

Renting Homes (Amendment) (Wales) Bill - Summary note of engagement

26 March 2020

Background

As part of the **Equality, Local Government and Communities Committee's** Stage 1 scrutiny of the **Renting Homes (Amendment) (Wales) Bill**, the National Assembly for Wales' Citizen Engagement Team has been gathering the views of tenants and landlords across Wales.

Methodology

The Citizen Engagement Team arranged a series of focus groups with tenants between 14 February – 13 March 2020. The views of landlords were captured as part of a survey which ran over the same period.

This note will outline the key themes which emerged from the focus groups with tenants. A separate note is available, outlining the survey results.

8 sessions were arranged across Wales involving **51 citizens** from **four of the five Assembly regions**. Sessions were arranged in Anglesey (Holyhead), Cardiff, Gwynedd (Bangor), Pembrokeshire (Haverfordwest), and Swansea. Those participating in the sessions came from the aforementioned local authority areas and other local authority areas in Wales.

Participants were sourced through a number of relevant organisations and groups including Bangor University, Cardiff University, Digartref, Homeless Pembrokeshire, Home-Start Cymru, Shelter Cymru, TPAS Cymru and the Wallich. A number of other organisations were also given the opportunity to arrange focus groups.



Format

The following themes were discussed as part of the sessions:-

- Experiences of eviction
- Support for those evicted or facing eviction
- Impact of eviction on health and wellbeing
- Views on the Welsh Government's proposals

Summary of key themes

Experience of eviction

“The landlord who bought the property I was living in, buys a lot of properties in Barry and turns them into shared houses. I was one of three tenants living in the property.

One guy had been there for 36 years. The landlord had assured us he'd keep us all. Two days before Christmas, he gave us all a Section 21.”

Focus group participant, Vale of Glamorgan

My sister has recently been given a Section 21 notice. She's been living there for 20 years and the landlord has sold the house from under her. She's disabled and has been forced into accommodation that's not suitable. She's living in misery and the landlord's sitting pretty because he's been able to sell the house.”

Focus group participant, Ceredigion

Focus group participants discussed at length, their experience(s) of eviction. Whilst the circumstances of the evictions varied between participants (and included instances whereby the tenant was at fault), there were commonalities across the focus groups.

Approximately half of all focus group participants were unaware that a landlord is not required to provide a reason for wishing to take possession of the property when serving an eviction notice under Section 21 of the Housing Act 1988. Nevertheless, for those participants who were provided with a reason by their landlord, a desire or need to sell the property was cited as the most common reason.

“My daughter was about 5 years old and we'd moved into private rented accommodation not far from Lampeter. Initially, the owners were going to move away, but that fell through and so they wanted their house back. I'd been in the property for about a year.

The landlord gave me a month's notice, but the council told me that I would have to have a Section 21 eviction notice, otherwise I'd be considered intentionally homeless. They advised me to stay in the property until I had to go to court.

Even though I was in a tricky position, I didn't feel it was fair for the landlord as it was their family home.

The day we had to leave was the day we found out where we were going – a bed and breakfast in New Quay, about 20 miles from where I was. I didn't drive and I had a disability.

Focus group participant, Ceredigion

One participant explained that she has been privately renting her home with her two daughters for approximately 8 years, but has recently been asked to leave the property by her landlord who wishes to sell the property. She has yet to be issued with a formal Section 21 eviction notice.

"I just had a knock on the door one Saturday afternoon to say she wants me out because she wants to sell. I'm a single mum and due to ill health I'm not working right now, so I'm on benefits.

I was a victim of domestic abuse and this home has been our sanctuary. I have two daughters and their school's around the corner. They're thriving there, but I don't know whether we'll be able to stay in the area. Not being able to tell my daughters where we're going is so hard."

Focus group participant, Cardiff

A number of participants explained that they had been served a Section 21 eviction notice upon informing their landlord that they would be unable to meet an increase in rent. Some participants explained that there have been instances where their landlord has raised the rent, despite the property being in poor condition with very little to no maintenance having taken place.

"I've been in the property for five years. It's in a poor state of repair and people from the council came to assess the house and said it was in a poor state. I paid £1,000 bond and pay £700 a month in rent. I've got until 17th April to move out and I don't know how I'm going to get the money together for a new place."

Focus group participant, Cardiff

The current notice period

“When you’re in private rented accommodation, you’re at the whim of the landlord. Everybody needs security of tenure because that’s what allows you to make it a home, rather than just a house you’re living in.”

Focus group participant, Cardiff

All participants agreed that the current two month notice period is inadequate and poses a number of issues for those facing eviction. From financial issues to making alternative arrangements for schooling and care.

Student participants agreed that the situation would be particularly precarious at certain pinch-points during the academic year.

“I would have thought that if you’re a student and happen to be in the middle of exams or a dissertation, and you’re served a “no fault eviction” notice and had 2 months to leave the property – that would be horrid.

I’m not even sure you’d get any leeway from the University in terms of an extension for coursework, for example.”

Focus group participant, Cardiff

Support

There were mixed views from participants regarding the level and adequacy of support available to individuals who may find themselves evicted or at threat of eviction.

“It’s not that local authority staff are being unhelpful, it’s more that they’re being overwhelmed by demand.”

Focus group participant, Ceredigion

“The people we work with have no idea what to do next. When they’re served an eviction notice, they go into panic mode. It’s not clear where you have to go, what to do and what your rights are...so immediately, it becomes a panic. That doesn’t subside until you’ve found somewhere else. Then when you do find somewhere, you wonder how long you can stay there.”

