

RENT ASSESSMENT, COLLECTION, ACCOUNTING AND ARREARS CONTROL



GOOD PRACTICE IN HOUSING MANAGEMENT

GUIDELINES FOR LOCAL AUTHORITIES



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**RENT ASSESSMENT, COLLECTION,
ACCOUNTING AND ARREARS CONTROL**

Produced in conjunction with



The Department of the Environment and Local Government

and

The City and County Managers Association

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FOREWORD

Over the past two decades the task of managing local authority housing has become more challenging from a range of perspectives. Although living standards in Ireland have generally improved over this period, the level of dependence on social welfare benefits among residents of public housing has remained stubbornly high and significant problems of criminal and anti-social behaviour have developed on some estates. Residents of local authority estates have also begun to demand a greater say in the management of the areas in which they live and like most modern consumers have developed higher expectations about the standards of service which they should receive from their local authority. At the same time, management practices within the public sector have changed dramatically, and Department of the Environment and Local Government statements of policy on housing have repeatedly exhorted local authorities to reform their traditional practices so that they can meet the new challenges of public housing management and keep in step with this wider reform process.

The establishment of the Housing Management Group in 1996 and the publication of its two reports in 1996 and 1998 marked a watershed in the development of local authority housing management practice in Ireland. These reports sketch out the broad framework which this reform process should follow. In the *First Report*, the Housing Management Group makes a series of recommendations in relation to housing management systems, tenancy matters, repairs and maintenance, lettings, rents and tenant involvement – all of which are intended to help local authorities achieve good practice in housing management. On the basis of the recommendations of its *Second Report*, the Housing Unit was established in order to continue and develop the work commenced by the Housing Management Group in identifying good practice in housing management.

The development of good practice guidelines on a range of aspects of housing management is a central step in this process. These guidelines build on the reform framework which is outlined in the Housing Management Group reports by providing more in-depth guidance on the steps which local authorities should implement in order

to achieve good practice in the various aspects of their housing management function. Furthermore, the guidelines also suggest a wide range of actions which, depending on their individual circumstances and resources, local authorities may strive to implement in order to achieve best practice in housing management.

These guidelines are intended to be a practical working tool for local authority housing managers and, with this in mind, they have been laid out in a user-friendly style, drawing on practical examples of reforms that have been put in place in different authorities around the country, and they provide checklists of the different stages which should be followed in implementing good practice. In the development of these guidelines, every effort has also been made to strike a balance between being overly general and overly prescriptive. Each local authority must decide on its own approach, having regard to the size and type of housing stock, the level of housing policy development, and the changing nature of the local housing environment. Some aspects of the guidelines will only apply to the larger housing authorities, with complex staffing structures; other parts are more relevant to rural authorities with a more dispersed stock of dwellings. However, it is hoped that all public housing practitioners will find in them some relevant suggestions, which they can utilise in their own local authority.

These guidelines draw on an extensive process of consultation with local authority housing practitioners across the country. The consultation was carried out by the Housing Unit staff and through the medium of the five Regional Housing Practitioner Networks which were established in 1998 in order to facilitate the exchange of ideas on good practice among local authority housing staff. The compilation of the good practice manuals was directed by a sub-committee of the Housing Unit Consultative Committee which is made up of representatives of the key stakeholders in social housing in Ireland. The details of the process of compiling these guidelines are included in the acknowledgements to this document.

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SECTION ONE

The equitable determination of rent levels, the efficient collection and accounting of payments from tenants, the minimisation of rent arrears and the swift recovery of arrears when they do occur are central to the effective management of the public housing service. Rental income provides the main source of funding for the management and maintenance of dwellings, and as a result, the effectiveness of rent collection and arrears recovery directly affects the quality of the housing service that is provided to local authority tenants. Although the adoption of differential or income related rents for local authority housing has made rents more affordable for tenants, problems of rent arrears still exist in some local authorities. However, recouping rent arrears and preventing tenants falling into arrears is not an easy task since rent arrears are often symptomatic of wider socio-economic problems, particularly the high levels of poverty and unemployment in public sector estates, which local authorities cannot address on their own.

Section One of these Good Practice Guidelines highlights the reasons why the effective assessment, collection, accounting and control of arrears of rents is such an important housing management task; it outlines the challenges that local authority housing practitioners must overcome, and the issues and policies that they should consider if they are to improve the quality of their rent service. On the basis of this discussion, objectives are identified and priorities for action are outlined, in order to achieve good practice in the management of the rents service.

INTRODUCTION

1.1 **THE IMPORTANCE OF GOOD PRACTICE IN RENT ASSESSMENT, COLLECTION, ACCOUNTING AND ARREARS CONTROL**

Under the terms of the housing legislation, local authorities have a right to seek a rent for their dwellings and to repossess a dwelling if the tenant fails to pay the rent. Tenants have an obligation to pay rent at the rate prescribed by the authority and to provide the authority with any information necessary for rent determination.

The right of local authorities to set and collect rents on their dwellings is laid down in Part III of the 1966 Housing Act, although the Act affords the Minister for the Environment the power to regulate the matters which the local authority should take account of in determining rents. The 1966 Housing Act also obliges tenants and applicants for local authority housing to provide a range of information on their income and family size in order to aid the local authority in the determination of rents, and it sets out the legal remedies that are available to a local authority if a tenant fails to pay the rent due. These legal remedies involve the serving of a Notice to Quit to the occupants of the dwelling after a specified period of non-payment of rent and the repossession of the dwelling by the local authority on this basis.

- ◆ From 1973 a national differential rents scheme operated in this country in which rents on all local authority dwellings were related to the income of the tenant. This scheme was abolished in 1986 and the power to determine rent levels was devolved to local authorities. As part of this

devolution, the Department of the Environment and Local Government (DoELG) set out a range of considerations which should be taken into account by them in the design of rent determination schemes. These guidelines require that rent levels should continue to reflect tenants' ability to pay. At the same time, local authorities have been subject to increasing pressure from the DoELG to manage the rents service more effectively. The 1992 Housing (Miscellaneous Provisions) Act requires local authorities to develop a statement of policy on housing management and the accompanying *Memorandum on the Preparation of a Statement of Policy on Housing Management*, which was issued by the DoELG in 1992, specifies that the management of the rents service should be a central part of these statements.

As already mentioned, rents are also significant from the financial perspective as they provide the principal source of funding for local authority housing management and maintenance. Almost £80 million of the total of £124.79 million spent by local authorities on housing management in 1998, for instance, was generated through rent receipts. Therefore, maximising rental income is vital in order to ensure that housing management and maintenance is adequately funded, and that the optimum service is delivered to tenants.

Finally, more than any other aspect of the housing service, the determination and collection of rents has direct implications for the welfare of local authority tenants. In many estates the majority of local authority tenants are dependent on social welfare benefits, and the cost of the rent that they pay for their dwelling, especially the rate at which the rent is increased as their income rises, can contribute to the 'unemployment trap', which makes it financially unattractive for them to enter paid employment. The low average income of local authority tenants also means that tenants who fall into even very small levels of rent arrears can find it impossible to repay the debt, and the ultimate sanction for non-payment of rent – the repossession of the dwelling by the local authority – can of course have very negative implications for the welfare of tenants and their families.

1.2 **ACHIEVING GOOD PRACTICE IN RENT ASSESSMENT, COLLECTION, ACCOUNTING AND ARREARS CONTROL: ISSUES FOR CONSIDERATION**

Achieving good practice in management of the rents service is a challenging task and many issues and policies need to be considered in the development of a programme to improve rent assessment, collection, accounting and arrears control practice. Some of these issues and policies are relevant only to the rents service; others apply to the wider local authority housing service and indeed to the entire public service.

In common with all public service management reform programmes, plans to improve practice in the assessment, collection, accounting and control of arrears of rents for local authority dwellings should take account of the following issues:

- ◆ The Strategic Management Initiative (SMI) identifies the establishment of systems of performance monitoring as the key to achieving good practice in public sector management. Therefore, the identification of a set of performance indicators as the basis for assessing the quality of the service and to inform strategic management decisions should be a central element of any proposed strategy to achieve good practice in the rent assessment, collection, accounting and arrears recovery service. These indicators should be related to the specific local needs and requirements of each local authority and they should be regularly reviewed, updated and monitored to meet changing conditions and circumstances.
- ◆ Management information systems should be established in order to collate all of the information necessary for performance measurement. This management information should relate directly to the chosen performance indicators; be easily collected, readily collated, clearly presented, and regularly reviewed. It should also aid problem solving and decision making and assist in policy formation. Rent service management information systems should, ideally, be linked to the information systems relating to the other main elements of the housing service such as tenancy updates, vacant dwellings, lettings, finance, repairs and maintenance, and budget control.

A range of recent developments which have impacted on the entire local authority housing service also has implications for the reform of the management of the rents service. These include the following:

- ◆ The programme for the reform of the management of local authorities, particularly the establishment of Strategic Policy Committees (SPCs), to develop

policy on each of the main functional areas within all local authorities. In most cases this process has included the establishment of a Strategic Policy Committee that focuses on the housing area and is serviced by a Director of Housing.

- ◆ Radical initiatives to localise housing management structures and to include tenants in management decisions. The widespread development of these initiatives has seen the transformation of traditional housing management practices in many local authorities. Tenant participation projects, estate agreements and housing fora are some examples of developments of this type which demand a new range of expertise from housing practitioners and make them directly accountable to the customer.
- ◆ The recent expansion of the remit of the National Anti-Poverty Strategy (NAPS) to include local authorities. This has obvious implications for public housing management since tenants of local authority estates are more likely to be living in poverty than any other section of the population. Under the terms of the NAPS, public agencies are required to 'poverty proof' their services or in other words to ensure they do not create or perpetuate inequality and that they contribute to achieving a fairer distribution of resources and opportunities.
- ◆ The identification of the need for closer co-ordination between the rents service and other areas of housing management. The *First Report* of the Housing Management Group identifies the dispersal of the functions that go to make up the housing management service across different sections within local authorities as one of the main factors which impede good practice in public housing management. As a result of this method of organisation, the delivery of services on estates is often characterised by lack of co-ordination, conflicting priorities and unsatisfactory standards. Good practice in rent assessment, collection, accounting and arrears control requires that this service should come under a single management structure and should be effectively co-ordinated with the other aspects of housing management in order to ensure that a comprehensive service is delivered to tenants.

Finally, in developing programmes of good practice, local authority housing practitioners should also take account of the following issues, which are particularly relevant to the tasks of rent assessment, collection, accounting and arrears control:

- ◆ The first step to achieving good practice in the management of the rents service is improving procedures in relation to the determination of rents. Good practice requires that a rent determination system must not only reflect the principles laid down by the Department of the Environment and Local Government but that it should also be simple and transparent, easily administered by staff and understood by tenants, and not contribute to the unemployment trap.
- ◆ Adequate communication with tenants is also essential to the effective operation of the rents service. The system for assessment of rents, methods of rent collection, and the implications of non-payment of rent should be clearly explained to all new tenants on the letting of dwellings and existing tenants should be provided with adequate notice of any changes to rent assessment and collection systems, encouraged to communicate to the authority, any changes in their circumstances that would have implications for rent assessment and surveyed regularly regarding their satisfaction with all elements of the rent service.
- ◆ As was mentioned above, the housing rents service has a direct impact on both the personal and financial welfare of local authority tenants. Protecting the welfare of tenants and their families should therefore be a key consideration in the management of this service.
- ◆ Equity is also a central consideration in rent setting. Therefore, issues of horizontal equity – in other words ensuring that households which are identical in terms of income and family circumstances should pay the same rent, and vertical equity – ensuring that households in different circumstances should pay correspondingly different amounts of rents, should be taken into account in the design of rent determination schemes.
- ◆ Rent collection and accounting are the aspects of the local authority housing service that are most open to improvement through the use of new technology. Local authorities should regularly review their existing systems of rent collection and accounting and should investigate the extent to which practice in these areas could be improved through the use of new technology.
- ◆ Traditionally most local authorities have focused on addressing rent arrears only after they occur and have devoted relatively little attention to preventing arrears arising in the first place.

