

P-04-529 A Letting Agents Ombudsman for Wales – Correspondence from the petitioner to the Committee, 09.06.14

Dear Kayleigh,

Many thanks for your help so far in progressing our petition. I just wanted to update the Committee on what the campaign group has been up to and how we plan to lobby the Welsh Government and the Housing Minister about reform of the private rented sector.

Last time my petition was considered:

The Committee considered correspondence from the Minister for Housing and Regeneration along with further comments from the petitioner and agreed to:

- 1. Group the petition with P-04-480 Address Private Sector Student Housing Standards, as requested by the petitioner; and*
- 2. Defer consideration of this petition, given the Minister's commitment to introduce a compulsory registration and licensing scheme for private rented sector landlords and letting and management agents as part of the Housing Bill.*

Meanwhile, we've been building up the campaign and have a new website, Twitter and Facebook page to gather renters' stories. The Committee and the AMs can find them here:

<http://letdownincardiff.wordpress.com>

<https://twitter.com/letdowncardiff>

<https://www.facebook.com/letdowninwales>

We're also putting together a report which we will publish very soon. It will be available on the website, but we were considering having a report launch at the Assembly, if an AM would be interested in sponsoring us. Other organisations have aided us in putting together this report, such as Shelter and Citizens UK, so it should be of interest to a wide variety of people.

Our report will show the standards of the private rented sector from the point of view of tenants, rather than landlords. Whilst we appreciate that many landlords and letting agents do excellent work, we're calling for further regulation to ensure best practice and high standards for renters in Wales. We do not mind if this is through a Housing Tribunal (like Scotland); a Housing Ombudsman (like England) or a new Welsh mechanism altogether, like a Committee or "Renters' Champion" or a Tenant's Commissioner.

All we want is better rental standards for people who cannot afford to buy a home.

Many thanks for your consideration, I look forward to the Committee's response.

Liz Silversmith

Chair of Let Down in Cardiff

01.07.14

To the Petitions Committee,

I'm writing just to update you on what the campaign has been up to the last few weeks. Here is an email we sent to the Housing Minister on 22nd June with our first report and a letter responding to his comments. We also sent these to all AMs and Mark Isherwood mentioned us several times in the Housing Stage 3 debate last Tuesday.

I will also forward you the second report that we sent to all AMs yesterday.

I'd very much appreciate the Committee's thoughts before Summer recess, even if only briefly. I also have paper copies of the reports to present to William Powell, Bethan Jenkins, Joyce Watson and Russell George if they'd like them.

Many thanks,
Liz Silversmith

Coordinator – Let Down in Wales

Let Down in Wales

*Campaigning for
Private Rented Sector
reform*

Dear Mr Sargeant,

I'm writing to let you know about our report 'Letting Agents: The Good, the Bad and the Ugly'. I'm the coordinator for Let Down in Wales and you kindly replied to our petition in the Petitions Committee in February. We appreciate your response but still think an Ombudsman would vastly improve the Bill in terms of the private sector. We have put together some of our website responses from tenants about what they have to deal with when they and bad letting agents and landlords and made a brief report that we have sent round to all AMs, in the hope of some further consideration on the issue.

Our petition has also been grouped with one from Aberystwyth's Students' Union similarly calling for better standards in the private rented sector.

In your reply you said "*all letting agents are already covered by The Property Ombudsman*". But this is not the case; only letting agents and landlords that voluntarily register with the Ombudsman are covered by this. You acknowledge this problem when talking about England's Housing Ombudsman, but it is my understanding that all renters could use it regardless of registration pre-2011, which I know because I used it myself against the London-based letting agent, Foxtons. In 2011, the Localism Act arguably made it weaker by requiring the tenant to first try and get a Councillor, MP or Tenant Panel to help resolve the issue, and then requiring the 'designated person' to refer it to the Ombudsman.

You said that you believed that by having all landlords and letting agents registered (and then choosing to be licensed, if they wish) will solve the various problems in the private sector.

Whilst very much in the right direction, there is still a lack of clarity over where tenants go and what they should do if they think their landlord/agent is not adhering to the code of conduct. If the registration must be via local authorities, with very limited resources, to ensure that all complaints are picked up upon and all disputes settled, and to presumably also ensure that the right information about how to do this is sent to all renters in the area, then we think it would be very difficult to ensure a consistently good service.

A central register of all people renting out property in Wales would ensure good practice in a much more efficient and fairer way. With the right kind of interface, an 'Tenants' Ombudsman website could provide a wealth of information for tenants, directing them to how to carry out complaints procedures and advice on how to settle problems. Ideally, with a centrally registered scheme, it would be enough of a deterrent for bad-practicing

agents and landlords because it would be swiftly dealt with if their tenants' complaints went unresolved. Likewise, landlords could use the Ombudsman for advice on how to deal with badly-behaving tenants.

One of the things we found in talking to tenants in Cardiff is that they didn't know where to go when they had a problem with their landlord. They felt threatened and scared of being kicked out of their home without enough money or security to risk annoying their landlord. A lack of consistent information is just as much a problem in renting as it is having no one to turn to. An Ombudsman could both help prevent disputes by being a central hub of information and also help to actually settle disputes when a landlord or agent or tenant is not adhering to their contract or code of conduct.

I hope you'll give our proposals some thought so that a debate can be aired on the issue. Our report is attached to this letter and we've cc'd the letter for fullness of information to all AMs and the Petitions Committee.

Many thanks for your time,

Liz Smith
Coordinator - Let Down in Wales

Let Down in Wales

*Campaigning for
Private Rented Sector
reform*

'Letting Agents: The Good, the Bad and the Ugly'

How private tenants rent in Wales

June 2014

Let Down in Wales

*Campaigning for
Private Rented Sector
reform*



Let Down in Wales is campaigning for reform of the private rented sector. This report was compiled from renters' true stories in Cardiff, gathered on the Let Down in Cardiff website.

The Problem with Renting

As part of the UK-wide Let Down campaign (see letdown.org for more details), we are very concerned about **the state of private rented housing in Wales**.

We started collecting people's stories from our website, our Facebook and Twitter pages. Renters who found out about our campaign (which was helped by Citizens UK members) would share stories of how their letting agent or landlord had treated them. The vast majority of complaints were about letting agents, some about bad landlords and some purely because renting is hard.

Renting your home is a very insecure way of living. Renters are not just young people anymore. We no longer think we will ever 'get on' the housing ladder, and we're simply too poor to qualify for a mortgage or save up for a deposit. This could be for many reasons, but the real problem is that buying a house is just too expensive for so much of society.

But renters don't always 'mind' renting. Some people might like the flexibility of only staying somewhere for a few months. Some people might have short-term jobs which means they just need to live in a city for 6 months. Some people like the security of having a landlord or letting agent pay for their costs of living (like included bills or fixing broken boilers).

Many people no longer live in the same house for longer than 1-2 years. Most young people and students will rent for 12 months at a time, moving every summer. Lots of students move accommodation twice every year (say, 10 months renting and 2 months living at home). Renting is a great way for people not sure of where to settle yet or need to move house a lot for family or employment commitments.

Furthermore, due to the changes in welfare reform and the lack of 1-2 bed social housing stock, it is expected that the number of private tenants will increase in the UK. These people, often in desperate circumstances already, are having to leave the security of social housing for the uncertain and often inadequate circumstances of private housing.

