

Let Down in Wales

*Campaigning for
Private Rented Sector
reform*

Tuesday 18th November 2014

To the Petitions Committee,

Whilst the Housing Bill has passed, much of the effects on what private tenants can expect from their landlords/letting agents will depend on the Code of Practice, which is yet to be complete.

We maintain that much of housing legislation, both at a UK and Wales level, is too focused on buyers rather than renters. It is an unfortunate political reality that we cannot build enough houses – affordable ones in particular – that are needed and people are far less likely than ever to be able to save for a house deposit.

The Housing Bill focused mostly on social housing, rather than how to improve rental conditions that increasing amounts of vulnerable people are finding themselves in. Correspondence with the Housing Department has not reassured us that the information will be properly promoted; the rogue landlords and bad letting agents may be ‘encouraged’ to disseminate information, but it would not be in their interests to point tenants towards the Licensing Authority that could take their license away. It’s vital that tenants not only know about the Code of Practice, but are also made aware of their right to complain without fear of ‘revenge evictions’ or the simpler mechanisms that landlords/agents can use against them, such as increasing rent or not offering to renew contracts at short notice.

There is also not much confidence in local authorities being able to govern their responsibilities, due to dwindling resources. Housing Officers will only inspect a property if there is a complaint so whether it complies with the standards will be up to the tenants to decide, and then to decide whether to complain about it or ask the landlord/agent to improve it. Again, tenants’ knowledge of their rights is integral and tenants’ fears of evictions are only rising.

The Renting Homes Bill is a clear opportunity where this can be rectified. We very much welcome that contracts will be made simpler in plain language, making it easier for tenants to understand the terms. However we are very concerned about the proposal to end the 6-month moratorium. Very few tenants would want to rent a property for less than 6 months and this could lead to a severe increase in a lack of security from landlords who are not sure how long they want to rent the property out for and would

offer much shorter or rolling contracts as standard. The rental market is not one of choice for tenants, their options are very limited and they are often forced to accept any contract that is offered to them.

We still believe that a redress scheme, either in the form of Ombudsmen or a Housing Tribunal is a key factor in ultimately ensuring fairness in the private rented sector. This would help to create a much-needed culture change as well, where landlords and agents know that they **have** to abide by Codes or they could incur costs. We also do not think the removal of a license is enough incentive to change rogue landlords' or letting agents' behaviour. Having an Ombudsman or Tribunal would also ensure better information and resources are there for landlords too, who equally need as much information and support to run their businesses appropriately, and for stronger penalties to be enforced when they have treated tenants badly.

Following the Housing Bill, we were very disappointed to see the removal of a Minister for Housing and Regeneration. Whilst the Communities and Tackling Poverty portfolio certainly relates to housing, it is concerning to see it appear to be less of a priority now it's been combined. This raises questions over how much priority the Welsh Government are giving to the Renting Homes Bill, which is an opportunity to fix so many problems for tenants.

We would also be interested to know of any Welsh Government and AMs' views on the Tenancies (Reform) Bill, a Private Member's Bill

(<https://www.gov.uk/government/news/stephen-williams-vows-to-outlaw-revenge-evictions>) sponsored by Stephen Williams MP and Sarah Teather MP, reaching its second reading debate on Friday 28th November 2014. It has government backing in principle, but it is yet unclear as to whether it will progress.

Has the Welsh Government considered introducing similar legislation? And does it have the necessary powers to do so? If it doesn't, it also raises questions as to how effective housing legislation can be in Wales if there are not enough levers to regulate it.

And, if the Tenancies (Reform) Bill were to be passed, would the Welsh Government consider passing the legislation through a Legislative Consent Memorandum, and does it believe LCMs to be an effective way of delivering housing policy in Wales?

We'd appreciate any views on the above matters.

Many thanks,

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