- ◆ Furthermore, when rent arrears do occur they are often addressed only after they have accrued to levels which are impossible for low-income tenants to repay. The *Memorandum on the Preparation of a Statement of Policy on Housing Management* points out that, 'The guiding principle of arrears control is that of taking early action so as to protect the income of the authority and to prevent the accumulation of debts by individual tenants.'
- ◆ Local authorities have generally emphasised punitive action to obtain rent arrears through the courts and the eviction of defaulting tenants on this basis. Such action is often protracted and is always costly to authorities and stressful to tenants. It should be utilised only as a last resort and should be balanced by action to address the causes of the arrears.
- ◆ The value for money study on differential rent, which was carried out in 1995 by the Department of the Environment and Local Government, emphasises the need for both flexibility and firmness in the management of rent arrears. On the one hand this report points out that overly flexible procedures for dealing with rent arrears can facilitate the accumulation of high levels of arrears. However, it also suggests that overly rigid procedures can be counter-productive – if tenants regularly receive warning letters or a Notice to Quit without any follow-up action, the impact will be diluted. On this basis the report argues: 'Local authorities should strike a balance by setting fixed time limits by which certain procedures should be used, but they should be subject to the overall discretion of the housing officer or senior management.'
- ◆ Like all other aspects of public housing management, effective management of staff resources is the key to improving practice in rent service. Staff involved in rent collection in particular have built up considerable knowledge of trends in arrears and their expertise in this regard should be utilised to inform policy development in this area. Furthermore, local authorities should put in place adequate procedures to protect the personal safety of staff who are involved in the collection of cash rent payments and to facilitate the professional development of all rents service staff.

1.3 AIMS AND OBJECTIVES OF GOOD PRACTICE IN RENT ASSESSMENT, COLLECTION, ACCOUNTING AND ARREARS CONTROL

The primary purpose of these Guidelines is to help local authority housing practitioners deliver a high-quality rent assessment, collection, accounting and arrears recovery service, which maximises rental income and minimises rent arrears.

These Guidelines are also intended to help local authorities to develop strategies for rent assessment, collection, accounting and arrears control which will achieve the following objectives:

- ◆ Achieve value for money for all expenditure on the service
- ◆ Identify performance indicators which will help to assess the quality of the service on an ongoing basis
- ◆ Establish management information systems in order to collate the information necessary for performance measurement
- ◆ Ensure accountability to the customer in the management of the service and protect the welfare of tenants and their families
- ◆ Facilitate and encourage tenant participation in the management of the rents service
- ◆ Ensure that procedures for the assessment and collection of rent and the recovery of rent arrears do not create or perpetuate disadvantage among tenants
- ◆ Establish systems to prevent the accumulation of rent arrears
- ◆ Ensure that cost-effective, efficient and equitable systems are in place to recoup rent arrears when they do occur and that court action is used only when all other options for arrears recovery have failed
- ◆ Maximise the efficiency and effectiveness of the staff of the rents service, protect their health and safety, provide appropriate opportunities for staff training and development, and facilitate and encourage staff participation in decision-making regarding the management of the service
- ◆ Co-ordinate rent assessment, collection, accounting and arrears control with the other elements of the public housing service, in order to provide a comprehensive service to tenants.

1.4 AIMS AND OBJECTIVES OF GOOD PRACTICE IN RENT ASSESSMENT, COLLECTION, ACCOUNTING AND ARREARS CONTROL: PRIORITIES FOR ACTION

This manual is not intended to be an all-embracing guide to rent assessment, collection, accounting and arrears recovery. Each local authority must decide on the details of its own approach, having regard to the size and type of housing stock, the level of housing policy development and the changing nature of the local housing environment. However, several key elements of the rents service can be singled out as particular priorities for reform in the majority of local authorities, and it is these priorities for action which are the focus of the Guidelines.

These Guidelines on good practice in the management of the rents service are set out in four sections:

- ◆ Section Two examines good practice in the assessment and collection of rents and in rent receipts accounting.
- ◆ Section Three examines the strategies that can be put in place to prevent rent arrears accruing. The creation of a payment culture and the development of good customer care and strategic management in particular are identified as central to achieving good practice in this area.
- ◆ Section Four sets out the options that are available for the recovery of rent arrears when they do occur.
- ◆ Section Five includes a range of recommendations relating to customer care in the management of the rents service and to the effective management and development of the staff of the rents service.

In the case of each of these priority areas the Guidelines suggest a range of reforms that each local authority should implement in order to achieve good practice in the management of the rents service. These 'Good Practice Recommendations' identify a base-line level of service that all local authorities should achieve in order to provide a satisfactory level of service to the customer. Furthermore, the Guidelines also include a number of 'Best Practice Suggestions' – intended to provide ideas on reforms that local authority housing practitioners may wish to implement in order to achieve excellence in rent assessment, collection, accounting and arrears control.

SECTION TWO

The Department of the Environment and Local Government's 1995 value for money study on differential rent highlights a range of inefficiencies and inequities in the systems commonly used by local authorities for rent assessment, collection and accounting. These include: the tendency of some differential rent schemes to penalise tenants who enter paid employment, the relatively high cost of rent collection, and the use of inefficient rent accounting systems which do not generate the information necessary to facilitate the strategic management of the rents service and achieve high standards of customer care. In addition, the Introduction to these Guidelines highlighted the incidence of rent arrears as the most serious problem in the wider housing rents service and suggested that local authorities often focus too heavily on addressing rent arrears after they occur, and devote relatively little attention to preventing arrears arising in the first place.

In order to overcome these problems, local authorities need to adopt a more strategic approach to the management of rent assessment, collection, and accounting, which will increase the equity, effectiveness and value for money of these elements of the rents service, and facilitate and encourage the prompt payment of rent by tenants. This approach should be based on the development of a strategic policy on rent assessment, collection, accounting and arrears control, the instigation of a range of reforms to aid the efficient implementation of this policy, and the establishment of systems to assess the performance of the service on an ongoing basis.

RENT ASSESSMENT, COLLECTION AND ACCOUNTING

2.1 **DEVELOPING A POLICY ON THE STRATEGIC MANAGEMENT OF THE RENT SERVICE**

The 1992 Housing Miscellaneous Provisions Act requires local authorities to develop statements of policy on housing management and the Department of the Environment and Local Government's *Memorandum on the Preparation of a Statement of Policy on Housing Management* emphasises that improving the effectiveness and value for money of the rents service and minimising the accumulation of rent arrears should receive particular attention in these policy statements.

There is evidence, however, that many of the housing policy statements produced by local authorities do not meet the aims and objectives demanded of them by this memorandum. Many statements provide an inadequate basis for the strategic management of the housing service – they are mainly concerned with describing the service, the aims which they set out for improving the service are largely aspirational, they do not specify how these aims will be achieved, or how the authority's performance in meeting these aims will be measured, and they exhibit a lack of appreciation of the need for high standards of customer care.

GOOD PRACTICE RECOMMENDATION NO. 1:

Developing Statements of Policy on Rent Assessment, Collection, Accounting and Arrears Control

- ◆ Local authorities should revise their statements of policy on rent assessment, collection,

**STATEMENTS OF POLICY
ON RENT ASSESSMENT,
COLLECTION, ACCOUNTING
AND ARREARS RECOVERY –**

CHECKLIST OF CONTENTS

MANAGEMENT OF THE RENTS SERVICE

- ◆ Details of the management structure of the rents service ✓
- ◆ Details of the staff designated to deal with the recovery of rent arrears ✓

RENT ASSESSMENT

- ◆ Details of the criteria used for assessing rent levels, including the determination of maximum and minimum rents and a list of the sources of income that will be included and disregarded for rent assessment purposes ✓
- ◆ Clear statement of the principal occasions on which these assessment criteria will be disregarded in cases of severe hardship ✓
- ◆ Procedures for periodic reviews of rents to ensure that all tenants are paying the correct rent and to update rents to reflect changes in housing management costs ✓

RENT COLLECTION

- ◆ Methods of rent collection ✓
- ◆ Procedures for periodic strategic review of rent payment options to ensure cost effectiveness and to take account of customer care, rent arrears prevention and developments in new technology ✓

RENT ACCOUNTING

- ◆ Statement of the type and detail of management information that can be generated by the rent accounting system ✓

RENT ARREARS PREVENTION

- ◆ Statement of target levels of rent arrears ✓
- ◆ Procedures for periodic review of trends in the non-payment of rent ✓
- ◆ Statement of policy on the initiation of remedial action to address persistent trends in the non-payment of rent ✓

RENT ARREARS RECOVERY

- ◆ Number of weeks of rent arrears necessary to trigger arrears recovery action by the authority ✓
- ◆ Procedures that will be utilised to recover arrears before legal action for the repossession of the dwelling is initiated ✓
- ◆ Statement of policy on the use of legal action for repossession of dwellings for non-payment of rent ✓
- ◆ Details of the welfare services available to tenants post-repossession ✓

CUSTOMER CARE

- ◆ Statement of policy on the provision of rent account statements to tenants both periodically and on demand ✓
- ◆ Procedures for assessing customer satisfaction with the rents service ✓
- ◆ Procedures for making a complaint about the rents service ✓
- ◆ Procedures for addressing customer complaints, including target response times and policy on the provision of compensation ✓

accounting and arrears control with a view to developing statements that will provide a framework for strategic management of the service.

- ◆ These statements should address the following issues:
 - The management structure of the rents service
 - The criteria for assessing rent levels
 - The methods used for the collection of rents
 - Procedures for the accounting and monitoring of rent receipts
 - Strategies for preventing the accumulation of rent arrears
 - Procedures for the recovery of rent arrears
 - Procedures for assessing customer satisfaction with the service
 - Procedures for addressing customer complaints
 - Procedures for monitoring the performance of the service.

- ◆ The details of the statement of policy on the rents service should be determined by each local authority on the basis of a consideration of the strategic needs of the organisation and of consultation with elected members, tenants and staff. However, in order to aid the development of their policy, local authorities may wish to consult the checklist of suggested items for inclusion in this statement, which is provided on the previous page.

GOOD PRACTICE RECOMMENDATION No. 2:

Communicating Rent Assessment, Collection, Accounting and Arrears Control Policy to Tenants and Staff

- ◆ Each local authority should ensure that its policy on rent assessment, collection, accounting and arrears control is effectively communicated to tenants and staff, using the procedures that are outlined in Sections Three and Five of these Guidelines respectively.

2.2 **GOOD PRACTICE IN THE MANAGEMENT OF THE RENTS SERVICE**

The *First Report* of the Housing Management Group identifies the dispersal of the functions that go to make up the housing management service across different sections within local authorities as one of the main factors which impede good practice in public housing management and contribute to lack of co-ordination of different elements of the service, conflicting priorities and ultimately, unsatisfactory standards of service to the customer.

GOOD PRACTICE RECOMMENDATION NO. 3:

Rents Service Management Structure

- ◆ Local authorities should ensure that the rent assessment, collection, accounting and arrears control service operates under a unified management structure, with a single line of command over all aspects of the service.
- ◆ In order to achieve this, the rent assessment, collection, accounting and arrears recovery services should be based in the housing department and, as far as practicable, all staff of the rents service should be accountable to the head of the housing department.
- ◆ In those authorities in which the location of all elements of the rents service in the housing department is impractical, housing practitioners should ensure that service agreements are put in place between the housing department and the sections of the authority in which rents service staff are based. These agreements should clearly specify the service to be provided in terms of anticipated volume and standard of service.