Despite this, **renting is a nightmare**. Everyone has a 'renting disaster' story. People share stories about not being able to have hot water for a month because their landlord wouldn't fix the pipes. They move into new houses that are covered in damp, with the electricity broken and no one to fix it. Landlords that only give you one month's notice to move out, because they decided to sell the place. Landlords saying that they want to move back in so demand the house back. Landlords that try and sue you for moving out of their property 6 months early, demanding you see them in court for 6 months rent.

The Let Down in Wales campaign has been gathering these renters' stories, so that we can give politicians a real picture of the problems renters face.

A Vision for Housing

What the Let Down in Wales campaign proposes

The Housing (Wales) Bill has so much potential for reforming the housing sector. It will help homeless people. It will help tackle domestic violence. It will build housing. It will reform social housing. And it will ensure that all landlords are registered.

However, for renters, this does not go far enough. **If you want to change the way the private rented sector works, you have to regulate it.** The Welsh Government is proposing that letting agents and landlords voluntarily register for a scheme which has to be regulated by local authorities. But it requires more capacity than many local authorities have at their disposal in the present climate.

With Welsh Government regulation, **a central register of landlords and letting agents could ensure that they could be held truly accountable.** When a tenant complained about their landlord or letting agent, this would get recorded. This could be via the Local Authority still, on to a Welsh Government register. If a landlord/letting agent received a certain amount of complaints, that could get investigated into by a Committee, a Tribunal or an Ombudsman.

They could hold a private inquiry into whether this person or organisation was taking advantage of their tenants. **They could decide if they were charging too much rent or letting their properties fall into disrepair.** They could decide if they were responsible enough and 'qualified' to be a landlord or letting agent. The register would also check if they had been on a course to teach them the 'rules' of being a private landlord.

In reality, there would be very few complaints that would warrant this private inquiry. A local authority could perhaps determine if a serious complaint should be put on the Central Register.

A Housing Tribunal mechanism is being put in place in Scotland and it will be interesting to see how that works in practice. The Scottish Housing Minister said:

"Every year, huge amounts of time, money and resources are spent to no effect trying to resolve issues that arise between tenants and landlords. This is something I have experienced first-hand while helping people in previous roles, and it is absolutely vital that we come up with solutions to ensure that disputes are resolved as quickly and as painlessly as possible."

In Wales, we could do any number of things. **A Housing Tribunal. Or perhaps a Housing Ombudsman. A Tenant's Commissioner.** Essentially, a complaints procedure for the private sector that will give a voice and a form of redress for tenants.

This would regulate landlords and letting agents and safeguard all renters from bad practice. Local authorities would not have to take on the burden of all the administration and the Welsh Government could create a regulatory framework which specified how much training landlords/letting agents need and how many complaints warrant an inquiry. This could also make it much easier to share best practice across Wales and to create a private rented sector that renters deserve.

This is our proposal for the Housing (Wales) Bill and we urge AMs for a debate on the issue.

Stories from Renters

Let Down in Cardiff, a newly formed branch of the UK-wide Let Down campaign for private rented sector reform, has been gathering stories online to share tenants' experiences of renting with landlords and letting agents in Cardiff, in order to help tenants avoid the bad ones and to promote the good ones. Here is a small selection of some real and common problems that tenants encounter.

Renters talking about Imperial Lettings:

"This letting agent is notorious for bad service. My partner and I rented off them for 10 months – where they repeatedly failed to top up the boiler (heating being included in the rent) and left us freezing for weeks at a time. They didn't care when we have mice and never responded to our complaints. They advertised the flat as a 6 month contract with electricity included too, but when it came to signing the contract, they decided it should be 12 months without electricity included. My partner negotiated them down to 10 months, but still a lot longer than planned and we still had to unexpectedly pay electric on top of the extortionate rent.

Worst of all, when they couldn't find new tenants to replace us, they gave our flat's address to other multiple letting agents, who spent months knocking on our door with absolutely no warning at all, with people coming to view the property. Imperial did nothing and we had to give our phone number to half a dozen estate agents, and ask them to contact us before barging into our house (as many of them seemed to have keys). When we finally moved out, they tried to charge us for an imaginary soap dish that we never had, and wouldn't pay back the deposit for 2 months. We had to threaten various courses of action before they'd give us the full deposit back.

Would never recommend them to anyone. Avoid at all costs. They're also notorious for changing a medium sized house into tiny bedsit flats. They're not good places to live."

Renters talking about CPS Homes:

"They were absolutely terrible, we had our roof leaking and they were very slow to do anything about it, but now they are finally doing something about it. My wardrobe was falling apart when I came in September, and it took them 2 days to come and fix it. The house is very cold, we have no insulation. When we arrived our house was on business tariff which meant our gas and electricity ended up being £100 more for 2 months. Which is the landlord's fault but she would not pay the difference. The reason I give them two stars is because one day I got locked out my room and they came out in 10 minutes to unlock it, which is pretty good."



Stories from Renters

Renters talking about the StarFlats website:

"This website is hard to work out, as it seems to be almost an open forum for landlords to post flats across the country. I only have experience of the Cardiff section, but my experience is that of an absolute, total SCAM. Please AVOID at all costs. It seemed too good to be true, but I went ahead and enquired about a nice looking flat on Newport Road anyway – the landlord emailed back and forth convincingly for a day or two, but said they were away at the time so couldn't show me the flat straight away. Then they asked for the deposit to be transferred via Western Union immediately to secure it, and luckily before I parted with any money, I realised that it was a scam and they dropped contact entirely. DO NOT send anyone money before you've met them and seen the property.

Who knows if everything on this site is a scam or not, but it's a terrible website for allowing even one of its properties to be fake."

Renters talking about Imperial Lettings:

"Absolutely terrible, to be honest. These guys are absolute crooks, and we feel totally let down by their (lack of) service. I am currently renting a 4 bed upstairs flat and we have had endless problems. Our problems began the day we moved in, when we found our flat had not been cleaned at all over the summer – dirty bathroom, dust everywhere, mouldy food in the fridge, and the freezer was so frosted up it was unusable for over a week. Most recently we found a problem with damp and mould in our bathroom, and after ringing them repeatedly to investigate it, they sent 3 guys round who were extremely rude to us, slagged us off and made fun of us while we were still in the flat, and then managed to break our shower and made no effort to fix it. I would say only go with this company if you want to live in dilapidated housing, have your complaints ignored for weeks at a time and have viewings and "maintenance" barging their way in whenever they like with no warning. 100% learnt our lesson! This company treats students with absolutely no dignity, and we have learnt our lesson never to go with this pigheaded agency ever again.



Stories from Renters

Renters talking about being kicked out of short tenancies:

"I signed a short-term agreement with a letting agent, and about two weeks before the end of the initial two-month tenancy I got in touch with the agency again, surprised that they hadn't contacted me, and asked to arrange an appointment to re-sign our contract and continue the tenancy for another 6 months or a year. I was told that the property had already been let to someone else from the end of my two months. This had never been mentioned when we initially talked at the start of the tenancy about extending it, and no-one had been to view the flat while we were living there.

The incredibly rude staff were completely unsympathetic and deliberately unhelpful in this process. I wasn't offered assistance in seeking an alternative property to move into, I was just told I couldn't stay and that was that.

Thankfully I did manage to find a flat in the bay to move to for not much more than I was paying before. So I scraped around, borrowed some money from my dad, used my overdraft to pay the £100+ fees and credit check fee and moved there. And the cycle began again."

