

Date: 7<sup>th</sup> May 2019

Ref: FOI12673

Dear Requester

Thank you for your request for information dated the 18<sup>th</sup> April 2019 about social homes which have been found to be unlawfully sublet in the last five years. We have dealt with this under the Freedom of Information Act 2000.

## Response

The council holds the information requested, however we are withholding some of the information because it is exempt. The answers to your questions are below we have stated where we are withholding information and what exemptions apply. Please see the refusal notices at the end of the answers which explain how and why the exemptions apply.

*1) Please can you provide me with the number of social homes (council and housing association) which have been found to be unlawfully sublet in the last five years (2014-2019)? Please divide figures per year.*

1<sup>st</sup> April 2014 – 31<sup>st</sup> March 2015 - 26

1<sup>st</sup> April 2015 – 31<sup>st</sup> March 2016 – (Unlawful occupancy/abandonment/subletting) - 56

1<sup>st</sup> April 2016 – 31<sup>st</sup> March 2017 – 28

1<sup>st</sup> April 2017-31<sup>st</sup> March 2018 – 21

1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2019 – 23

*2) Where possible please provide me with details about the rent charged by tenants unlawfully subletting and any extra details on the cases: such as the area the home was in, the length of sublet, who to, by whom, how the council discovered it was unlawfully sublet and what was done about it.*

We are refusing this part of your request under section 12 on cost grounds because we estimate that compliance with your request will exceed the "appropriate limit". This is £450 which is equivalent to 18 hours at £25 per hour. The per hour figure is set by Regulations rather than actual salary paid to any officers handling requests. The appropriate limit includes the time it will take the council to discover if it holds the information requested, to locate it, extract it and collate it as well as putting it into any particular format requested by the requester.

We are sorry but we are unable to provide you with a breakdown of each case, this is because this information is not reported on and therefore to ascertain where this information is held would require an officer to manually trawl through each case to locate and retrieve this data. We estimate that to do this would exceed the above limit by a further 32 Hours.

Unlawful Profit Orders (UPO) - This is an order which requires you to pay your landlord any profit tenants have made from subletting. Prevention of Social Housing Fraud Act (POSHFA)

1<sup>st</sup> April 2018 – 31<sup>st</sup> March 2019 – Unlawful Profit Orders recovered - £70,322.3

1<sup>st</sup> April 2017-31<sup>st</sup> March 2018 – UPO recovered - £99,223.32

1st April 2016 – 31st March 2017- UOP recovered - £8,710.14

**Further Information:**

Why not check our Portal [Open Data Camden](#) before making a new request as your question may already be answered by a previous [FOI response](#) or in one of our many useful and interesting datasets.

**Your Rights**

If you are not happy with how your response was handled you can request an Internal Review within 2 months of this letter by email to [foireviews@camden.gov.uk](mailto:foireviews@camden.gov.uk) or post: Information and Records Management Team, London Borough of Camden, Town Hall, Judd Street, London WC1H 9JE. Please quote your case reference number. If you are not satisfied with the Internal Review outcome you can complain to the Information Commissioner's Office at [casework@ico.org.uk](mailto:casework@ico.org.uk) telephone 0303 123 1113, or post to Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. The ICO website [www.ico.org.uk](http://www.ico.org.uk) may be useful.

Yours sincerely

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