2.3 GOOD PRACTICE IN RENT ASSESSMENT

Improving procedures for the determination of rent is the first step to achieving good practice in the management of the rents service. Good practice requires that the rents schedule must reflect the principles laid down by the Department of the Environment and Local Government. However, in addition, in order to achieve best practice in rent assessment, local authority housing practitioners should endeavour to ensure that the system of assessing rents is simple and transparent, easily administered by staff and readily understood by tenants, and that the formula used to assess rents is equitable and does not discriminate against any category of tenant, does not create or perpetuate inequality, and does not contribute to the unemployment trap.

GOOD PRACTICE RECOMMENDATION No. 4:

Information from Tenants for Rent Assessment

- ◆ In order to ensure the accurate assessment of differential rent payments, local authorities should establish effective systems to gather the information from tenants that is necessary for rent determination and periodic rent review, using the procedures that are outlined in Section Three of these Guidelines.

GOOD PRACTICE RECOMMENDATION No. 5:

Principal Considerations in Rent Assessment

- ◆ Good practice in rent assessment requires that rent levels should reflect the following broad principles:
 - the rent payable should be related to income and a smaller proportion of income should be required from low-income households
 - allowances should be made for dependant children
 - a contribution towards the rent should be required from subsidiary earners in the household
- ◆ In addition, local authorities should ensure that rental income broadly reflects the management and maintenance costs of the local authority's stock of dwellings.

Best Practice Suggestion No. 1: Other Considerations in Rent Assessment

In order to ensure that rent determination schemes are simple, transparent and equitable, local authority housing practitioners should avoid using complex fractional systems of rent determination under which tenants with different incomes pay a different proportion of their incomes in rent. As an alternative, they may wish to change their differential rent scheme to a system based on a set percentage or single fraction of assessable income.

GOOD PRACTICE RECOMMENDATION No. 6:

Assessable Income for the Determination of Differential Rents

- ◆ Decisions regarding the sources of income which are included and disregarded for rent assessment purposes are a matter for individual local authorities.
- ◆ However, in developing their policy on this issue housing practitioners should take account of the need to achieve equity, avoid contributing to the unemployment trap or to poverty and to ensure that rent determination schemes are simple and transparent.
- ◆ Furthermore, housing practitioners should note that certain limitations on the inclusion of income from the following sources for rent assessment purposes also apply:
 - where tenants' income is increased as a result of their participation in the FÁS Community Employment Programme, their differential rent should not be increased as a result
 - similarly, where tenants' income is increased by their participation in the Department of Social, Community and Family Affairs Back-to-work Allowance scheme, their differential rent should not be increased as a result, if their combined income from employment or self employment and the back-to-work allowance scheme does not exceed £250 per week.

GOOD PRACTICE RECOMMENDATION No. 7:

Use of the Hardship Clause

- ◆ Local authorities should ensure that their differential rent scheme includes a 'hardship clause' which makes provision for the acceptance of a lower rent than that required under the terms of the scheme, in exceptional cases where payment of the normal rent would give rise to hardship.
- ◆ Although individual officials should be allowed appropriate discretion in decisions regarding the use of the hardship clause, each local authority's statement of policy on rent assessment, collection, accounting and arrears control should also contain a clear statement of the principal occasions on which it will be applied.

2.4 GOOD PRACTICE IN RENT COLLECTION

The primary aim of the rent collection system is to collect the maximum amount of rent due from tenants at the lowest possible cost. A wide range of options for reform are available to ensure that this aim is achieved more effectively. As was mentioned above, utilising new technology can contribute significantly to reducing the cost of rent collection. In addition, reforming the methods and procedures for rent collection in order to ensure that they reflect the needs and preferences of tenants can help to facilitate prompt payment of rent, discourage the accumulation of high levels of arrears, and maximise rental income.

In order to inform the development of programmes for the reform of local authority housing rent collection systems, this section reviews the advantages and disadvantages of the most commonly used rent collection methods from the perspective of cost effectiveness and facilitating prompt payment of rent by tenants. These collection methods range from traditional door-to-door and office based systems to more modern methods such as the Household Budget Scheme and the Billpay service which are administered by An Post. Under the Household Budget Scheme, An Post can make deductions of up to a maximum of 25 per cent from benefits to cover payments for local authority rents and for other essential services such as electricity, gas, telephone, etc. The scheme operates on the basis of a voluntary application by the tenant to An Post and the arrangement can be terminated at any time. Billpay is a bill payment service provided by An Post and available through all post offices. It is used to pay housing rents in many of the larger local authorities.

Programmes for the reform of rent collection systems should also take account of the need for flexibility in rent collection times and the need to protect the health and safety of staff involved in rent collection. These issues are discussed in detail in sections Three and Five of these Guidelines respectively.

GOOD PRACTICE RECOMMENDATION NO. 8:

Cost Effective Rent Collection

- ◆ Local authorities should review the cost of each rent collection method on a regular basis and should institute appropriate reforms in order to ensure that rent is being collected as cost effectively as possible.

- ◆ Although the costs associated with the various rent collection methods varies between different local authorities, the 1995 Department of the Environment and Local Government value for money study on differential rent estimates the average costs associated with the common rent collection methods as follows:
 - door-to-door rent collection costs an average of £47 per dwelling per year
 - collecting rent at central and local offices costs an average of £32 per dwelling per year
 - collecting rent using direct debits costs an average of £33 per dwelling per year
 - collecting rent using the Household Budget Scheme costs an average of £16 per dwelling per year
 - There is a charge of 50p to the local authority on each individual rent payment transaction using the An Post Billpay service
 - collecting rent through credit unions costs an average of £20 per dwelling per year.

GOOD PRACTICE RECOMMENDATION No. 9:

Effective Rent Collection

- ◆ Local authorities should review the effectiveness of each rent collection method on a regular basis, by assessing the level of rent arrears which are associated with each payment option and should institute appropriate reforms in order to ensure that rent is being collected as effectively as possible.
- ◆ Although the effectiveness of the various rent collection methods varies between different local authorities, in designing programmes to improve the effectiveness of rent collection housing practitioners may wish to take account of the checklist of the advantages of the most common rent payment options which are set out on the following page.

Best Practice Suggestion No. 2:
Payment of Other Local
Authority Charges with Rent

In order to achieve best practice in the management of the rents service, local authorities should consider establishing facilities to enable tenants to pay their housing rent in the same transaction as other local authority charges such as refuse collection.

**EFFECTIVE RENT
COLLECTION –
ADVANTAGES AND
DISADVANTAGES
OF THE
DIFFERENT
PAYMENT
OPTIONS**

DOOR-TO-DOOR RENT COLLECTION

- ◆ May be the only practical method of rent collection in rural local authorities with a dispersed, isolated housing stock ✓
- ◆ This cash-based method of collection may suit tenants who are not in full-time employment or do not have bank accounts ✓
- ◆ Brings staff and tenants into regular contact and provides an opportunity for the communication of problems regarding the rent service or housing management and maintenance ✓
- ◆ Associated with low rent arrears - probably because regular personal calls to tenants by authority staff can cultivate a healthy payment culture ✓
- ◆ However, this method of rent collection is inappropriate to the needs of tenants who work outside the home X

COLLECTION OF RENTS AT LOCAL AUTHORITY HEAD AND SUB-OFFICES

- ◆ Shares many of the advantages and disadvantages of door-to-door rent collection as it is a cash-based method of rent collection which brings staff and tenants into regular contact but may not suit employed tenants ✓
- ◆ In addition schemes for collection of rent in local offices may be established in tandem with programmes for the localisation of housing management and the establishment of estate-based housing management offices ✓

COLLECTING RENTS USING DIRECT DEBITS

- ◆ The facility is widely available throughout the country ✓
- ◆ It is convenient for tenants ✓
- ◆ It may help tenants to manage their finances more effectively ✓
- ◆ It is not suited to the needs of tenants who do not have bank accounts X
- ◆ Most financial institutions levy transaction charges on tenants for direct debit rent payments X

THE HOUSEHOLD BUDGET SCHEME

- ◆ This scheme is available to recipients of unemployment benefits paid at post offices by postdraft or by electronic income transfer and to recipients of lone parents payments, Widows and Widowers Non-contributory Pension, Disability Allowance and Invalidity Pension who are willing to change from their usual book payment method to a Social Service Card ✓
- ◆ No charge is levied on the tenant for using the service ✓
- ◆ Rent is deducted from benefits at source which can help tenants who have difficulty managing money pay their rent and other essential bills on time ✓
- ◆ For this reason the scheme is useful in preventing and recovering rent arrears ✓
- ◆ Local authority rent is given priority in all cases where the tenant authorises a number of deductions simultaneously ✓
- ◆ This scheme is useful for tenants living in isolated rural areas and tenants who regularly collect their social welfare benefits at the post office ✓
- ◆ There is a delay of up to 28 days before deductions can begin X
- ◆ This scheme is not available to tenants in paid employment X

THE AN POST BILLPAY SERVICE

- ◆ Billpay is bill payment service provided by An Post and available through all Post Offices which can be used to pay local authority housing rents ✓
- ◆ This scheme is available to both employed tenants and social welfare recipients ✓
- ◆ from the tenant's perspective it is a very flexible payment system ✓
- ◆ It is useful for tenants living in isolated rural areas and tenants who collect social welfare benefits at post offices ✓
- ◆ The service is free to the tenant ✓

USE OF CREDIT UNIONS FOR RENT COLLECTION

- ◆ The service is free to the tenant ✓
- ◆ The credit unions, together with the Money Advice and Budgeting Service (MABS), operate a system of special accounts for the payment of debts which can be useful in the recovery of rent arrears ✓
- ◆ However this may not be an effective means of preventing the accumulation of rent arrears - rent payments are transferred from credit unions to the authority only once a month and, as a result, the tenant may be four weeks in arrears before the authority becomes aware of it X

2.5 **GOOD PRACTICE IN RENT ACCOUNTING**

The establishment of an efficient system for the monitoring and accounting of rent receipts is vital to the efficient management of the rents service. In addition, the rent accounting system should be able to provide the management information necessary for ongoing monitoring of the performance of the service and contribute to customer care by providing information to individual tenants on the status of their rent account, both periodically and on demand.

GOOD PRACTICE RECOMMENDATION No. 10:

Rent Accounting Systems

- ◆ Local authorities should establish a computerised system of accounting for all rent receipts. This system should be capable of:
 - updating rent accounts within 24 hours of receiving rent payments
 - producing weekly rent account records for the purposes of rent arrears monitoring by the authority
 - producing a complete history of the rent payment records of individual tenants
 - producing quarterly rent account statements for tenants
 - producing rent account statements on request
 - generating weekly reports on tenants in arrears of rent
 - recording details of the steps taken to try and recover arrears
 - differentiating between current and past tenants
 - differentiating between rent and other payments such as heating and service charges
 - differentiating between arrears which are actionable because they are due to deliberate non-payment on the part of tenants and non-actionable arrears which are due to technical factors such as delays in forwarding rent payments made through credit unions to the local authority
 - liaising with computer systems for the management of housing functions such as housing allocation, maintenance, etc.

GOOD PRACTICE RECOMMENDATION No. 11:

Writing Off Unrecoverable Rent Arrears

- ◆ Local authorities should develop clear procedures and policies for 'writing off' debts which are considered no longer recoverable and should provide guidelines to staff on the operation of these policies.

2.6 RENT ASSESSMENT, COLLECTION AND ACCOUNTING: PERFORMANCE INDICATORS

In common with all other aspects of the local authority housing service the establishment of a system of performance indicators is a vital step to achieving good practice in the management of rent assessment, collection and accounting. The exact indicators chosen are a matter for each authority. However, in order to aid the development of their policy on performance monitoring, local authority housing practitioners may wish to consult the recommendations and suggestions outlined below.