Renters talking about broken boilers

"My husband and I's landlord is great, always comes to our flat to check out any problems. But at the moment we have a problem that isn't his fault; there is huge amounts of water coming down from the flat above us. It's saturated all our insulation and is even making our floorboards bow. It's because it's a new block of flats and with ours at the bottom, so some water problems - literally - trickle down to us.

Now there's water in our electrics and we need to get a whole new bathroom fitted because of the damp and mould that has grown. Our landlord wants to help, but with it being the fault of the flat above us, another landlord needs to pay or at least get their insurance to cover it. We've no idea how many repairs we need or if their insurance will cover it, but for the foreseeable future we have to live with leaks throughout our flat and mould rapidly developing."

Let Down in Wales

These people have been 'let down' by their landlords. We need to rent but are continually over-charged and treated badly in our homes.

There are so many other examples we've gathered of bad practice from letting agents. Such as:

- A medical student in Swansea who was sued by his landlord for moving out early (his new hospital placement meant it was now too far commute and had to move closer). The landlord created a year's worth of stress and court summons, until a judge finally ruled that the landlord was at fault. The student had to ask for a legal charity's help to ensure he was represented
- The London letting agent, Foxtons, who kept a £750 deposit for 3 months until the tenant finished a complete, 3-month long complaints process through the local branch, national branch and the CEO, which triggered allowance to use the English Housing Ombudsman. Foxtons finally returned the deposit the night before the Ombudsman could have acted
- The Cardiff Student's Union letting agent, who tried to charge money off the deposit for not mowing the lawn. At the beginning of the tenancy they said it was not necessary to maintain the garden. At the end, they told us tools should have been used in the shed (note: the property did not have a shed)

Please listen to renters and help them to get a fair deal and a fair voice in the Housing Bill and the Renting Homes Bill.

We'd also like to thank other organisations that are trying to show the bad conditions we rent in. We've had many discussions with Shelter, Citizens UK and the Let Down coalition across the UK about what our priorities should be for the private rented sector. We need better tenancy agreements, regulated landlords and improved housing conditions. In the first instance however, we are calling on the Welsh Government to consider our request to provide a competent vehicle for our right to complain and a right to tenant protection.

The Housing Bill is aiming to transform the private sector; these proposals would fit in with this agenda and could enshrine tenants' rights in statute or at least put them at the centre of these vital reforms.

Find out more about the campaign



[@letdowncardiff](https://twitter.com/letdowncardiff)



[Let Down in Wales](https://www.facebook.com/LetDowninWales)



letdownincardiff.wordpress.com

*Other useful information on reforming
the Private Rented Sector in Wales:*

[Shelter Cymru 'Fit to Rent' report](#)

The biggest survey ever carried out of private tenants in
Wales, March 2014

[Tenantiaid Cymru/Welsh Tenants response to the Renting
Homes White Paper, August 2013](#)

letdown.org.uk

A coalition of private tenant groups organising actions to
bring down rents and keep them under control; longer
secure tenancies; banning fees for tenants; proper
regulation of letting agents and no discrimination against
housing benefit claimants

01.07.14

Here is Let Down in Wales' second report and email sent round to all AMs yesterday. In the report, we explain how the campaign has been progressing through the Petitions Committee so is of particular relevance.

Many thanks again for everything you guys do. The Petitions Committee is an exemplar of how campaigns can be brought to the upper levels of Welsh Government from just a small group of people wanting to change something. If only the UK Government worked like this too – you need 100,000 signatures I think to get attention paid to a campaign there!

All the best,
Liz Silversmith

----- Forwarded message -----

Dear Mark,

Thank you so much for raising our campaign in the debate last week. We can't help but feel like social housing tenants are being prioritised at the expense of private tenants. Whilst we absolutely think that vulnerable people should be given priority to housing reform, the fact of the matter is that more and more private tenants ARE vulnerable. The less housing stock there is, the more people get passed over to landlords and letting agents.

We've just launched a new report: 'Fixing the Private Rented Sector: And why, if the Welsh Government don't listen, Wales will fall behind the rest of the UK in standing up for tenants'.

The report and a letter to all Assembly Members (where you are also mentioned) is attached.

Thank you again for your support. If any AM would like to take this further in asking written questions, tabling SOPs or tabling debates then please do let me know, I'd be happy to help. I have worked for several MPs and AMs so am very familiar with the process.

Kind regards,

Liz Silversmith – Let Down in Wales

Let Down in Wales

*Campaigning for
Private Rented Sector
reform*

To all Assembly Members,

We are Let Down in Wales. We are a campaign group which is part of the UK Let Down coalition of private renters' groups who are urging the UK Government, the Welsh Government and the Scottish Government to reform the private rented sector (PRS).

We were very grateful to have our report mentioned by Mark Isherwood last week, in discussing how the Bill's proposals of regulation of the private rented sector will not work. There is an enormous need for there to be a central body of advice, support and information for tenants. There is also both a need and two established solutions to tackling rogue landlords and bad letting agents: a Housing Ombudsman (as in England) or a Housing Tribunal, which is currently being laid in statue in Scotland's Housing Bill.

The Housing (Wales) Bill proposes voluntary regulation and training for landlords, with an 'expectation' of following a Code of Conduct:

"Under the Housing Bill, all private landlords and letting agents will be required to register, undergo basic training on their legal rights and responsibilities, pass a 'fit and proper person' test, become accredited and they must follow a Code of Practice. This means that for the first time, tenants can have confidence that their landlords are expected to meet certain basic standards and that there will be measures available to them if their landlords do not."

Mike Hedges AM, Labour, Swansea East

This is the ONLY thing that is changing for tenants and we refute that there would be any confidence in this system. Governed by local authorities and no new or central bodies to fully coordinate this new legislation will mean we have the exact same situation in the PRS as we do now; loose, voluntary regulatory bodies and vague guidance from numerous organisations that most tenants have never heard of. Even less will have heard of the Code of Practice that they are supposed to expect from the landlord.

Other parts of the country and other organisations, like ours, are finally changing the private rented sector for the better. UK Government is consulting with rental groups

with their Private Rented Sector Taskforce; UK Labour is proposing massive reforms should they win in May 2015; and Scotland is establishing a Housing Tribunal and a much stronger regulatory and licensing system.

Our second report, 'Fixing the Private Rented sector', is attached to this letter. We were not consulted on for this Bill and neither were any other tenant groups. In fact, it is debatable whether the Bill's working groups have any renters in them at all. If the only people scrutinising this Bill are people who own their home, renters are being completely left out of this process.

So we decided to send two reports to all Assembly Members, in the hope that some AMs will stand with us and stand up for tenants. The first one, 'Letting Agents: The Good, the Bad and the Ugly' – How private tenants rent in Wales, was sent around last weekend. This one presents some solutions.

We call upon all opposition parties and all Labour backbenchers to stand up for tenants. Listen to us. Consult with us. Ask us what we need from our landlords. Ask us how we're struggling. Ask us how we cope with landlords that won't accept DSS. Ask us how so many of us end up homeless or needing to moving back in with family, because renting is so insecure.

We propose to move all PRS reform to the Renting Homes Bill, where it can be duly scrutinised and after the Welsh Government has conducted a proper consultation. Don't just ask landlords what they want. Ask us.

