

RHA 14

Bil Rhentu Cartrefi (Diwygio) (Cymru)

Renting Homes (Amendment) (Wales) Bill

Ymateb gan: Unigol 1

Response from: Individual 1

This email is in submission for the consultation and consists of my personal anecdote as an Assured Tenant with a landlord desperate to evict me whilst being unable to use the s21 no fault eviction route.

I would like the Welsh government to take into account the effect that changing the no fault eviction laws may have on tenants. The issue I would like to bring up is the way that some landlords, upon not being able to use a no fault eviction, will resort to harassment of their tenants and making false allegations in order to try to fit within the fault based grounds. Hence in making changes it is also very important to strengthen the protection of tenants from such harassment and ensure that adequate support can be attained from authorities in dealing with the harassment. Below I describe my experience as an Assured tenant not subject to s21. My experience serves to illustrate the difficulties tenants may receive from some landlords when their no fault eviction powers are curtailed.

Additionally I would like to point out that if I had moved into my home on the wrong side of 28 February 1997 then I would still be subject to s21 despite living in my home for [REDACTED] years. Indeed it is quite feasible that a tenant could have lived in their home for 31 years now since January 1989 when the law changed, if they were given a s20 notice when they moved in, and still be given a s21 2 months notice.

Indeed there was recently the Scottish case of Colin Brown whom was evicted from his home after 27 years with a no fault eviction (s33 Housing Scotland Act). (See <https://bit.ly/2xqK5VO>)

I would ask the Welsh Government to consider whether it is right that after living for many many years in a property that is your home that someone can be evicted without fault, whether having had 2 months or 6 months notice?

I am a PRS tenant living [REDACTED] since 1996 and (without the case having been tested within the civil court systems) consider myself to have an Assured Tenancy which is not a shorthold.

I have a background of a law degree and a keen interest in housing law.

[REDACTED]
[REDACTED]
[REDACTED]

My present landlord bought the property thinking that he could simply remove the inconvenient tenant and redevelop the property without any regard to the tenant living there for [REDACTED] years nor the interests of the 999 long leaseholders in the flat below. However he has since discovered that he could do neither legally.

The [REDACTED] property was converted prior to the coming into force of the 1991 building regulations and as such is a s257 Housing Act 2004 HMO with inadequate or non existent sound proofing between the 2 flats in the building.

The long leaseholders were shocked upon buying their flat downstairs in [REDACTED] with the lack of sound proofing and have proven to be unable to adjust to the situation due to their sensitivity to noise.

As a result of both of these situations I have received harassment since [REDACTED] [REDACTED] and am unable to live a normal life within my flat, my life is severely restricted as I am afraid to make everyday normal noises during even daytime hours such as hoovering or even walking around my flat [REDACTED]

Additionally my landlord has been aggressive and harassed me since buying my flat, I have letters from him to prove this.

My landlord is not able to evict me with a s21 no fault eviction. However this has not stopped him from trying other methods. These include pretending that I have rent arrears when I do not, trying to increase my rent illegally by serving a s13 rent increase notice whilst being fully aware that I have a rent increase clause within my TA and thus s13 does not apply. I won the case at the Rent Assessment Committee regarding this in [REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

He said he was going ahead with his works anyhow and if I didn't then leave he would evict me. Again knowing he had no valid grounds for any eviction. He also pretended he was going to move in himself while I still lived here!

[REDACTED]

The receipt of his letters was very distressing and exacerbated my [REDACTED] [REDACTED] and caused a lot of anxiety problems and has affected my business and personal life.

I had to cope with his letters and reply to them and research all of the law on the subject myself. Luckily I have the ability to do this due to my law background. However I could find no help from any legal aid solicitors nor my council whom both simply advised me to return to them if I received a section 8 eviction notice.

My landlord was able to become licensed with rent smart wales whom also said they could do nothing to assist me. So licensing has not stopped my landlord from being able to harass me.

I would be obliged if you would submit this in evidence to the committee for their consideration in going forwards with the bill.