GOOD PRACTICE RECOMMENDATION No. 12:

Rent Assessment, Collection and Accounting: Performance Indicators

- ◆ In order to achieve good practice in the management of the rent collection service, local authorities should review the percentage of rent due that is actually collected on an annual basis. On this basis they should set annual performance targets for improving the percentage of rent collected with a view to improving rent collection rates to 100 percent.

Best Practice Suggestion No. 3:
Rent Assessment, Collection
and Accounting Performance
Indicators

In order to achieve best practice in rent assessment, collection and accounting, local authorities should consider developing a comprehensive system of performance indicators. These performance indicators could include the following:

- average time for assessment of the rent of new tenants
- average time for the reassessment of the rent of existing tenants
- percentage of rent due which was collected by each collection method
- average collection cost per dwelling and per pound collected, by method of rent collection
- number of working days per year on which the rent accounting system failed to operate.

SECTION THREE

The Introduction to these Guidelines pointed out that local authority housing practitioners have traditionally devoted a great deal of attention to addressing rent arrears after they occur and have not concentrated sufficiently on preventing rent arrears from accruing in the first place. This approach to arrears control can be criticised on the grounds that it is usually expensive since it relies principally on court action for arrears recovery. Furthermore, it is often ineffective as the low average income of local authority tenants means that tenants who fall into even very small levels of rent arrears can find it impossible to repay the debt. This section of the Guidelines highlights a range of strategies that can be employed by local authority housing practitioners to help prevent rent arrears accumulating and therefore diminish the need for court action to recover arrears.

The first step to achieving good practice in rent arrears prevention is the creation of a payment culture in which the need for prompt payment of rent is appreciated by tenants and therefore becomes the norm. In addition, customer care is central to rent arrears prevention. Local authorities should ensure that the rent collection service is tailored to facilitate the prompt payment of rent by tenants and that rent determination schemes protect the financial welfare of tenants by ensuring that rents are set at an equitable level and that strategies are put in place to increase tenants' ability to pay the rent. Finally, preventing rent arrears also requires strategic management by housing practitioners. Local authorities should ensure that rent accounts are regularly reviewed in order to identify persistent trends in rent arrears and institute appropriate remedial action in order to address these problems.

3.1 CUSTOMER CARE IN RENT ASSESSMENT

RENT ARREARS PREVENTION

Ensuring that tenants are paying a rent that they can afford, is central to preventing the occurrence of rent arrears. This can be achieved by interviewing tenants in detail about their financial and family circumstances on the initial allocation of the dwelling, and ensuring that rents are reviewed regularly to check that they have been set at a correct rate and to reflect any changes in the family and personal circumstances of tenants that would have implications for their rent assessment. In addition, local authorities should also put in place strategies to improve tenants' ability to pay their rent by making them aware of any tax relief or social welfare benefits that they may not be claiming.

GOOD PRACTICE RECOMMENDATION No. 13:

Interviewing New Tenants for Rent Assessment Purposes

- ◆ In order to achieve good practice in rent assessment, local authorities should ensure that all tenants are interviewed in detail about their financial and family circumstances on the allocation of a new tenancy.
- ◆ This initial interview should also be used as an opportunity to emphasise to tenants that they have a legal obligation to pay rent and to provide the authority with accurate information for rent assessment purposes, the implications of failure to pay rent and the relationship between rent paid and the management and maintenance service provided by the local authority.

- ◆ The method of rent assessment, including the calculation of maximum and minimum rents and the types of income that are included and disregarded for rent assessment purposes, should be clearly explained to tenants at this time as should the implications of any future changes in their financial or family circumstances for the rent due.
- ◆ The procedures for review of rent both periodically and on request should also be explained to tenants. The authority's policy on the acceptance of a lower rent than that required under the terms of the scheme, in exceptional cases where payment of the normal rent would give rise to hardship, should be outlined and the importance of approaching the authority if they have difficulty paying rent and of swiftly communicating any changes in their personal and financial circumstances that would have implications for their rent assessment, should be emphasised.

GOOD PRACTICE RECOMMENDATION No. 14:

Periodic Reviews of the Rents of Existing Tenants

- ◆ Local authorities should review the rent assessment of all existing tenants at least annually to ensure that all tenants are paying the correct rent and to update rents to reflect changes in tenants incomes and in housing management costs.
- ◆ At the time of the rent review all tenants should be written to and requested to supply details of any changes in their financial or family circumstances that would require a review of their rent assessment. This communication should be clear and user-friendly in style and should include contact details and availability times of a section of the authority or of a named official who is available to address relevant queries from tenants.
- ◆ Local authorities should ensure that the introduction of changes to rent assessment in order to reflect increases in social welfare benefits coincide with the time in which the social welfare increases are actually introduced, rather than when they are announced by central government.

Best Practice Suggestion No. 4:

Provision of Benefits
Information to Tenants

- ◆ In order to achieve best practice in rent arrears prevention, local authorities may wish to use the opportunity of the rent assessment interview to advise tenants on any social welfare benefits that they may not be claiming, and on new tax relief and in-work benefits that are available for social welfare claimants who return to paid employment.
- ◆ Additionally, local authorities may wish to include documentation on recent changes to social welfare, in-work benefits, and commonly under-claimed benefits such as Family Income Supplement and Fuel Allowance, in written communication to tenants regarding rent reviews.

3.2 RENTS SERVICE INFORMATION FOR TENANTS

The provision of clear, concise and user-friendly information to tenants on the operation of all elements of the rents service is central to preventing the accumulation of rent arrears. Effective communication with tenants regarding the methods of rent assessment and rent collection can help to ensure that new tenants in particular do not make errors regarding rent payment that would accidentally put them in arrears of rent, can encourage tenants to approach the authority at an early stage if they have difficulties in paying rent, and can help to create a payment culture among tenants by emphasising the legal obligations of tenants in relation to rent payment by and explaining the relationship between the rent paid and the housing management and maintenance service provided by the authority.

GOOD PRACTICE RECOMMENDATION No. 15:

Rent Service Guides for Tenants

- ◆ All tenants should be issued with guides to the authority's rent assessment, collection, accounting and arrears control policy, either as part of a tenant's handbook or as part of a separate rents service handbook or leaflet.
- ◆ All rents service information for tenants should be published in a clear, attractive, easily understood and updateable format.

- ◆ The rents service information should include a clear explanation of the method of rent assessment, the frequency of payments, the methods of rent collection, the legal obligations of tenants in relation to rent assessment and rent payment, the relationship between rent paid and the management and maintenance service provided, the implications of non-payment of rent, and full contact details of the rent section of the authority.
- ◆ The suggested content of rents service guides for tenants is outlined on the following page.

GOOD PRACTICE RECOMMENDATION NO. 16:

Communicating Rent Service Information to New Tenants

- ◆ The content of the rent service guide should be clearly explained by an official of the authority to all new tenants on the letting of a dwelling. The various payment options should be outlined and a suitable method of payment should be decided upon. Tenants should be provided with an opportunity to ask any questions they wish.
- ◆ The rent service guides should also be clearly explained to new tenants in the course or pre-tenancy training and information sessions.
- ◆ In order to conform with the requirements of the Housing (Rent Books) Regulations, 1993, local authorities should provide tenants with written confirmation of the amount of rent payable, the method of rent payment, and the frequency of payment.

Best Practice Suggestion No. 5:
Communicating Rent Service
Information to Tenants

In order to achieve best practice in rent arrears prevention, local authority housing practitioners may wish to consider posting a copy of the rent service guide on the authority's website. Provision of this service is particularly appropriate in those local authorities where tenants can access the internet through the public library service. The rents section web page could also include a rent calculation facility that would allow tenants to input details of their income and family circumstances and provide an estimate of their rent on this basis.

Rent Service Guides for Tenants –

Checklist of Contents

IMPORTANCE OF RENT PAYMENT

- ◆ Explanation of the relationship between rent receipts and the standard of the housing management and maintenance service that is provided to tenants ✓
- ◆ Details of legal obligations of tenants in relation to rent payment and rent assessment ✓
- ◆ Implications of non payment of rent ✓

RENT ASSESSMENT

- ◆ Details of the type of information that must be provided by the tenants for rent assessment purposes ✓
- ◆ Details of the criteria used for assessing rent levels, including the determination of a list of the sources of income that will be included and disregarded for rent assessment purposes ✓
- ◆ Details of any other charges to tenants levied by the authority such as heating and care-taking charges ✓
- ◆ Statement of the occasions on which these standard assessment criteria will be disregarded in cases of hardship ✓
- ◆ Details and dates of periodic rent reviews ✓
- ◆ Procedures for requesting a review of rent in cases of hardship ✓

RENT COLLECTION

- ◆ Details of rent payment options, including details of any extra charges to the tenant associated with each payment method ✓

RENT ARREARS PREVENTION

- ◆ Advice on what tenants should do if they have difficulties paying their rent ✓

RENT ARREARS RECOVERY

- ◆ Clear statement that non-payment of rent can result in the repossession of the dwelling ✓
- ◆ Clear statement that tenants who are in arrears of rent should contact the authority for help ✓
- ◆ Statement of the procedures that will be utilised to recover arrears ✓
- ◆ Statement of policy on the repossession of dwellings for non-payment of rent and details of the housing options that are available post-repossession ✓

CUSTOMER CARE

- ◆ Contact details of all sections of the rents service ✓
- ◆ Statement of policy on the provision of rent account statements to tenants, both periodically and on demand ✓
- ◆ Procedures for assessing customer satisfaction with the rents service ✓
- ◆ Procedures for making a complaint about the rents service ✓
- ◆ Procedures for addressing customer complaints, including target response times and policy on the provision of compensation ✓

3.3 CUSTOMER CARE IN RENT COLLECTION

Good practice in rent arrears prevention requires that the rent collection service is tailored to meet the needs of tenants, in order to ensure that they are facilitated to pay their rent promptly and in full.

GOOD PRACTICE RECOMMENDATION No. 17:

Customer Care in Rent Collection Methods

- ◆ Local authorities should provide a wide range of rent collection methods in order to ensure that tenants have access to a rent payment option that suits their individual circumstances and needs.
- ◆ Local authorities should establish mechanisms for surveying the satisfaction of individual tenants and members of tenants' and residents' associations and estate management committees with existing rent collection methods. The results of this survey should inform decisions regarding the reform of rent collection methods.

GOOD PRACTICE RECOMMENDATION No. 18:

Customer Care in Rent Collection Times

- ◆ As far as is practicable local authorities should provide tenants with a choice of rent payment times. Tenants should be allowed to choose the day of the week on which their rent is debited from their bank account and door-to-door collection or office collection should be available on more than one day per week in individual districts if possible.
- ◆ Good practice in rent arrears prevention requires that rent collection times coincide with social welfare benefit payment days. As far as is practicable, local authorities should endeavour to collect rent immediately after benefits are paid to tenants. Local authorities should also ensure that tenants are not required to pay rent in the days immediately preceding benefit payments.

3.4 CUSTOMER CARE IN RENT ACCOUNTING

Good practice in the management of the rents service requires that tenants should be issued with a receipt for all cash rent payments. The provision of receipts is not only required under the terms of the Housing (Rent Books) Regulations, 1993; it can also contribute to rent arrears prevention by helping tenants to account for and budget their expenditure. In addition, local authorities should establish systems to provide tenants with periodic rent account statements in order to ensure that they are made aware of any arrears of payment at an early stage and can take immediate action to rectify the situation.

GOOD PRACTICE RECOMMENDATION No. 19:

Receipts for Rent Payment

- ◆ All cash rent payment, either to revenue collectors or to local authority sub-offices, should be acknowledged with a written receipt. This receipt should state the purpose and date of the rent payment and the rent period to which the payment relates.