Let Down in Wales

- Liz Silversmith - Cardiff West
- Calvin Smith - Cardiff West
- Ed Stubbs, Councillor for Splott - Cardiff South and Penarth
- Alex Thomas, Councillor for Rhos - Neath
- Holly Taylor - Cardiff South and Penarth
- Phil Cople - London
- Benjamin Thomas Connell - Cardiff Central
- Gráinne McNamara - Cardiff Central
- Esther Muddiman - Cardiff Central
- Rhian Jones - Cardiff West
- Jennifer Smith - Cardiff North
- Sion Tetlow - Cardiff North
- Vikki Weston - Wandsworth, London
- Anita Parbhoo - Harrow & Wealdstone
- Shane Jackson - Harrow & Wealdstone
- Michael Fogg - Cardiff Central
- Natasha Davies - Cardiff Central
- James Brinning - Cardiff North
- Harry Thompson - Cardiff Central
- Tim Cox - Cardiff South and Penarth
- Shrouk El-Attar - Cardiff North
- Jemma Bere - Brecon & Radnorshire
- Sion Steffan Davies - Gower
- Robert Lodge - Cardiff Central
- Grant Davies - Cardiff South and Penarth
- Byron Long - Cardiff South and Penarth
- Alex Williams - Brecon & Radnorshire
- Billie Williams - Brecon & Radnorshire
- Amy Owling - Cardiff Central

These are just some of the people that want to see reform of Welsh private housing.

Let Down in Wales

*Campaigning for
Private Rented Sector
reform*

Fixing the Private Rented Sector

And why, if the Welsh
Government don't listen,
Wales will fall behind the rest
of the UK in standing up for
tenants

July 2014

The story of Let Down in Wales

We are Let Down in Wales.

We have been campaigning to be heard in the Housing Bill, but the Minister has repeatedly ignored our concerns and dismissed our proposals.

It started off with a plea to the Petitions Committee back in January:

P-04-529 A Letting Agents Ombudsman for Wales

We call upon the National Assembly for Wales to urge the Welsh Government to give the people of Wales a 'Letting Agents Ombudsman' by including it within their Housing Bill.

An ombudsman will give people guidance, issued by the Welsh Government, of what their rights are as a tenant. It will tell them how to complain directly through the agents' complaints procedure and when all avenues are have been exhausted, they can ask the Ombudsman to step in and take action.

Additional Information:

We very much welcome the regulation of letting agents and landlords set out in the Bill - this has been urgently needed for years. Students and young professionals are being robbed time and time again with invented letting agent fees and even invented letting agents and these need to be held to account now. There is not enough being done to help tenants against landlords - regulation will help, but there will always be bad landlords and letting agents that slip through the cracks and their tenants need someone on their side.

We need a Letting Agents Ombudsman. Letting agents and landlords are exempt from many of the regulations that estate agents have to follow. And many young people renting are straight from home or university and are vulnerable to their methods. They end up paying fees because they had no idea they had an option not to.

England has the 'Housing Ombudsman Service' that has worked effectively and provides a defence and a right to complaint for tenants all over the country. Wales needs one too.

Petition raised by: Let Down in Cardiff

Date Petition first considered by Committee: 21 January 2014

Eventually, in March, it was considered again with a reply we had received through the Committee from Housing Minister, Carl Sargeant. He dismissed our concerns, saying that Welsh Government regulation "offers the same protection for tenants, if not more than, the proposal for a Letting Agent Ombudsman".

William Powell AM
Chair Petitions committee

committeebusiness@Wales.gsi.gov.uk

 February 2014

Dear Bill

Many thanks for your letter of 31 January requesting my views on the petition submitted by the group *Let Down in Cardiff*, which calls for a Letting Agents Ombudsman for Wales.

Whilst I sympathise with their plight, I do not think that their proposals would add anything to what is already available in terms of support for tenants who have been the victims of bad practice by landlords and agents.

Letting agents are already covered by The Property Ombudsman. The Ombudsman provides a free, fair and independent service for dealing with unresolved disputes between letting agents who have joined the scheme, and landlords or tenants of residential property in the UK. The Ombudsman's role is to reach a resolution of unresolved disputes in a full and final settlement and, where appropriate, he will make an appropriate award of financial compensation, or other relevant reparative action.

The petition mentions the Housing Ombudsman who covers England, and helps to resolve disputes between landlords and tenants. Whilst I have no doubt that this scheme has helped many people, I would argue that the fact that the Ombudsman is unable to intervene if the landlord is not a member of the voluntary scheme, does indicate that he is unlikely to be able to achieve resolution in the most extreme cases of bad practice by landlords, as the perpetrators are unlikely to be a member of the scheme in the first place.

It is unclear how disputes between landlords and tenants would be dealt with through a Letting Agents Ombudsman. This is where the Welsh Government's proposed landlord and agent registration and licensing scheme will step in. The scheme will require the landlord of every single property on the private rented market to become registered. Landlords will then have a choice to go on to become licensed, which will mean that they can manage the letting of their own property, or they can choose to delegate the management to a licensed agent or responsible person.

All licensed individuals or agents licensed on the scheme will have to abide by a code of conduct. Failure to adhere to the code will be dealt with by local authorities who will have a range of tools at their disposal. Ultimately, it can mean the withdrawal of their ability to manage the letting of privately rented property in Wales.

I am pleased that *Let Down in Cardiff* have warmly welcomed the Welsh Government's proposed scheme for regulation in the sector, and I hope that this letter makes it clear that the scheme offers the same protection for tenants, if not more than, the proposal for a Letting Agents Ombudsman.



Carl Sargeant AC / AM
Y Gweinidog Tai ac Adfywio
Minister for Housing and Regeneration

Undeterred by this lacklustre reply, the campaign continued. We had already been in contact with the UK Let Down coalition and they had already happily welcomed us as the new Wales branch of Let Down. We met up with them in London and discussed how we could ask all three governments on this island - the UK Government, the Scottish Government and the Welsh Government - to listen to renters' concerns.

We carried out with our website, gathering bad practice of letting agents and landlords so we could get an idea of the problems renters are facing.

Shelter also carried out the ground-breaking 'Fit to Rent' report, the largest every survey of private tenants in Wales. Their work found many problems and they concluded that there was a need for further regulation. Here are the findings:

Shelter
Cymru

British Gas

fit to rent?

Today's Private Rented Sector in Wales

Key findings: who are private renters?

- Households with children now make up a significant proportion of the PRS. A third of tenants lived with dependent children under 18. A further quarter were cohabiting couples with no children. Around three in ten lived alone.
- The stereotypical image of PRS tenants as being mostly young and child-free was not borne out by the survey. Half were aged 35 and over, and nearly three in 10 were aged 45 and over. Just over a third were aged 25 to 34 and among these, around two-fifths had dependent children living with them. Nearly one in six were aged 55 or over, just over half of whom lived alone.
- Tenants saying they were in the PRS because they had no other choice outnumbered those who said they wanted to be there by four to one. Three out of five tenants said they were in the PRS due to a lack of alternatives. Only 15 per cent said they actually wanted to be there.
- More than half said they would like to buy their own home but didn't think they would ever afford it. Only one quarter (27 per cent) expected that they would own their own home within the next five years.

Key findings: conditions

- Nearly two thirds of tenants told us they have had at least one of the following problems in the last 12 months: damp, leaking roof or windows, electrical hazards, mould, animal infestations and gas leaks.

