the service of a NOSP/NOPP, RHL can make an application for a possession claim to be heard at the County Court after 28 days.

The Court outcomes include:

Adjournment Fixed Period: Secure/Assured Tenancies. The hearing adjourned for further information/enquiries and will be relisted for a further date.

Adjournment on Terms: Secure/Assured Tenancies. The case is adjourned on terms of rent payable plus an agreed sum of the arrears if a customer has significantly reduced the debt prior to the hearing. The tenant does not lose security of tenure on an Adjournment. The granting of costs would be at the discretion of the Court.

Suspended Possession Order: Secure/Assured Tenancies. Possession of the property will be suspended on terms of payment of current rent plus an agreed sum towards the arrears. If payments are not made, a warrant for possession can be applied for after the suspension period (usually 14 or 28 days).

Outright Possession Order: Secure/Assured/Introductory Tenancies. Possession awarded by the Court on cases where RHL have demonstrated persistent non-payment or co-operation or believe the customer has vacated the property with notice to quit. Possession is usually given within 14-28 days. Once this period has passed, a warrant for possession will be applied for.

9. Payment Methods

Ryknel Homes endeavours to provide customers with a range of payment methods to ensure rent payment is an easy and simple process. Ryknel Homes will encourage and promote Direct Debit as the preferred payment method, as this is most efficient and easiest way to pay. Ryknel Homes offers customers the following payment options:

- Direct Debit
- Online
- Telephone
- Payzone
- Post Office
- Standing Order.

10. Clear and Accurate Record Keeping

The Rents Team will keep electronic records of all actions and contacts in relation to the customers rent account on the diary system of OpenHousing. All customer contact will be recorded on the system and customers details will be updated with relevant information only. Details such of the household members, household income and expenditure, repairs and Equality Act issues will be recorded as well as any details of repayment plans. Decisions made by the relevant Officer will also be recorded.

11. End of Tenancy

At the end of a tenancy, customers are referred to as former tenants and the rent account will be either clear, in credit or in arrears. Ryknel Homes will follow the Former Tenants Procedures. If the account is in credit, a refund will be completed. If the account is in arrears, RHL will continue efforts to collect the outstanding debt in accordance with the Former Tenant Procedures. Procedures can include the referral to Debt Collection Agency.

12. Rehousing Advice

At any point throughout the rent arrears process, customers can seek rehousing advice through the Choice Move Team at RHL.

13. Introductory Tenancies

Customers on Introductory Tenancies for a 12-month period that accrue rent arrears, will follow the Introductory Rent Arrears Procedure.

If a customer is in breach of an Introductory Tenancy for rent arrears, RHL can extend the 12 month Introductory Tenancy by a further six months. Customers will be notified in writing with the service of a Notice of Extension (NOE) no later than eight weeks prior to the 12 month Introductory Tenancy period would have expired.

If the decision is made to commence legal proceedings, customers will be served with a Notice of Possession Proceedings (NOPP) which gives the customer 28 days' notice of RHL's intention to apply for a possession order.

All Introductory tenants have the opportunity to a review following the service of the NOE and/or the NOPP and prior to the decision to commence Court action. A review application and leaflet explain the review process is included with the Notice.

14. Confidentiality and Data Protection

The Data Protection Act 2018 regulates the processing of information relating to individuals which includes the obtaining, holding, using or disclosing of said information. Rykneld Homes will treat all information provided in confidence and in accordance with the Data Protection Act 2018. Necessary information will be used and shared for managing the customer's tenancy and to deliver services from RHL and other organisations. These include, but are not restricted, to the DWP, Probation Services, Police, Social Services, and companies providing services on behalf of RHL.

15. Contact

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