Best Practice Suggestion No. 6: Receipts for Rent Payment

In order to achieve best practice in the management of the rents service, local authorities may wish to utilise rent accounting systems that can provide tenants with a statement of the balance of their rent account, in conjunction with a written receipt for cash rent payments.

GOOD PRACTICE RECOMMENDATION No. 20:

Provision of Periodic Rent Account Statements

- ◆ Local authorities should provide all tenants with a written statement of the balance of their rent account on a quarterly basis. This statement should state the amount, purpose and dates of rent payments and should clearly highlight whether the account is fully paid up, is overpaid, or is in arrears.
- ◆ If the rent account is in arrears at the time at which the quarterly rent account statement is issued, the statement should be accompanied by a letter from the authority advising tenants of the implications of the rent arrears and requesting that they contact the authority in order to make arrangements to clear the arrears.

Best Practice Suggestion No. 7:
Provision of Rent Account
Statements on Demand

In order to achieve best practice in the management of the rents service local authorities may wish to establish systems to provide tenants with a statement of the balance of their rent account on request.

3.5 POSITIVE STRATEGIES TO PREVENT RENT ARREARS

Traditionally local authority housing practitioners have relied on punitive measures such as court action for the repossession of a dwelling in the control of rent arrears. Although this approach may be unavoidable in some cases, best practice in housing management requires that punitive measures should be balanced by the use of more positive strategies to prevent rent arrears such as incentives to encourage tenants to pay rent promptly and in full.

Best Practice Suggestion No. 8:
Incentives for Prompt
Rent Payment

In order to achieve best practice in rent arrears prevention, local authorities may wish to explore the introduction of incentives for prompt rent payment. These could include:

- rent-free weeks for tenants who have paid their rent in full at the end of the accounting or calendar year
- prize draws for tenants who have paid their rent in full at the end of the accounting or calendar year.

3.6 STRATEGIC MANAGEMENT OF PERSISTENT TRENDS IN NON-PAYMENT OF RENT

As well as establishing strategies to encourage and facilitate prompt and full payment of rent on the part of individual tenants, local authorities should establish systems to identify the categories of tenant which tend to be most persistently in arrears of rent and to develop rent arrears prevention strategies that are specifically targeted at these groups.

GOOD PRACTICE RECOMMENDATION No. 21:

Researching and Monitoring Persistent Trends in Non-Payment of Rent

- ◆ Good practice in rent arrears prevention requires that local authorities should establish systems to identify and monitor persistent trends in the non-payment of rent.
- ◆ Although persistent trends in the non-payment of rent will vary in different local authorities, the following factors underpin rent arrears in many cases and thus should be taken into account in the design of systems of rent-arrears monitoring:
 - length of tenancy: rent arrears tend to be more common among new tenants
 - collection method and collection day: rent arrears are often higher if rent is collected immediately preceding benefit payment day
 - seasonal factors: arrears generally peak during periods of high expenditure for tenants, such as Christmas, at summer holiday time, and when children are returning to school in August and September
 - difficult-to-manage estates: arrears are also often high in estates that are in low demand among prospective tenants and that are characterised by high levels of transfer applications and problems of anti-social behaviour.

Best Practice Suggestion No. 9: Addressing Persistently High Levels of Rent Arrears among New Tenants

- ◆ Housing practitioners who find that new tenants are particularly vulnerable to arrears should monitor the rent payment records of all new tenants and make routine visits to tenants three months after the allocation of the tenancy to ensure that they are satisfied with their rent assessment and rent payment method.
- ◆ Such follow-up visits should be carried out at an earlier stage in the case of new tenants who have missed rent payments, in order to alert the tenant to the fact that the authority is monitoring the account. Follow-up visits afford the housing practitioners an opportunity to review the tenant's rent assessment and rent payment method and to arrange debt counselling if necessary.

Best Practice Suggestion No. 10:

Addressing Persistently High Levels of Rent Arrears Associated with Particular Collection Times or Collection Methods

- ◆ Housing practitioners who find that high levels of arrears are associated with a particular rent collection method or rent collection time, may wish to consider reforming rent collection methods and times in order to address this problem.

Best Practice Suggestion No. 11:

Addressing Persistent Seasonal Increases in Rent Arrears

- ◆ Housing practitioners who identify persistent seasonal increases in rent arrears may wish to introduce rent-free weeks at these times for tenants who have paid their rent in full.
- ◆ Alternatively, local authorities may wish to offer tenants the option of taking a break from rent payments during a specified time of year, in return for paying a proportionately higher rent for the rest of the year.

Best Practice Suggestion No. 12:

Addressing Persistently High Levels of Rent Arrears in Particular Estates or Districts

- ◆ Housing practitioners who identify persistently high levels of rent arrears in particular estates or districts may wish to consider establishing localised estate management projects in these problem areas.
- ◆ These estate management projects could involve some or all of the following interventions:
 - appointing an estate officer with responsibility for co-ordinating housing management services on the estate and working with individual tenants and tenants' associations to combat rent arrears
 - preparing a report detailing patterns of rent arrears in the estate
 - conducting a strategic review of rent collection methods and times and their contribution, if any, to the accumulation of arrears, and initiating reforms to rent collection systems on this basis
 - establishing a local estate office that provides a rent collection service
 - reassessing the rents of all tenants living in the estate
 - providing debt counselling for tenants in arrears or allowing debt counselling agencies such as the Money Advice and Budgeting Service (MABS) to hold clinics for interested tenants in the local estate office

- establishing a local tenants' association or initiating links with an existing tenants' organisation with a view to working in co-operation to address the high general level of rent arrears on the estate, whilst respecting the confidentiality of the individuals in arrears
- collating the opinions of tenants' association members on improvements to rent collection methods that would increase the convenience of the system for tenants
- collating the views of the members on improvements to housing management and to the built environment of the estate that would enable tenants to feel they are getting value for money for rent paid
- providing grant aid to the tenants' association or to local community projects, linked to agreed estate-wide reductions in rent arrears.

3.7 RENT ARREARS PREVENTION: PERFORMANCE MONITORING

The establishment of a system of performance indicators is a vital element of achieving good practice in rent arrears prevention. The exact indicators chosen will depend on local conditions and as such are a matter for each authority. However, in order to aid the development of their policy on performance monitoring of rent arrears prevention, local authority housing practitioners may wish to consult the recommendations and suggestions outlined below.

GOOD PRACTICE RECOMMENDATION No. 22:

Rent Arrears Prevention: Performance Monitoring

- ◆ In order to achieve good practice in the management of the rent arrears prevention service, local authorities should review the percentage of tenants in arrears of rent annually. On this basis they should set annual performance targets for improving the percentage of rent collected with a view to decreasing rent arrears to zero.

Best Practice Suggestion No. 13:

Rent Arrears Prevention:
Performance Monitoring

- ◆ In order to achieve best practice in rent arrears prevention, local authorities should consider developing a comprehensive system of performance indicators. These performance indicators could include the following:
 - percentage of existing tenants whose rent has been reviewed
 - percentage of tenants who have replied to requests from the local authority for information on changes in financial and family circumstances, for the purposes of rent review
 - percentage of new tenants who have participated in pre-tenancy information courses on the rents service
 - results of the surveys examining the satisfaction of individual tenants and members of tenants' and residents' associations and estate management committees with existing rent collection methods
 - percentage of tenants who have requested rent account statements
 - results of monitoring of persistent trends in the non-payment of rent
 - effectiveness of interventions established to address these persistent trends in rent arrears.

SECTION FOUR

Although rent arrears prevention strategies can be effective in reducing the incidence of arrears, it is unlikely that they will be completely eliminated using strategies of this type. Therefore, effective systems should also be put in place to recover rent arrears when they do occur. The *First Report* of the Housing Management Group recommends that rent arrears recovery strategies should be firm but fair and should strike a balance between protecting the income of the authority and protecting the welfare of tenants and their families. This section of the Good Practice Guidelines examines the procedures that could be included in a strategy of this type.

Early intervention is central to effective rent arrears recovery. It ensures that the debt is kept at a level which tenants can realistically afford to repay and that the income of the authority is protected. In order to minimise the costs of arrears recovery and protect the welfare of tenants, local authorities should utilise a range of interventions to achieve repayment of the arrears before instigating legal action. However, if local authorities are forced to seek possession of a dwelling on the grounds of non-payment of rent, they should ensure that the correct legal procedures are followed at all times, in order to achieve a successful outcome, and that systems are established to protect the welfare of tenants whose dwellings have been repossessed on this basis.

4.1 **GOOD PRACTICE IN THE MANAGEMENT OF RENTS ARREARS RECOVERY**

RENT ARREARS RECOVERY

The recovery of rent arrears is a complex task and requires a wide range of competencies on the part of the staff working in this area of the housing service. The *First Report* of the Housing Management Group recommends that the most effective way to manage rents arrears recovery is to designate staff members to deal specifically with this issue.

GOOD PRACTICE RECOMMENDATION NO. 23:

Designation of Staff with Specific Responsibility for Rent Arrears Recovery

- ◆ Local authorities should designate members of staff with specific responsibility for the recovery of rent arrears.
- ◆ In those authorities in which revenue collectors are involved in rent collection, rent arrears recovery should normally be included within the remit of these officials.
- ◆ Local authorities should ensure that staff who have specific responsibility for rent arrears recovery are properly trained to carry out their duties, using the procedures set out in Section Five of these Guidelines.

GOOD PRACTICE RECOMMENDATION No. 24:

Written Records of Rent Arrears Recovery Action

- ◆ Local authorities should ensure that detailed written records are kept of action taken at each stage in the arrears recovery process. In particular it is vital that details of all attempts to contact such tenants, interviews and conversations with tenants regarding the arrears, and details of repayment agreements are recorded in full.

GOOD PRACTICE RECOMMENDATION No. 25:

Provision of Debt Counselling for Tenants in Arrears of Rent

- ◆ Local authorities should ensure that tenants in arrears of rent have the opportunity to avail of debt counselling, which is provided either by appropriate and properly trained local authority staff such as social workers and housing welfare officers or by arrangement with appropriate independent agencies such as the Money Advice and Budgeting Service (MABS) or Threshold.
- ◆ Local authorities who refer tenants to independent voluntary agencies for debt counselling should ensure that these agencies are compensated by the authority for their work in this regard.

4.2 INITIATION OF ACTION FOR RENT ARREARS RECOVERY

Section Two of these Guidelines recommended that local authorities should develop an explicit policy on the recovery of rent arrears, as part of their statement of policy on housing management. This policy should specify the level of rent arrears that will trigger arrears recovery action by the authority and should set out the procedures that will be utilised to recover arrears before recourse is taken to legal action for the repossession of the dwelling.

GOOD PRACTICE RECOMMENDATION No. 26:

Initiation of Action for Rent Arrears Recovery

- ◆ Local authorities should establish procedures for the regular monitoring of rent arrears in order to inform decisions regarding the initiation of action for arrears recovery.
- ◆ Local authority housing practitioners should ensure that the section of their authority's statements of policy on housing management which deals with the rents service specifies the level of arrears that will trigger arrears recovery action on the part of the authority.
- ◆ Although decisions regarding the appropriate timeframe for the initiation of action for rent arrears recovery will depend on local factors such as staffing levels, housing practitioners should take account of the following issues in drawing up their policy on the initiation of arrears recovery action:
 - arrears recovery action should be initiated at an early stage in order to protect the income of the authority and to ensure that the debt is kept at a level that tenants can realistically afford to repay; this should normally be after not more than four weeks of non-payment of rent
 - decisions regarding the initiation of action for the recovery of rent arrears should be based on the number of weeks of arrears of payment, rather than on the basis of the amount of arrears.

GOOD PRACTICE RECOMMENDATION No. 27:

Initial Contact with Tenants in Arrears of Rent

- ◆ Initial contact with tenants for the purposes of recovery of rent arrears should be in the form of a letter or personal call. It is important that this initial contact is sensitive to the situation of tenants in arrears of rent and that all information provided is clear and easy to follow.