- Nearly half have had damp; nearly half have had condensation; more than two in five have had mould; more than two in five have had poor insulation / excess cold; nearly a third have had leaking roofs or windows; one in six have had poorly secured or unsafe locks and doors; and one in six have had electrical hazards.
- One in 10 tenants told us their health has been affected in the last year due to their landlord not dealing with repairs and poor conditions – equivalent to nearly 45,000 tenants across Wales. Over one in 10 tenants with dependent children said their children’s health has been affected in the last year for the same reason.
- Many problems were more widely experienced in Wales than in England. In particular, tenants in Wales were 19 per cent more likely to have experienced damp; 23 per cent more likely to have experienced leaking roofs and windows; and 27 per cent more likely to have experienced trip hazards.
- Three in five tenants told us they had a smoke alarm in their current property. Less than a third said they had a fire extinguisher or fire blanket. Just over half were aware that they had a gas safety check and certificate in the last 12 months.

Key findings: practices

- Tenants reported a range of poor practices in the last year from both landlords and agents. Seven per cent of tenants – equivalent to more than 31,000 tenants – said their landlord had unfairly kept their deposit. Eleven per cent – equivalent to more than 49,000 tenants – said their landlord had entered their home without permission or the agreed notice. Five per cent – equivalent to more than 22,000 tenants – said they or another tenant had been threatened by their landlord.
- Four per cent said they were currently renting from a rogue landlord – equivalent to more than 17,800 tenants. The same number again told us they had escaped a rogue landlord in the last 12 months. Households on low incomes and households with dependent children were more likely to say they had a rogue landlord.

Key findings: dealing with problems

- While most tenants feel their landlord is responsive, there is also a minority of tenants who find it very difficult to get their landlord to address urgent issues.
- Almost three out of four who have required an urgent repair said that when something goes wrong with their tenancy their landlord normally deals with it within a week. One in 10 said it takes longer than a month or never.
- Nearly a quarter said their landlord had not carried out repairs or dealt with poor conditions in the last 12 months. This rose to nearly a third among tenants who rented from a letting agent.
- Just under one in 10 said they had complained to their local council in the last five years about a private landlord’s or letting agent’s behaviour. Of those who complained, around one-third said their complaint solved the problem and two-thirds said it didn’t solve it.
- More than one in 10 tenants said that in the last year they had not complained about conditions or challenged a rent increase because of fear of eviction. This was higher among households with dependent children, households receiving housing benefits, and households who were in financial difficulties and constantly struggling to pay the rent.
- Two per cent – equivalent to nearly 9,000 tenants – said they had actually been evicted or served notice in the last year because they complained to the council or asked for a problem to be dealt with that was not their responsibility.

- In total, four per cent said they had either been threatened with eviction, or actually evicted in retaliation for raising problems. We estimate that more than 17,800 tenants were victims of retaliatory acts that were either threatened or actually carried out in the last year.

Following this report, we met with Shelter to discuss the problems letting agents were having. We had also already met with Citizens Cymru, the community organising group. They were both encouraging of our campaign and offered their help in making sure we were heard. Citizens Cymru started doing some work with Cardiff University students and we set out a long-term plan to engage with one of the largest groups of renters in Cardiff - students - and make sure that they were fairly treated.

Shelter agreed that private tenants were not being heard and that they could not be the only organisation to be consulted on this. It was too important to only have one voice.


We carried on with our website, Facebook and Twitter pages to shore up support. We gathered letting agent reviews, shared bad practice and asked tenants to let us know what the worst parts of renting was. We wanted to find all the problems so that we could seek some solutions. We wanted to ask the Welsh Government to put these solutions in the Housing Bill and Renting Homes Bill.

Let Down in Wales

The campaign for private rented sector reform in Wales

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SEND IN REVIEWS



'Letting Agents: The Good, the Bad and the Ugly' – How private tenants rent in Wales

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Our report is finished! It was sent around to all Assembly Members on Sunday in advance of the Stage 3 Housing Debate on Tuesday 24th July.

It provides a snapshot into the complaints, problems and on-going disputes that Let Down in Cardiff has collected from tenants across the city. It highlights the various issues that tenants have and points out that the Housing Bill's current proposals will do nothing to fix any of it and that they need to be stronger.

LETTING AGENT REVIEWS

- [Imperial Lettings](#)
- [Letwise](#)
- [StarFlats](#)
- [Wentworth Properties](#)
- [CPS Homes](#)
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The campaign for private rented sector reform in Cardiff and Wales

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Let Down in Cardiff @letdowncardiff · Jun 26

Highly recommend following @eptag + coverage on Housing (Scotland) Bill, which is at least attempting PRS reform. Oh Scotland, you so wise.



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Meanwhile, we asked the Petitions Committee to group ours with the Aberystwyth's Students Union petition, which has also raised the shockingly bad standards of students' renting conditions:

The Committee considered correspondence from the Minister for Housing and Regeneration along with further comments from the petitioner and agreed to:

- 1. Group the petition with P-04-480 Address Private Sector Student Housing Standards, as requested by the petitioner; and*
- 2. Defer consideration of this petition, given the Minister's commitment to introduce a compulsory registration and licensing scheme for private rented sector landlords and letting and management agents as part of the Housing Bill.*

Since then, our support has grown rapidly. We put together a report of our findings so far and sent it around to Assembly Members before Stage 3 of the Housing Bill.

We had replies from Shadowing Housing Spokespeople Mark Isherwood AM (Welsh Conservatives) and Peter Black AM (Welsh Liberal Democrats). Peter Black thanked us but said that it was unfortunately too late to table amendments. Mark Isherwood gave a more substantial reply:

From: **Isherwood, Mark (Assembly Member)** <Mark.Isherwood@wales.gov.uk>
Date: Sun, Jun 22, 2014 at 11:49 PM
Subject: RE: Let Down: Report on the private rented sector
To: Liz Silversmith <liz.silversmith@gmail.com>, "Asghar, Mohammad (Assembly Member)" <Mohammad.Asghar@wales.gov.uk>, "Burns, Angela (Assembly Member)" <Angela.Burns@wales.gov.uk>, "Davies, Andrew RT (Assembly Member - Conservative)" <Andrew.Davies2@wales.gov.uk>, "Davies, Byron (Assembly Member)" <Byron.Davies@wales.gov.uk>, "Davies, Paul (Assembly Member)" <Paul.Davies@wales.gov.uk>, "Davies, Suzy (Assembly Member)" <Suzy.Davies@wales.gov.uk>, "Finch-Saunders, Janet (Assembly Member)" <Janet.FinchSaunders@wales.gov.uk>, "Graham, William (Assembly Member)" <William.Graham@wales.gov.uk>, "Melding, David (AM, Deputy Presiding Officer)" <David.Melding@wales.gov.uk>, "Millar, Darren (Assembly Member, Clwyd West)" <Darren.Millar@wales.gov.uk>, "Ramsay, Nicholas (Assembly Member)" <Nicholas.Ramsay@wales.gov.uk>, "Sandbach, Antoinette (Assembly Member)" <Antoinette.Sandbach@wales.gov.uk>, "George, Russell (Assembly Member)" <Russell.George@wales.gov.uk>

Dear Liz,

Thanks for your e-mail.

The deadline for submission of amendments to the Housing Bill has passed and Stage 3 is being debated on Tuesday afternoon/evening.