Focus group participant, Cardiff

Some participants who discussed seeking support from the council's Housing Options service explained they are unable to help until an individual is at a point of crisis.

"You go to Housing Options and they don't do anything until it's time for you to be evicted. Housing Options will tell you to try and find a private let because the waiting list for social housing is so long. Then there's the added issue of so many landlords not accepting people on benefits or with pets. The power imbalance between a landlord and tenant is huge."

Focus group participant, Cardiff

"I've been told by my landlord I need to leave my home and I've spent the whole weekend trying to Google what to do – Housing Options said that if I move out before I get the official notice, I'll be making myself intentionally homeless."

Focus group participant, Cardiff

Participants also discussed the importance of having a stable and secure home in order to make the changes in your life.

Health and wellbeing

"It can be particularly traumatic when you're an older person. It makes you feel worthless and is so stressful. It makes you think, 'Where am I going to go, and what am I going to do?! You panic."

Focus group participant, Vale of Glamorgan

"I left a really bad, abusive relationship with their dad. Our house has been a safe space. I had to take her to the doctor's last week. Her school said she had anxiety and a lot of that is down to the issues with our home. I don't know where we'll go. Our rent is £595 and the cheapest I can find is £700. I did find a property nearby which would have been ideal as it would have meant that my daughters could stay in the same school – but the landlord won't accept someone on benefits, even with a guarantor. It's so stressful."

Focus group participant, Cardiff

The issues around mental health was a key theme which permeated throughout all engagement sessions.

The threat of eviction, particularly with such a short notice period caused participants to describe feelings of stress, anxiety and humiliation.

“Sometimes, if you’ve been evicted, you have to find someone to take your furniture – no everyone can afford to pay for storage. Or worse still, you have to sell it off, which means you’re starting from scratch. That’s really hard.”

Focus group participant, Vale of Glamorgan

One participant with experience of homelessness and a substance misuse issue who is trying to turn his life around, explained that the current notice period is problematic:

“For someone like me, it’s terrifying. I’m trying to turn my life around and in a couple of months I’ll be coming off a script. I’m looking for employment but getting suitable accommodation is tricky...the thought of falling back in with people with addiction issues is terrifying.”

Focus group participant, Cardiff

Your home should be your sanctuary. It’s impacting on mental health, even if you don’t have issues beforehand, it’s still very stressful.

Focus group participant, Cardiff

My son is under primary mental health team and is quite fragile at the moment. He likes routine. Along with the threat of eviction and mental health issues, I’m frantically trying to get stuff sorted. I’m worrying where money is going to come from. I’m feeling quite negative at the moment because of the uncertainty, and he’s picking up on that.”

Focus group participant, Cardiff

‘Cowboy’ landlords

The majority of participants agreed that in their experience, landlords have seemingly followed the correct procedure when serving a Section 21 notice.

However, some participants explained that there had been occasions when some landlords, who they referred to as ‘cowboy’ landlords, had intentionally circumvented the correct procedure in order to gain premature possession of a property. This commonly involved giving little or no notice to the tenant, and changing the locks. One participant explained that he had been threatened with a “*beating*” by acquaintances of the landlord, if he did not leave the property.

“I lost all my belongings from my private landlord a few years ago, because I owed some rent. I had a drug addiction issue. He changed the locks. He took all my belongings away from me – I had an expensive bed and it was gone.”

Focus group participant, Cardiff

“I was privately renting and lost my job so couldn’t pay my rent. I was evicted five days before Christmas with no notice, using aggressive force.”

Focus group participant, Cardiff

Homelessness

“Every time I’ve ended up homeless, it’s because I’ve been evicted.”

Focus group participant, Cardiff

Some participants explained that being evicted from a property has often led to homelessness. Many had struggled with substance misuse issues, which meant that losing their home often disrupted the stability and routine required to rehabilitate.

New proposals

All participants were unanimous in their support for extending the minimum notice period for a “no fault” eviction from two months to six months. It would provide tenants with a greater degree of security and stability, whilst also being fair to the landlord.

“6 months is a happy medium. You wouldn’t want the eviction notice hanging over your head for any longer.”

Focus group participant, Vale of Glamorgan.

Participants explained that the proposed amendments would allow people ample time to find alternative accommodation and ease the pressure financially. One participant also explained that an extended notice period would mean that tenants are more likely leave on good terms with their landlord, which can be important if references are required.

“There’s a devil’s advocate point to be made here. With my landlord, that was their family home and they should have every right to have it back to live it in themselves – not to rent out. They could be in the same tricky situation I am. The more time the better.”

Focus group participant, Ceredigion

“6 months isn’t a huge amount of time to let people organise their lives. How far is it from work, school, impact on mental health.”

Focus group participant, Swansea.

Six months also gives a local authority, gives them more time to be proactive and more time to sort stuff out. To try and rearrange a move in 8 weeks is disastrous. 6 months is better. Overall, private tenants should a longer lease than a year. Not remit of the Bill.”

Focus group participant, Ceredigion

Some participants were of the view that whilst the proposals were a step in the right direction, it still does not offer long-term security.

“All the legislation is a step in the right direction but it’s not enough in resolving most people’s desire for a permanent place to live. Most people of a particular age don’t want to be changing their home every few months. I think the effect of that on human wellbeing and on family is potentially devastating.”

Focus group participant, Ceredigion