- ◆ When tenants are initially contacted for the purposes of rent arrears recovery, they should be advised in writing of:
 - the number of weeks and the amount of arrears
 - the date of the last rent payment made
 - the need to recommence payment of rent immediately
 - the requirement to clear the arrears or, if this be not possible, to contact a named person in the authority to make an appointment for the purpose of discussing the arrears
 - the contact and availability details of the official who has been assigned responsibility for the recovery of the arrears
 - the policy of the authority to make realistic voluntary agreements for the repayment of the debt, which are tailored to reflect the specific circumstances of the tenant
 - the policy of the authority to provide debt counselling either directly or through an outside agency if the tenant wishes
 - the confidential nature of any meeting with the authority regarding rent arrears
 - the implications of not contacting the authority and of not clearing the arrears.

4.3 **NEGOTIATING RENT ARREARS REPAYMENT AGREEMENTS**

Local authority housing practitioners should ensure that tenants who make contact with the authority in order to negotiate rent arrears repayment agreements are treated with courtesy at all times and that their situation is handled with due sensitivity. In order to compile the information necessary for the negotiation of an arrears repayment agreement, tenants should be interviewed in detail about their income and family circumstances, and efforts should also be made to identify the factors that caused the arrears to develop. Local authorities should ensure that rent arrears repayment agreements are realistic and do not drive the tenants into further debt and that procedures are established to protect the welfare of vulnerable tenants who are in arrears of rent and of tenants who are multiply indebted to other agencies as well as to the local authority.

GOOD PRACTICE RECOMMENDATION No. 28:

Assessing Tenants' Circumstances for the Purposes of Negotiating Rent Arrears Repayment Agreements

- ◆ The first step in negotiating a rent arrears repayment agreement is conducting a detailed interview with tenants in order to assess their income and individual family and financial circumstances.
- ◆ On the basis of this interview, the current rent of the tenant should be reassessed to check that it is correct and any appropriate changes to the rent assessment and rebates for overpayment of rent should be arranged accordingly.
- ◆ During this initial interview, attempts should be made to identify the factors that caused the tenant to fall into arrears of rent. Rent arrears are often triggered by a crisis or a significant change in circumstances – setting up house for the first time; separating from a partner; having a child; becoming unemployed or ill; or unforeseen expenditure such as funeral or medical costs. If this is the case the authority should consider utilising the hardship clause to reduce the tenant's rent for an appropriate period of time.

- ◆ At this initial meeting, tenants should also be made aware of any tax relief or benefits they are not claiming, they should be provided with forms for claiming these benefits and they should be referred them to the local Community Welfare Officer for an exceptional needs payment under the Supplementary Welfare Allowance scheme if appropriate.

GOOD PRACTICE RECOMMENDATION No. 29:

Provision of Debt Counselling to Multiply Indebted Tenants

- ◆ Debt counselling is particularly appropriate in cases where tenants have other debts in addition to rent arrears. Debt counselling organisations can help these tenants review their financial commitments, prioritise their debts and negotiate repayment schedules with their various creditors. This will enable tenants to deal with all of their debts in a co-ordinated way, address the underlying problems which caused the arrears to arise in the first place, and ultimately adhere to the rent arrears repayment agreement.

Best Practice Suggestion No. 14:

Dealing with vulnerable tenants in arrears of rent

- ◆ In order to achieve best practice in the recovery of rent arrears, local authority housing practitioners may wish to devise an agreed strategy for dealing with the arrears of vulnerable tenants such as elderly people, tenants with mental health problems, parents of young children, and tenants with learning or language difficulties, in conjunction with the authority's social work or housing welfare service or with the relevant health board social work service.

GOOD PRACTICE RECOMMENDATION No. 30:

Negotiating Rent Arrears Repayment Agreements

- ◆ The details of rent arrears repayment will vary depending on the size of the debt and the personal circumstances and vulnerability of the individual tenant. Therefore, housing practitioners should be allowed appropriate discretion in the negotiation of rent arrears repayment agreements.

- ◆ However, good practice in housing management requires that the following issues should be taken into account in the negotiation of rent arrears repayment agreements:
 - in order to protect the income of the authority and prevent the tenant getting further into debt it is important to ensure that payment of rent recommences as soon as possible
 - arrangements for the repayment of rent arrears should be determined primarily by the tenant's ability to pay – if agreements are not realistic they are unlikely to be adhered to; this will necessitate further rent arrears recovery action on the part of the authority and will be less cost-effective over the long term
 - local authorities should accept whatever payment the tenant offers to make against the rent arrears, no matter how small
 - local authorities should not insist on lump-sum payment of the entire amount of the arrears by the tenant if the tenant is not in a position to do so. Such a heavy-handed approach may achieve repayment of the rent arrears but it may also undermine the welfare of tenants by forcing them to borrow money from undesirable sources such as illegal moneylenders or to go into debt to other service providers in order to keep up the arrears repayments to the local authority.

4.4 **IMPLEMENTING RENT ARREARS REPAYMENT AGREEMENTS**

Careful implementation of rent arrears repayment agreements is central to the successful recovery of arrears. In particular it is important that procedures are established to monitor tenants' compliance with the agreement on an ongoing basis and that appropriate arrangements for the collection of the rent arrears payments are put in place.

GOOD PRACTICE RECOMMENDATION No. 31:

Monitoring Compliance with Rent Arrears Repayment Agreements

- ◆ Local authorities should establish procedures to monitor tenants' compliance with rent arrears repayment agreements on an ongoing basis and to identify missed payments as soon as they occur. Written records should also be kept of the results of this monitoring.

GOOD PRACTICE RECOMMENDATION No. 32:

Arrangements for Collection of Rent Arrears Repayments

- ◆ Local authorities should review the rent payment method used by individual tenants who are in arrears of rent, in order to ensure that it is not contributing to the development of arrears, and make any appropriate changes.
- ◆ Good practice in rent arrears recovery requires that tenants who are in arrears of rent should be encouraged to have their rent and their arrears repayment deducted at source from their wage or benefit payment, using the Household Budget Scheme or Credit Union Special Accounts.

GOOD PRACTICE RECOMMENDATION No. 33:

Use of the Household Budget Scheme for the Recovery of Rent Arrears

- ◆ As was mentioned in Section Two of these Guidelines the Household Budget Scheme can be a very useful mechanism for the recovery of rent arrears from tenants claiming the principal social welfare benefits. However, housing practitioners are reminded that the 25 per cent deduction from benefits under this scheme is designed to facilitate a payment of bills for all of the main utilities. They should not insist on receiving payment of the entire of the available deduction as this will restrict the tenant's ability to pay for other essential services.

GOOD PRACTICE RECOMMENDATION No. 34:

Use of Credit Union Special Accounts for Recovery of Rent Arrears

- ◆ Credit Union Special Accounts are operated by the credit unions on behalf of the Money Advice and Budgeting Service (MABS) for clients referred to or availing of the MABS service and to whom Household Budget and the Billpay schemes do not apply or are not suitable. Under the terms of this scheme the tenant makes one payment to the credit union on a weekly basis to cover a number of creditors and the money is then distributed by the credit union on the instructions of MABS to the payees on a monthly basis. The service is free to the tenant and to the local authority.

- ◆ This scheme is particularly useful in cases where the local authority has already obtained a warrant for repossession of a dwelling on grounds on non-payment of rent and is reluctant to enter into new agreements with the tenant and to recommence accepting instalments against arrears. By agreement with the MABS, local authorities can arrange to have all payments held in the Special Account where it can be monitored on a regular basis over a period of time to measure the bona fides of the tenant's undertakings.

4.5 ADDRESSING FAILURE TO MAKE CONTACT WITH THE AUTHORITY REGARDING RENT ARREARS

In some cases tenants will fail to make any contact with the authority regarding their rent arrears. Thus, it is important that procedures are in place to address this situation should it arise.

GOOD PRACTICE RECOMMENDATION No. 35:

Addressing Failure to Make Contact with the Authority Regarding Rent Arrears

- ◆ Local authority housing practitioners should make every effort to contact tenants who have ignored previous communications regarding rent arrears, either by letter or by calling to the house.
- ◆ Letters to such tenants should state that the authority is open to reaching a voluntary agreement to address the arrears at any time, offer the tenant the opportunity of contacting an independent advice agency such as the Money Advice and Budgeting Service (MABS) to negotiate on their behalf, and clearly explain that the ultimate consequence of non-payment of rent is repossession of the dwelling.
- ◆ Where a number of letters are sent, these should be progressively stronger in tone in order to send a clear and unambiguous message to the tenant.
- ◆ Tenants who persistently ignore communications regarding rent arrears should be sent a final written warning that legal proceedings for the repossession of the dwelling are about to be initiated.

4.6 ADDRESSING FAILURE TO ADHERE TO RENT ARREARS REPAYMENT AGREEMENT

In cases where tenants fail to adhere to an arrears repayment agreement, local authorities should be open to renegotiating the repayment agreement to try and re-establish regular payment of rent and repayment of arrears.

GOOD PRACTICE RECOMMENDATION No. 36:

Addressing Failure to Adhere to a Rent Arrears Repayment Agreement

- ◆ Local authorities should closely monitor tenants' adherence to repayment agreements and intervene at an early stage where there is evidence that the terms of the agreement are not being maintained.
- ◆ If they have not already done so at the time of the negotiation of the original repayment agreement local authorities should ensure that the following procedure is carried out:
 - the tenant should be referred to the Money Advice and Budgeting Service (MABS) or another appropriate agency, in an effort to identify the factors that caused the agreement to breakdown and to reschedule repayments or negotiate a new agreement on this basis
 - the tenant should be referred to the relevant Community Welfare Officer in order to ascertain whether an emergency needs payment is appropriate
 - rent arrears repayments from such tenants should be deducted at source from benefits or wages by means of the Household Budget Scheme or Credit Union Special Accounts
 - tenants should be clearly informed that failure to meet the terms of the renegotiated agreement will result in legal proceedings being instituted for the repossession of the dwelling.

4.7 REPOSSESSION OF DWELLINGS FOR NON-PAYMENT OF RENT

Legal proceedings for the repossession of a dwelling on the grounds of non-payment of rent should only be used as a last resort and staff should be provided with clear guidelines setting out the occasions when the use of such action is appropriate. When legal action is initiated it is important that correct procedures are followed in all cases in order to ensure a successful outcome.

GOOD PRACTICE RECOMMENDATION No. 37:

Policy on the Repossession of Dwellings for Non-Payment of Rent

- ◆ Local authorities should draw up a clear policy on the use of legal action for the repossession of a dwelling on the grounds of non-payment of rent as part of their statement of policy on housing management.
- ◆ Local authorities should apply for repossession of a dwelling on the grounds of non-payment of rent only after every reasonable effort has been made to resolve the problem and has failed.
- ◆ Furthermore, before initiating legal action, housing practitioners should check that no previous Notices to Quit have been issued against the tenant which are still standing.

GOOD PRACTICE RECOMMENDATION No. 38:

Service of a Notice to Quit on the Grounds of Non-Payment of Rent

- ◆ The first step in the legal process for the repossession of the dwelling on grounds of non-payment of rent is the service of a Notice to Quit the dwelling. The Notice to Quit may also incorporate a formal Demand for Possession of the dwelling.
- ◆ A Notice to Quit must be in writing and must be served on the tenant not less than four weeks before it is due to take effect or, in other words, before the date on which the tenant is required to deliver up possession of the dwelling to the authority.

- ◆ The Notice to Quit should be accompanied by a covering letter setting out the reasons for serving the Notice, the implications of this, the steps that the tenant should undertake in order to avoid repossession of the dwelling, and details of sources of advice and assistance available from independent agencies.