The Bill in large part replicates the system of registration and licensing tried and failed in Scotland. The differences the Minister highlights between the registration and licensing scheme in Scotland and the proposed scheme here are about processes, not outcomes, when criminal landlords in Scotland were falling through the net because Local Authority resource was being used to regulate good landlords. For this reason, Scotland has reverted to existing selective licensing powers to control bad landlords and developed other new approaches that better target the problems you highlight.

The Bill introduces a whole new apparatus for enforcement against those who breach licensing and registration requirements, but almost nothing to address the gap in use of enforcement powers when tenants are subjected to bad and criminal practices.

The Welsh Local Government Association told us that registration will not require inspection of properties and that they will not do this unless a tenant complains (as now). As you state, tenants "didn't know where to go when they had a problem with their landlord. They felt threatened and scared of being kicked out of their home without enough money or security to risk annoying their Landlord".

As Shadow Housing Minister, I have argued consistently for a different approach that incentivizes good landlords and targets bad ones.

Regards

Mark

Mark Isherwood ended up mentioning Let Down in Wales several times throughout the debate and we are very grateful to the Welsh Conservatives for highlighting our concerns. They have been the first political party in Wales to do so.

He pushed the Housing Minister for improved regulations in the private rented sector, but it was very disappointing to see the Minister dismiss it so out of hand. Particularly as our proposals are modelled on progressive regulation like the Housing Ombudsman in England and the Housing Tribunal in Scotland. Both of these countries have recognised that there is a serious need for a body to step in to regulate and yet a – usually progressive – Minister is completely rejecting this and insisting that his current regulation proposals will be strong enough.

As a body of people with a large amount of experience in hearing about and helping to solve private tenants' problems, we are certain that the current proposals for the PRS in the Housing Bill this won't actually change anything. Some landlords may voluntarily decide to take training and be regulated and licensed, but these are likely to already be good landlords (as the Liberal Democrats have said).

The private rented sector is only growing. There is literally no other option for working people that cannot afford to save up a mortgage and do not qualify for social housing. It's a huge and growing cross section of society that suffers from a completely unregulated market.

Private housing is essentially just a business, where people that own property can make a living off it, or at least pay off some of their own mortgages from it. Bad landlords and agents make a serious amount of money off tenants, through mechanisms like 'contract-signing' fees; 'adding a new tenant' fees; inspection fees; taking money (illegally) off your deposit for invented damage; taking extra bonds for having pets; charging for cleaners after you have moved out; charging for cleaning when you move in (we're not entirely convinced these cleaners always exist)... the list is endless.

And these are just the additional costs of being a renter. We also suffer from landlords hiking up our rents with little notice; evicting us with little notice; not fixing broken utilities but also not being allowed to fix them ourselves; from the severe cost of simply moving house where you have to go through a ritualistic loss of money as one agent tries to keep your deposit and the new agent charges you for two months rent and a bond up front. And tenants supposed to magic up that money from where...? It's no wonder payday loans are so popular for renters.

Higher demand for the properties around you will push your rent up. Rent is higher in student areas simply because landlords and agents know that they can charge them more. Many houses and new builds are created purely to make very small living spaces for students. But these Houses of Multiple Occupancy will get twice the amount of rent from 4 tenants than you could get from 2. This pushes up rents in areas students find best to live to access their university and is arguably leading to a much higher cost of living crisis for students, who are already going to have to pay off their loans and grants on top of their income tax for most of their lives.

The private rented sector is distinctly unfair and we find it even more disappointing that so many parties recognise this, even UK Labour, but that in the first Housing Bill for Wales that we are falling so short of the regulation we really need.

We hoped that the Minister would be able to regulate the PRS further in the Renting Homes Bill, but if the framework is not in place in the Housing Bill then it will never happen and we'll stay with a weak and unruly market, with the balance of power squarely with agents and landlords.

Further regulation in something like an Ombudsman or a Tribunal has so much potential. Knowing who owns our PRS housing stock will help us to monitor and see where new housing needs to be built. We could very easily identify the bad landlords and agents and train them to ensure that they are responsible and know how to run a business is vital.

We could also make sure that there is less discrimination in the sector: people on benefits; people with mental health problems; people with physical health problems are sorely hit by the discrimination of landlords and letting agents. It is incredibly difficult to find a landlord happy to accept a tenant that relies, even a little, on housing benefit. Yet housing benefit and other kinds of benefits are increasingly becoming a part of people's incomes.

The weak attempts at offering benefits to vulnerable tenants in an increasingly and systematically demolished welfare state is actually just helping their landlords. The more benefit you are entitled to is usually reliant on the amount your rent is. For example, if you have paid your rent for 6 months from full-time income and you lose your job, Cardiff Council will allow you 13 weeks of your full rent to ensure you are not evicted. This is a great scheme and gives renters a small bit of respite when in between jobs and waiting for various benefit offices to get back in touch with them to see where they can afford to live. However, this is not consistent across councils and the problem is the same; we're funding bad letting agents and landlords to keep their rents high.

Most of the time, people who need to get Jobseeker's, Employment and Support Allowance or Housing Benefit will have to wait several weeks or even months to get a payment. In the meantime, their landlord has ended their tenancy, they can't find a new house because they are now labelled 'DSS', and they end up homeless.

It's not rocket science. Vulnerable people who can easily end up homeless are increasingly left to the whim of the private rented sector. Whilst other proposals to do with social housing in the Bill will help these people, the vast majority of them will not be reached. The vast majority of vulnerable people are now renters.

Do not just use us as a political tool. Buzzwords like 'Generation Rent' are all well and good, but we are people. We are struggling. And no one is listening to us.

The next section of the report highlights work being done in the rest of the UK to tackling the crisis in private rented housing. If the Welsh Government listened to just some of these comments and practices, we might just be able to get somewhere. If the Welsh Government does not listen, they are abandoning tenants.

What UK Government are doing

Source: <https://www.gov.uk/government/policies/improving-the-rented-housing-sector--2/supporting-pages/private-rented-sector>

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Policy

Improving the rented housing sector

From: [Department for Communities and Local Government, The Rt Hon Eric Pickles MP and Minister of State for Housing](#)
History: Updated 23 April 2014, [see all updates](#)
Part of: [Housing](#)
Applies to: [England](#) (see policy for [Scotland](#), [Wales](#) and [Northern Ireland](#))

Private Rented Sector

The private rented sector has grown and improved enormously in recent years and accounts for approximately 16.5% of all households, or nearly 3.8 million homes in England.

The private rented sector offers a flexible form of tenure and meets a wide range of housing needs. It contributes to greater labour market mobility and is increasingly the tenure of choice for young people.

The government wants to see a bigger and better private rented sector and believes that the most effective way to make rents more affordable is to increase the supply of new homes.

We are investing £1 billion in a Build To Rent Fund, which will provide equity finance for purpose-built private rented housing, alongside a £10 billion debt guarantee scheme to support the provision of these new homes; and up to 30,000 additional affordable homes.

In October 2013, we published our response to a recent select committee report on the private rented sector. Our response sets out an ambitious package of proposals to ensure all private tenants get proper protection from their landlords. This will include:

- raised standards on the condition of rented properties
- greater protection for tenants against hidden agency fees and improving tenants' access to longer-term family friendly tenancies

In addition, a new model tenancy agreement is being developed, which will provide tenants with a clear guide to rental contracts. This will enable tenants to identify which clauses in their agreement are optional or unique to that property, helping them to negotiate longer fixed-term tenancies and demand greater certainty over future rent rises.