GOOD PRACTICE RECOMMENDATION No. 39:

Court Action for the repossession of Dwelling on the Grounds on Non-Payment of Rent

- ◆ If, following the service of a Notice to Quit, the tenant fails either to clear the arrears or come to a satisfactory arrangement with the local authority, the next step is the service of a court summons requiring the tenant to attend a District Court hearing for repossession of the dwelling.
- ◆ At this hearing the local authority is required to prove the following:
 - the dwelling was provided by a housing authority under the 1966 Housing Act
 - there is no tenancy in the dwelling because the tenant has broken the terms of the letting agreement by failing to pay the rent due
 - possession of the dwelling was duly demanded
 - the occupier duly failed to give up possession of the dwelling
 - the Demand included a statement of the intention of the housing authority, if the demand was not complied with, to apply for the issue of a warrant for the possession of the dwelling.
- ◆ The 1966 Housing Act requires the District Justice to issue a warrant for repossession of the dwelling once he or she is satisfied that the technical requirements of the legislation have been met.

GOOD PRACTICE RECOMMENDATION No. 40:

Reaching a Rent Arrears Repayment Agreement after the Instigation of Legal Action for the repossession of a Dwelling

- ◆ It is appropriate in some circumstances to continue negotiations with the tenant for the repayment of the arrears until the warrant for possession of the dwelling is lodged for execution.

- ◆ However, housing practitioners should be aware that any agreements entered into at this stage or any payments accepted against the arrears will render any legal action for repossession of the dwelling null and void.
- ◆ If a rent arrears repayment agreement is reached after the instigation of legal action, local authority housing practitioners should require the tenant to pay off the arrears in a lump sum or make payments of instalments against the arrears into a Credit Union Special Account as a condition for halting the action for repossession of the dwelling.
- ◆ Furthermore the authority should require the tenant to sign a new tenancy agreement or to specifically waive the Notice to Quit in writing.

GOOD PRACTICE RECOMMENDATION No. 41:

Protecting the Welfare of Tenants Evicted on Grounds of Non-Payment of Rent

- ◆ Local authorities should notify the local health board and appropriate voluntary agencies of all forthcoming evictions for rent arrears. Such arrangements are particularly important where the household includes vulnerable members such as young children, people with language or mental health difficulties, elderly members or disabled or sick people.

4.8 RENT ARREARS RECOVERY: PERFORMANCE INDICATORS

The establishment of a system of performance indicators is a vital element of achieving good practice in rent arrears prevention. The exact indicators chosen will depend on local conditions and as such are a matter for each authority. However, in order to aid the development of their policy on performance monitoring of rent arrears prevention, local authority housing practitioners may wish to consult the recommendations and suggestions outlined below.

GOOD PRACTICE RECOMMENDATION No. 42:

Rent Arrears Recovery Performance Monitoring

- ◆ In order to achieve good practice in the management of the rent arrears recovery service, local authorities should monitor the amount of arrears recovered and the amount of arrears outstanding on an annual basis.
- ◆ Local authorities should compare arrears recovery performance with that of the previous year and on that basis should set a target for arrears recovery in the following year and monitor progress in achieving this target.

Best Practice Suggestion No. 15:

Rent Arrears Recovery: Performance Monitoring

- ◆ In order to achieve best practice in rent arrears recovery, local authorities should consider developing a comprehensive system of performance indicators. These performance indicators could include the following:
 - percentage of cases of rent arrears in which recovery actions were initiated
 - percentage of cases in which non-legal arrears recovery action was successful
 - percentage of cases in which tenants failed to adhere to an arrears repayment agreement
 - percentage of cases in which the tenant failed to make contact with the authority regarding the arrears
 - percentage of cases in which legal action for the repossession of the dwelling was initiated
 - percentage of cases in which agreement for repayment of arrears was reached before repossession of the dwelling
 - percentage of court actions for repossession of the dwelling that were successful.

SECTION FIVE

Section Three of these Guidelines highlighted the role of customer care in ensuring that tenants fulfil their responsibilities in relation to the rent service. However, as well as responsibilities, customer care also relates to the rights of tenants. Tenants have the right to expect a high quality service from the rents section of the local authority; to make a complaint if that service is unsatisfactory, and to be consulted about decisions concerning the management of the service. This section of the Guidelines examines the strategies which can be put in place in order to ensure that the rights of tenants in this regard are protected.

The staff of the rents department are among the main determinants of the quality of the rents service that is delivered to tenants by local authorities, and this section also considers how the management of staff resources can be improved. In order to achieve good practice in the management of the rents service, local authorities need to adopt a strategic approach to personnel management and development. This approach should be based on the development of a policy which ensures that the service is managed in an integrated fashion, that suitable staff are recruited to the service, and that they are provided with the training necessary to carry out their job. Housing rents staff have built up significant expertise on the operation of the service and they should be encouraged and facilitated to play a role in decision-making regarding its management.

5.1 DEVELOPING A CUSTOMER CARE CODE

CUSTOMER CARE AND PERSONNEL MANAGEMENT AND DEVELOPMENT

The development of a customer code is the first step in improving the standard of customer care in the rents service. This code should clearly set out the standard of service that tenants can expect to receive from the local authority and establish mechanisms for them to make a complaint if the standard of service is unsatisfactory. In addition, local authorities should establish mechanisms for surveying individual tenants and members of tenants' associations on the quality of the rents service and regarding major management reforms.

GOOD PRACTICE RECOMMENDATION NO. 43:

Developing a Customer Care Code

- ◆ Local authorities should develop a customer care code for their rents service.
- ◆ The starting point for the development of this code is the establishment of procedures for surveying the satisfaction of tenants regarding rent assessment, collection, accounting and arrears control.
- ◆ The code should set out the responsibilities of both the local authority and tenants in relation to the rents service.
- ◆ Local authorities should present the customer care code in simple format, publish it in an attractive manner, and make it available to all tenants.

- ◆ The details of the customer care code should be determined by each local authority on the basis of consultation with both tenants and staff. However, a checklist of the contents of a customer care code is also provided below.

GOOD PRACTICE RECOMMENDATION No. 44:

Tenant Satisfaction Surveys

- ◆ Local authorities should establish mechanisms for surveying individual tenants and members of tenants' associations on an ongoing basis regarding their satisfaction with rent assessment, rent collection, rent accounting, rent arrears recovery, and information on the rent service that is provided to them by the local authority.

CUSTOMER CARE CODE – CHECKLIST OF CONTENTS

BEHAVIOUR OF HOUSING RENTS STAFF

- ◆ Introduce and identify oneself to the tenant's satisfaction ✓
- ◆ Treat tenants with respect and courtesy at all times ✓
- ◆ Respect the confidentiality of any information provided by the tenant to the authority for rent assessment ✓
- ◆ Do not ask tenants to discuss personal, family or financial information in an inappropriate environment such as a public office or at the door of their home ✓
- ◆ Show due sensitivity to the situation of tenants in arrears of rent ✓

RIGHTS OF TENANTS

- ◆ To have their rent set at an equitable level ✓
- ◆ To have their rent assessed accurately and quickly ✓
- ◆ To have a choice of flexible rent payment options ✓
- ◆ To receive a receipt for all cash payments ✓
- ◆ To receive a full statement of the balance of their rent account on a quarterly basis ✓
- ◆ To receive a full statement of the balance of their rent account on demand ✓

RESPONSIBILITIES OF TENANTS

- ◆ Pay rent on time and in full ✓
- ◆ Treat all rent section staff with due courtesy and respect at all times ✓
- ◆ Provide all information necessary for rent assessment to the local authority ✓

TENANT SATISFACTION WITH THE HOUSING RENTS SERVICE

- ◆ Details of a formal complaints procedure for tenants who are dissatisfied with any aspect of the housing rents service ✓
- ◆ All complaints should be investigated promptly and details of expected response times to complaints should be included in the customer care code ✓
- ◆ Local authorities should establish a prompt method of compensating tenants for any over-payments of rent ✓
- ◆ Local authorities should establish procedures for accessing feedback from individual tenants and members of tenants' associations on the performance of all aspects of the housing rents service ✓

5.2 PERSONNEL MANAGEMENT AND DEVELOPMENT POLICY

The *First Report* of the Housing Management Group raises some concerns about personnel management within local authorities and makes a number of suggestions for improving practice in this area. The report identifies the establishment of effective arrangements for the training and development of local authority staff as a vital prerequisite to achieving good practice in housing management, and it suggests that such training should address both housing management policy and the skills necessary to provide a better service, including the development and improvement of the interpersonal skills necessary for good customer care. As was mentioned in the Introduction to these Guidelines, the report also identifies the dispersal of the different functions that go to make up public housing service across different sections within local authorities as one of the main factors impeding good practice in public housing management.

GOOD PRACTICE RECOMMENDATION No. 45:

Developing an Integrated Rents Service

- ◆ The head of the housing department should be charged with the development of an integrated approach to rents service delivery, and the co-ordination of rent assessment, collection, accounting and arrears control should be recognised as a key housing management responsibility.

GOOD PRACTICE RECOMMENDATION No. 46:

Personnel Management and Development Policy

- ◆ In order to achieve good practice in the rents service, local authorities should develop and implement a policy on the management and development of the staff of this service.
- ◆ As a minimum, this policy statement should contain the following information:
 - the skills and competencies which are expected from the different staff of the service
 - details of training plans to update and develop the skills of all grades of staff
 - details of the authority's arrangements for staff participation in policy development
 - the authority's disciplinary policy
 - any staff welfare or support services that it may provide.
- ◆ In the interests of ensuring a comprehensive housing management service is provided to tenants, the personnel management and development policy should seek to promote an integrated multi-disciplinary approach to the delivery of all aspects of the rents service and encourage and facilitate staff interaction and co-ordination with the other sections of the authority's housing service.
- ◆ The details of the personnel management and development policy should be determined by each local authority on the basis of consultation with staff and a consideration of the strategic requirements of its rents service. However, in order to aid the development of their policy, local authorities may wish to consult the checklist of items for inclusion in this statement that is provided on the following page.

PERSONNEL MANAGEMENT AND DEVELOPMENT POLICY –

CHECKLIST OF CONTENTS

STAFF SKILLS AND COMPETENCIES

- ◆ Details of the skills and competencies that are expected from the main grades of staff who are employed by the rents service ✓

STAFF TRAINING AND DEVELOPMENT PLAN

- ◆ Procedures for surveying staff regarding their training needs ✓
- ◆ Information programmes on developments in housing policy and rent collection and accounting technology ✓
- ◆ Skills up-dating programmes ✓
- ◆ Inter-disciplinary workshops and seminars, including joint training with staff of other sections of the housing service ✓

STAFF MANAGEMENT AND SUPERVISION

- ◆ Details of the procedures for the management and supervision of staff, including the 'line of command' in the rents section ✓
- ◆ Details of the authority's procedures for dealing with staff grievances and complaints ✓
- ◆ Disciplinary procedures covering the following areas:
 - absenteeism ✓
 - poor performance ✓
 - breaches of the customer care code ✓
 - breaches of health and safety policy ✓

STAFF INFORMATION AND PARTNERSHIP

- ◆ Policy on the provision of information to staff on developments in housing policy or rent collection and accounting technology ✓
- ◆ Procedures for consulting staff on the development and reform of rent assessment, collection, accounting and arrears control policy and procedures ✓

STAFF WELFARE

- ◆ Staff welfare policy and services ✓
- ◆ Details of the authority's health and safety policy ✓

GOOD PRACTICE RECOMMENDATION No. 47:

Health and Safety of Rents Collection Staff

- ◆ Local authorities should ensure that rent collection facilities have adequate safety precautions to protect staff and customers from the risk of attack and that procedures are in place to deal with such incidents.
- ◆ Staff involved in door-to-door rent collection are particularly vulnerable to attack and door-to-door collection facilities should only be provided if:
 - the health and safety risks have been carefully assessed, in consultation with staff and trade unions, and are considered to be acceptable
 - appropriate precautions are taken to protect the safety of collection staff, such as recording of times, and details of collection visits.
- ◆ Protecting the health and safety of rent collection staff should be a central consideration in any periodic review of rent collection options.
- ◆ Local authorities should ensure that appropriate medical and counselling facilities are available to rents service staff who have been victims of verbal or physical assault in the course of their work.