We are also supporting consumers by requiring all letting and property management agents to become members of an approved redress scheme - so consumers can complain and seek compensation if agents' fees are not transparent. Legislation will be in place by October 2014.

In the few areas where there is bad practice, £4.1 million has been allocated to 23 local authorities to tackle rogue landlords, in addition to the £2.6 million the government has pledged to crack down on 'beds in sheds'.

£10 billion housing debt guarantees for private rented housing

The private rented sector housing debt guarantee scheme supports the building of new homes for the private rented sector across the UK, offering housing providers a government guarantee on debt they raise to invest in new privately rented homes. This will help to reduce their borrowing costs, increasing the number of homes they can afford to provide.

The debt guarantee is designed specifically to attract investment into the private rented sector from fixed-income investors who want a stable, long-term return on investment without exposure to residential property risk. The scheme rules for the private rented sector housing guarantee scheme were published in February 2013.

The government is open for direct discussions with interested parties that are eligible in line with the published scheme rules and can raise their own debt finance. We will be looking for applications that comply with the scheme rules and can demonstrate:

- a solid management structure
- suitable asset cover
- a viable exit strategy
- robust rental demand
- are clear on where and how they will raise the debt

Please email housingguarantees@communities.gsi.gov.uk if you would like to discuss a specific proposal.

The government has recently issued an invitation to tender inviting applications from the market from organisations capable of sourcing funding and on-lending it to borrowers in line with the scheme rules. Further detail about this opportunity is available by registering on the procurement portal.

Private Rented Sector Taskforce

The expert Private Rented Sector Taskforce has been established by the government to improve quality and offer a wider choice to tenants living in privately-rented accommodation across the country.

The taskforce brings together developers, housing management bodies and institutional investors to help them provide more housing for private rent and to increase the size of the sector.

The taskforce is headed by Andrew Stanford. Andrew was Managing Director and founder of Stanford Mallinson, a property and asset management company, and was formerly Head of Cluttons Residential.

Taskforce members that took up post in April 2013 are:

- Julian D'Arcy of Kirkby Capital, a former regional chairman and proprietary partner at Knight Frank
- Joanna Embling, a property consultant and chartered surveyor, specialising in urban redevelopment and a former equity partner at Cushman Wakefield
- Dominic Martin, senior analyst at EC Harris and a qualified surveyor

And in written answer in the House of Lords, Baroness Stowell explained that the Taskforce had consulted with many more organisations than the Welsh Government has.

Private Rented Sector *Question*

*Asked by **Baroness King of Bow***

To ask Her Majesty's Government, further to the Written Answer by Baroness Stowell of Beeston on 6 May (WA 392), with which organisations representing private tenants the Private Rented Sector Task Force has engaged since its establishment.

The Parliamentary Under-Secretary of State, Department for Communities and Local Government (Baroness Stowell of Beeston) (Con): The Private Rented Sector Taskforce work closely with my officials in developing our policies in relation to the private rented sector. Together they engage with a wide range of private sector tenant groups including Shelter, Crisis, Generation Rent and its predecessor the National Private Tenant's Organisation, the National Union of Students, as well as individual private tenant organisations.

What UK Labour are doing

Despite a lot of 'working closely' with Welsh Labour, UK Labour's proposals are radically better than the Welsh Government's.

UK Labour has recognised that a large swathe of society is affected by the cost of living crisis and that reform is desperately needed to ensure fairness and equality for all tenants.

Let Down in Wales has great respect for Ed Miliband's and Shadow Housing Minister, Emma Reynold's, proposals. We can only hope that Welsh Labour might realise that their colleagues in Westminster already have the right idea.



Emma Reynolds MP, Labour's Shadow Housing Minister, said:

"It is appalling that David Cameron's Housing Minister thinks it's acceptable for someone to be evicted just because they are receiving social security, even if they are in work, paying the rent on time and looking after the property. Does he also think landlords should be able to evict people who have just lost their job through no fault of their own, or people receiving disability support?"

"There has been a sixty per cent rise in working people claiming housing benefit under this out-of-touch Tory-led Government. They're having to claim assistance because of a cost-of-living crisis squeezing disposable incomes and sky-high rents, caused by David Cameron's failure to build more affordable homes. The number of homes being built in the UK has been at its lowest peacetime level since the 1920s under David Cameron and it's clear the Tories aren't just incompetent, they're callous about the real-life impact of their failures."

"Labour has set out its plans to reform the private rental market by legislating for longer-term tenancies with predictable rents, and a ban on letting fees charged to tenants. Only Labour will stand-up for Generation Rent."

Source: <http://www.thisismoney.co.uk/money/mortgageshome/article-2669492/Private-rental-sector-not-fit-purpose-Labour-says.html>



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'Make three-year tenancies the norm': Labour calls for greater stability in rental market as it warns sector is 'not fit for purpose'

Britain's private rented sector is 'not fit for purpose' according to Labour and new legislation is needed to give tenants greater stability.

Emma Reynolds, the shadow housing minister, told the Commons that Britain had 'one of the most

short-term, insecure and unstable' private rented sectors in Europe and the Government's voluntary approach was not working.

Speaking at the start of an Opposition Day debate on the private rented sector, Ms Reynolds outlined a three-pronged approach to reform the sector, arguing Labour would legislate for longer term tenancies, act on unpredictable rent rises and ban letting agent fees on tenants.

However, planning minister Nick Boles accused Labour of recycling old ideas to tackle the problem.

Ms Reynolds said: 'The opposition have called for this debate because we believe the private rented sector is simply not fit for purpose. It is in fact more suited to the 1980s than the 21st century.

'The sector has grown massively in size, but also beyond recognition in terms of the demographics and character of those renting from private landlords. Nine million people now rent privately, more than those who rent a social home.

'Over a third of those who rent privately are families with children and nearly a half are over the age of 35. However many people who are renting privately are not doing so out of choice but because they can't get on the housing ladder and they are being priced out or they can't secure a social home.'

Private renting, she said, was the most expensive type of tenure, with people renting privately spending 41 per cent of their income on housing, compared to 30 per cent in the social rented sector and 19 per cent for owner occupiers. She added: 'But the extra expense is not buying greater stability or higher standards. In fact if you rent privately you're more likely to live in a non-decent home than in any other tenure.'

Labour, she said, was calling on the Government to legislate to make three-year tenancies the norm, with tenants given a six-month probationary period. Students and some others would continue to want more flexibility and Labour's proposals included that, she added.

In his response, Mr Boles warned of the negative effects of rent controls. He said: 'They disinter a mouldy old policy from the 1970s, spray a bit of shiny new paint over it and present it as the solution to all of the ills of the modern market economy. We have seen them follow this script in relation to energy bills and now they are trotting it out for rental housing.'