5.3 **INFORMATION FOR RENTS SERVICE STAFF**

Section Three of these Guidelines discussed the need to provide information to tenants on the operation of the rents service in order to ensure that they fulfil their obligations in this regard. If reform of the rents service is to be effectively implemented it is also vital that procedures are put in place to clearly communicate the details of the authority's policy to staff who deliver the service on a day-to-day basis.

GOOD PRACTICE RECOMMENDATION No. 48:

Resource Packs for Rents Service Staff

- ◆ Local authorities should provide resource packs for all staff of the rents service.
- ◆ The exact content of these resource packs is a matter for individual authorities. However, as a minimum, they should contain the following information:
 - the authority's statement of policy on rent assessment, collection, accounting and arrears control
 - the content of the rents service guides which the authority issues to tenants
 - the authority's customer care code
 - the authority's personnel management and development policy
 - details of procedures for monitoring the performance of all aspects of the rents service.

5.4 STAFF SKILLS DEVELOPMENT

The *First Report* of the Housing Management Group identifies the provision of training for staff as a vital prerequisite to achieving good practice in public housing management.

GOOD PRACTICE RECOMMENDATION No. 49:

Staff Training and Programmes

- ◆ In order to achieve good practice in the management of the rents service, local authorities should develop and implement a training programme for the staff of the service. Although the details of this programme will depend on local circumstances, as a minimum it should address the following issues:
 - all aspects of the authority’s rent assessment, collection, accounting and arrears control policy
 - customer care
 - interpersonal skills
 - health and safety procedures including personal health issues such as stress management skills.
 - skills up-dating and enhancement courses.

GOOD PRACTICE RECOMMENDATION No. 50:

Training for Rent Arrears Recovery Staff

- ◆ Local authorities should ensure that staff designated with special responsibility for rent arrears recovery are adequately trained to carry out their work effectively. Training should be provided for these staff in the following areas:
 - understanding the reasons why people fall into arrears and the other complex problems that may require referral to other agencies such as the MABS
 - understanding the emotional and mental state of a tenant who is in debt
 - understanding rent arrears policies and procedures
 - interviewing techniques and negotiation skills
 - dealing with difficult or violent situations
 - the legal framework for rent arrears recovery
 - presenting cases in court.

Best Practice Suggestion No. 16:

Inter-disciplinary and
Inter-departmental Staff
Training

- ◆ In order to facilitate the development of an integrated team approach to the staffing of the rents service, local authorities should ensure that training courses include a range of disciplines and grades of staff.
- ◆ In order to encourage interaction between the rents service staff and the staff of the other aspects of the housing service, local authorities should consider including staff from a range of sections within the same training programme, where relevant. Suitable topics for training of this type would include:
 - freedom of information
 - equal opportunities
 - housing policy
 - managing stress.

5.5 STAFF PARTICIPATION IN THE MANAGEMENT OF THE RENTS SERVICE

No one has a more intimate knowledge of the operation, and especially of the inefficiencies, of the rents service than the staff who provide the service. Achieving good practice in the management of the rents service requires that staff are consulted about any proposed reforms to the service and are afforded an opportunity to influence these reforms and play a role in the development of the authority.

GOOD PRACTICE RECOMMENDATION No. 51:

Developing Partnership Arrangements with Staff

- ◆ Local authorities should develop an active internal partnership with staff which ensures that staff of all grades are afforded a full opportunity to influence policy formation and operational strategy and are consulted regarding all changes in policy or operational matters.
- ◆ Consultation with staff can make a particular contribution to policy development in the following areas: the development of policy on rent assessment and rent collection options; addressing persistent trends in rent arrears; the formulation of customer care codes; the development of training programmes; the identification of performance indicators.

- ◆ Staff should be kept informed about the results of performance monitoring and be given an opportunity to play a role in planning to address any inefficiencies identified by performance monitoring.
- ◆ Procedures to survey staff satisfaction on a regular basis should also be established.

5.6 CUSTOMER CARE AND PERSONNEL MANAGEMENT AND DEVELOPMENT: PERFORMANCE INDICATORS

In order to achieve best practice in rent assessment, collection, and arrears control, local authorities may wish to implement a programme to measure the performance of their personnel management and development programme for this service.

Best Practice Suggestion No. 17: Customer Care Performance Indicators

- ◆ In order to achieve high standards of customer care in the rents service local authorities should establish procedures to survey individual tenants and members of tenants' and residents associations on their satisfaction with all aspects of the service and monitor the results of these surveys on an ongoing basis.

Best Practice Suggestion No. 18: Personnel Management and Development: Performance Indicators

- ◆ Indicators of the authority's performance in the area of personnel management and development could include the following issues:
 - percentage of rents service staff involved in health and safety, skills upgrading and personal development training
 - percentage of staff involved in integrated training
 - number and percentage of hours lost among housing staff and maintenance workforce by section, or office and by
 - (a) casual sick leave
 - (b) certified sick leave
 - (c) industrial injury
 - (d) special leave
 - number of staff satisfaction surveys carried out on policy, operation, service delivery
 - number and percentage of staff expressing
 - (a) satisfaction with service
 - (b) need to change aspects of service
 - (c) need to overhaul entire service
 - presenting cases in court (if appropriate), interviewing and negotiation skills, dealing with difficult or violent situations, welfare benefits and basic debt counselling.

LEGISLATION, PUBLICATIONS, USEFUL ADDRESSES

This section summarises the main provisions of the legislation on local authority housing rents and of other legislation which is relevant to good practice in the management of this service. It also lists some further readings and contact details of organisations which can provide useful advice to local authorities on the management of their rents service.

6.1 HOUSING RENTS LEGISLATION AND GUIDELINES

HOUSING, RENTS LEGISLATION

HOUSING ACT, 1966

The main provisions in relation to the management and control of local authority dwellings, including the management of the rents service, are contained in the Housing Act, 1966, as amended.

The following sections of this Act are directly relevant to local authority housing rents:

- ◆ *Section 58 (1)* – vests responsibility for the management and control of local authority dwellings in local authorities.
- ◆ *Section 58 (3)* – establishes the right of local authorities to set and collect rents for any dwellings provided by them, however. The Act also reserves the Minister for the Environment and Local Government the right to make regulations stipulating the matters to which local authorities must have regard in the determination of housing rents.
- ◆ *Section 61 (1)* - requires local authority tenants to supply a range of information to the authority for the purposes of rent setting, including: details of the number of people residing in the tenant's household together with details of their ages, sex, occupations and conditions of health and weekly income. Deliberately supplying false information to local authorities for rent assessment is also deemed to be an offence under the terms of the Act.
- ◆ *Section 62* – empowers local authorities to apply to the district court for repossession of a dwelling in certain circumstances.

HOUSING (MISCELLANEOUS PROVISIONS ACT), 1992

The 1992 Housing (Miscellaneous Provisions) Act also contains a number of provisions which are relevant to the management of the rents service. These include:

- ◆ *Section 9 (1)* – requires local authorities to develop a statement of policy on housing management and the Department of the Environment and Local Government’s 1993 *Memorandum on the Preparation of a Statement of Policy on Housing Management* specifies that the management of the rents service should be a central part of these statements.
- ◆ *Section 9 (2)* – allows local authorities to delegate some of their housing management, maintenance and control functions, including rent collection, to a designated body.
- ◆ *Section 9 (3)* – specifies the matters which should be contained in a delegation order.
- ◆ *Section 16 (1)* - requires that a Notice to Quit served by the authority must be in writing and must be served on the tenant not less than four weeks before the date on which the notice is to take effect.
- ◆ *Housing (Rent Books) Regulations, 1993* – require local authorities to provide tenants with written confirmation of the amount of rent payable, the method of rent payment, and the frequency of payment.

DEPARTMENT OF THE ENVIRONMENT AND LOCAL GOVERNMENT CIRCULARS AND MEMORANDA

- ◆ *Circular Letter HRT 6/86* - requires local authorities to ensure that the rents of local authority dwellings reflect the following principles: rents are related to income and a smaller proportion of income is required from low income households; allowances are made for dependent children; a contribution towards rent is required from subsidiary earners in the household; and provision is included for the acceptance of a lower rent, in exceptional cases where payment of the normal rent would give rise to hardship. In addition, the circular points out that rental income should broadly reflect the management and maintenance costs of the local authority’s stock of dwellings.
- ◆ *Circular Letter HRT 5/94* - requires local authorities to ensure that where tenants’ income is increased as a result of their participation in the Department of Social, Community and Family Affairs back-to-work allowance scheme, their differential rent is not increased as a result. However, these concessions should only be applied as long as the tenants’ combined income from the back-to-work allowance and from employment or self-employment does not exceed £250 per week.
- ◆ *Circular Letter 12/94* - requests local authorities to ensure that where tenants’ income is increased as a result of their participation in the Department of Enterprise and Employment Community Employment Programme, their differential rent is not increased as a result.

6.2 HOUSING RENT PUBLICATIONS

COMHAIRLE PUBLICATIONS

National Social Services Board (1997), *Money Advice and Budgeting Service*, Dublin, NSSB

DEPARTMENT OF THE ENVIRONMENT AND LOCAL GOVERNMENT PUBLICATIONS

Department of the Environment and Local Government (1995),
Value for Money Study no 8: Differential Rent, Dublin,
Department of the Environment and Local Government

Housing Management Group (1996),
First Report, Dublin,
Department of the Environment and Local Government

Housing Management Group (1998),
Second Report, Dublin,
Department of the Environment and Local Government

DEPARTMENT OF SOCIAL, COMMUNITY AND FAMILY AFFAIRS PUBLICATIONS

Guide to Social Welfare Services
Rates of Payment Booklet

MONEY ADVICE AND BUDGETING SERVICE PUBLICATIONS

You and Your Money

HOUSING UNIT PUBLICATIONS

Brennan, B., (2000),
Good Practice in Housing Management: Guidelines for Local Authorities
– *Repair and Maintenance of Dwellings*, Dublin, Housing Unit.

LOCAL AUTHORITY PUBLICATIONS

Limerick Corporation and the Mid-Western Health Board (1999),
Code of Practice for Dealing with Local Authority Rent/ Annuity Arrears,
Limerick, Limerick Corporation

THRESHOLD PUBLICATIONS

Downey, D. (1997),
As Safe as Houses? The Nature and Extent of Debt in the Irish Housing System,
Dublin, Threshold

6.3 USEFUL ADDRESSES

Department of Health and Children
Hawkins House
Dublin 2
Tel: 01-6354000
Fax: 01-6354001
Website: www.doh.ie

Department of Social, Community and Family Affairs
Áras Mhic Diarmada
Store Street
Dublin 1
Tel: 01-8478444
Fax: 01-7043868
Website: www.dscfa.ie

Department of the Environment and Local Government
Custom House Dublin 1
Tel: 01-8882000
Fax: 01-8882888
Website www.environ.ie

Threshold
19, St Mary's Abbey
Dublin. 7
Tel: 01-8726311
Email: info@threshold.ie
Website: www.threshold.ie

Money Advice and Budgeting Service (MABS)
Department of Social Community and Family Affairs
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Website: www.mabs.ie

Comhairle
7th Floor, Hume House
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Tel: 01-605 9000
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6.4 MONEY ADVICE AND BUDGETING SERVICE – LOCAL OFFICES

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Temple Bar
Dublin 2
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Fax: (01) 6719541

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Finglas MABS

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