Early Day Motion 171:

SECURITY AND RENT LEVELS FOR PRIVATE RENTED TENANTS

Session: 2014-15

Date tabled: 24.06.2014

Primary sponsor: Lucas, Caroline

Sponsors: Mitchell, Austin | Corbyn, Jeremy | Shannon, Jim | Llwyd, Elfyn | Sharma, Virendra

That this House notes that nine million people in England rent privately and that private renting is becoming the new norm; further notes that in Brighton, Pavilion constituency the private rented sector (PRS) is roughly double the national average, accounting for 32.7 per cent of households at the 2011 Census; recognises that renting at extortionate rates is often the only choice for people on low incomes, for young families and for working people on average incomes; acknowledges the many good landlords, but condemns rogue landlords who fail to undertake basic maintenance or repairs, leaving many tenants in expensive substandard housing; believes that the norm of short-term contracts leaves PRS tenants without security in their homes, at risk of eviction and of unfair rent increases; further notes that this volatility is particularly harmful for families with children who often have to move schools as a result; further believes that longer-term renting could work better for both renters and landlords; further as the latter could reduce void periods and expensive re-letting costs; calls for five-year stable rental contracts to be the default, to give good tenants the option to stay in their homes; and also further calls for action to tackle unaffordable rents, including smart rent controls, a radical increase in housing supply including building a mass programme of sustainable, energy-efficient council housing and the establishment of a living rent commission to explore ways of bringing rent levels in line with the basic cost of living.

Total number of signatures: **14**

Show: Supported by Withdrawn signatures



Showing 14 out of 14

Name	Party	Constituency	Date Signed
Campbell, Ronnie	Labour Party	Blyth Valley	25.06.2014
Caton, Martin	Labour Party	Gower	25.06.2014
Corbyn, Jeremy	Labour Party	Islington North	24.06.2014
Edwards, Jonathan	Plaid Cymru	Carmarthen East and Dinefwr	25.06.2014
Glindon, Mary	Labour Party	North Tyneside	26.06.2014
Hopkins, Kelvin	Labour Party	Luton North	25.06.2014
Jackson, Glenda	Labour Party	Hampstead and Kilburn	25.06.2014
Lavery, Ian	Labour Party	Wansbeck	25.06.2014
Llwyd, Elfyn	Plaid Cymru	Dwyfor Meirionnydd	25.06.2014
Lucas, Caroline	Green Party	Brighton Pavilion	24.06.2014
McDonnell, John	Labour Party	Hayes and Harlington	25.06.2014
Mitchell, Austin	Labour Party	Great Grimsby	24.06.2014
Shannon, Jim	Democratic Unionist Party	Strangford	25.06.2014
Sharma, Virendra	Labour Party	Ealing Southall	25.06.2014

What Scotland are doing

Source: <http://news.scotland.gov.uk/News/Landmark-housing-reforms-given-green-light-e3f.aspx>



Landmark housing reforms given green light

Housing (Scotland) Bill will end Right to Buy

A new law will prevent the sale of up to 15,500 social houses over the next ten years and support improvements to the private rented sector. The Housing (Scotland) Bill which was today passed by the Scottish Parliament, will enhance housing conditions and put in place safeguards for social and private tenants.

The Bill will end the Right to Buy social housing in Scotland over the next two years, giving tenants time to consider their options and find financial advice if they want to exercise their right to buy their home. The legislation will establish a private rented sector tribunal which gives tenants and landlords access to specialist justice and allow them to resolve disputes more effectively.

Changes to mobile home site licensing will also improve the rights of over 3,000 households, many of whom are elderly, living permanently in mobile or park homes across Scotland.

Other measures in the Bill include introducing a regulatory framework for letting agents and giving local authorities new discretionary powers to tackle poor housing conditions in the private sector.

Housing Minister Margaret Burgess said: "This is a historic day for housing as it marks the end of Right to Buy social housing in Scotland. Stakeholders from across the sector have given this legislation widespread support as they recognise that we have put together a package of measures which will help improve housing in the social, private rented and owner-occupied sectors.

“Today I put forward a number of amendments to the letting agent provisions in the Bill to provide a robust regulatory framework that will ensure consistent and high standards of service for tenants and landlords across Scotland.

“I am very grateful to all those who have contributed their views on the Bill over the last nine months and more. But legislation is only one of many actions that this Government is taking to improve housing in Scotland.

“This government continues to invest in affordable housing. Earlier this week the First Minister confirmed we have invested £1 billion in affordable housing since April 2011, putting us well on track to delivering an additional 30,000 homes across Scotland by March 2016. This investment is supporting 8,000 jobs in each year of the five-year parliamentary term.

“This Bill is a landmark step forward for housing. With the full powers of independence we will have greater control to tailor our grants and housing supply investment, and to integrate housing and welfare policies to meet the needs of our communities and the homebuilding industry in Scotland.”

Notes To Editors

The Bill was introduced to Parliament on 21 November 2013. The Bill covers a wide range of housing issues, taking forward policy proposals that the Scottish Government has consulted on extensively over the last 2 years. “Homes Fit for the 21st Century”, the Government’s strategy and 10 year action plan for housing (published in February 2011) signalled its intention to legislate in a number of areas.

Ending Right to Buy:

The Bill provides for Right to Buy to end two years from the date of Royal Assent. The Scottish Government supports people’s home ownership aspirations in ways that do not involve the loss of housing stock from the social rented sector including:

- the demand-led Low-cost Initiative for First Time Buyers (LIFT) shared equity schemes.
- the new Help to Buy (Scotland) shared equity scheme was launched on 30 September and we have committed £275m to this over the next three years and
- financial backing for Homes for Scotland’s mortgage indemnity scheme.

Private rented sector:

The Bill will protect tenants in the private rented sector, which has more than doubled, from per cent of all homes in 1999 to 11 per cent of all homes in 2011 by:

- Transferring private rented sector cases from the sheriff courts to the new First-tier Tribunal (which will be created by the Tribunals (Scotland) Bill)
- Introducing regulation of letting agents to promote high standards of service and levels of professionalism across the country and provide landlords and tenants with easy access to a mechanism that will help to resolve disputes where these arise.
- Enhancing standards in the Private Rented Sector by requiring landlords to fit carbon monoxide detectors and carry out electrical safety checks.
- Enabling local authorities to inspect properties and report breaches of house condition standards in the PRS to the Private Rented Housing Panel, which enforces the ‘Repairing Standard’ in the sector.

Mobile home sites with permanent residents:

- There are 3,314 mobile homes on 92 sites across Scotland. An increasing number of people, many of whom are elderly, live permanently in mobile or park homes.

- The Bill strengthens the licensing regime for mobile home sites with permanent residents, by giving local authorities a range of tools to ensure sites meet acceptable standards, and to tackle unscrupulous site owners.

Increase flexibility in the allocation and management of social housing:

- Replacing prescriptive and outdated priority groups with a broader framework that gives landlords and their communities more local flexibility
- Allowing a minimum period to be put in place before antisocial tenants are eligible for the allocation of social housing
- Introducing a new right for tenants to appeal a landlord's decision to suspend them from being allocated a property
- Allowing landlords to give Short Scottish Secure Tenancies to applicants and tenants with a history of antisocial behavior
- Simplifying eviction procedures for tenants convicted of a serious offence

Investment in affordable housing:

- Over the four years to 2015/16, the Scottish Government's planned investment in affordable housing will exceed £1.35 billion, keeping it on track to deliver its target of at least 30,000 affordable homes by March 2016. Every £100 million of housing expenditure, whether from the Scottish Government or other sources, supports a total of £180 million of economic activity and around 1,300 jobs.

The only thing Let Down in Wales asks is to be consulted. The UK Government and the Scottish Government will overtake us in reforming the private rented sector if the Welsh Government do not listen.

We call upon the Welsh Conservatives to continue their support of our campaign.

We ask Plaid Cymru and the Welsh Liberal Democrats to join us in supporting and standing up for tenants.

We ask for all opposition parties and Labour backbenchers to vote against these proposals and make the Welsh Government come up with something better.

Something that will work.
Something for tenants.