Consortium for the Regional Support for Women in Disadvantaged and Rural Areas

Response to: 'Review of the role and regulation of the private rented sector'

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Women's Regional Consortium: Working to Support Women in Rural Communities and Disadvantaged Urban Areas

1. Introduction

1.1 This response has been undertaken collaboratively by the members of the Consortium for the Regional Support for Women in Disadvantaged and Rural Areas, which is funded by the Department for Social Development in Northern Ireland and the Department of Agriculture and Rural Development in Northern Ireland.

1.2 The Women's Regional Consortium consists of seven established women's sector organisations that are committed to working in partnership with each other, government, statutory organisations and women's organisations, centres and groups working in disadvantaged and rural areas, to ensure that organisations working for women are given the best possible support in the work they do in tackling disadvantage and social exclusion.[1] The seven groups are as follows:

- Training for Women Network (TWN) – Project Lead
- Women's Resource and Development Agency (WRDA)
- Women's Support Network (WSN)
- Northern Ireland's Rural Women's Network (NIRWN)
- Women's TEC
- Women's Centre Derry (WCD)
- Foyle Women's Information Network (FWIN)

1.3 The Consortium is the established link and strategic partner between government and statutory agencies and women in disadvantaged and rural areas, including all groups, centres and organisations delivering essential frontline services, advice and support. The Consortium ensures that there is a continuous two way flow of information between government and the sector. It further ensures that organisations/centres and groups are made aware of

[1] Sections 1.2-1.3 represent the official description of the Consortium's work, as agreed and authored by its seven partner organisations.

consultations, government planning and policy implementation. In turn, the Consortium ascertains the views, needs and aspirations of women in disadvantaged and rural areas and takes these views forward to influence policy development and future government planning, which can ultimately result in the empowerment of local women in disadvantaged and rurally isolated communities.

1.4 This response is informed by women's views and perspectives articulated during qualitative research engagement (focus groups and interviews) organised by Greenway Women's Centre, FWIN, Women's Centre Derry and Strathfoyle Women's Centre between 8 and 17 December 2015. Appendix 1 provides further detail on this engagement.

2. General comments

The Women's Regional Consortium appreciates the opportunity to respond to the Department for Social Development's 'Review of the role and regulation of the private rented sector'.[2]

As research affirms, in so far as it may correlate to outcomes in, inter alia, health, education, social mobility and economic prosperity, access to affordable, safe, stable and adequate housing can *profoundly* impact well being at the level of the individual, the household, the community and society at large.[3] Within social justice discourse on social and private rented housing, this correlation can stimulate questions of tenant well being and interests normatively articulated in the language of equality and rights fulfilment.

[2] Department for Social Development, 'Proposals for a new regulatory framework for social housing providers in Northern Ireland: a consultation document', DSD: Belfast, 2015.

[3] On this, see, for example, Houses of Parliament Parliamentary Office of Science and Technology, 'Housing and health', Postnote, 371, January 2011, Houses of Parliament: London; California Department of Housing and Community Development 'Housing and family economic well-being', CDHCD: Los Angeles: 2013; K. Wardrip et al.,'The role of affordable housing in creating jobs and stimulating local economic development: a review of the literature', Centre for Housing Policy, Washington: 2011; and, Centre for the Study of Social Policy, 'Affordable housing as a platform for improving family well-being: federal funding and policy opportunities', CSSP: Los Angeles: 2011.

For obvious reasons, and as is well established in the literature, addressing these questions meaningfully at the level of policy can require government to take due account of the relationship between (a) the protection of tenant well being and interests and (b) effective regulative-legislative intervention on housing.[4] With specific regard to the private rented sector, as research further affirms, there remains a substantive requirement for remedial regulatory intervention of this kind to meaningfully address actual/potential threats to tenant protection across the United Kingdom.[5]

From this perspective, we welcome the consultation exercise as affirmation of the Northern Ireland Executive's intent to give due regard to tenant protection in its review of the private rented sector, while aiming to identify 'where [regulatory] improvements can be made to help make the [sector] a more attractive housing option'.[6] That said, we are concerned that fulfilment of this intent could be frustrated should government fail to properly assess and address the following contextual factors that can threaten tenant well being and interests in the jurisdiction: (i) shifts in rent affordability and associated financial hardship and homelessness linked to austerity-rationalised reductions in state support for tenants; (ii) legislative considerations implicated in the under-fulfilment of tenant rights and landlord responsibilities; (iii) unscrupulous and unreasonable landlord and letting agent practice; (iv) the prevalence of substandard properties; (v) reported inconsistencies in regulatory enforcement of existing housing regulation across different geographic areas;[7] (vi) evidenced shortfalls in renters' knowledge of extant rights, responsibilities and state support for tenants;[8] and, (vii) the apparent

[4] See, for example, House of Commons, Communities and Local Government Committee. (2013), 'First report of session 2013-14 - the private rented sector, HC 50', HOC: London; also, C. Beatty et. al. (2014). 'Monitoring the impact of recent measures affecting housing benefit and local housing allowances in the private sector in Northern Ireland – final report', Sheffield Hallam University: Sheffield.
[5] House of Commons, op. cit.
[6] DSD, op. cit.
[7] See, for example, Beatty, et. al, op. cit.
[8] Ibid.

absence of the requisite political will to explore new 'universal' rent controls as a potentially credible remedy to enduring problems of rent affordability.[9]

Participant discussion across the engagement events underlined these concerns and raised a number of associated issues, as will be shown in the remainder of the paper.

3. Specific comments

Austerity reform, rent levels, rent affordability and homelessness

3.1 The Consortium is concerned that any regulatory change made under the review should be sufficiently enabling to properly provide for the future protection of vulnerable tenants in the jurisdiction under extend austerity.

Research suggests that private sector rent levels in the United Kingdom case are 'monopolising their grip on household income'[10] and that, for households in receipt of housing benefit, this trend has been exacerbated by reductions in local housing allowances and entitlement introduced after 2010.[11] In addition, research on the Northern Ireland case illustrates that the relationship between these reductions and rent levels may be associated with problems of rent affordability and subsequent rent arrears, financial exclusion, tenancy termination, eviction and homelessness.[12] The bottom line is this: 'tenants [in the jurisdiction] on low incomes are struggling to meet the increasing shortfall between their housing benefit assistance and their rent, which is causing hardship and homelessness'.[13]

In 'several areas' of Northern Ireland, these reductions have amounted to more than £10 per week or, expressed differently, a loss of up to twenty per

[9] M. Field (2014) 'Reappraising the place for private rental housing in the UK market: why an unbalanced economy is at risk of becoming even worse', Local Economy, 2014, Vol. 29(4–5) 354–362.
[10] Ibid., p.357.
[11] Beatty, et. al, op. cit
[12] Ibid.
[13] CIH (2014) 'Loss of rented housing is causing homelessness says CIH NI', CIH. [Online.] Available at: http://www.cih.org/news-article/display/vpathDCR/templatedata/cih/news-article/data/NI/Loss_of_rented_housing_is_causing_homelessness_says_CIH_NI

cent of previous entitlement.[14] We recognise that government has extended some level of short-term mitigation to some affected cohorts. Despite that mitigation, however, in recent analysis of the impact of this reform in the jurisdiction, forty-four per cent of surveyed landlords reported issues of rent arrears ascribed to the reductions, while a quarter also reported subsequent action taken on tenancy termination and evictions.[15] It has consequently been observed that the cessation of private rented tenancies in the jurisdiction 'is becoming *an increasingly prominent cause of* homelessness'.[16]

Participants in the qualitative research dimension of this response anecdotally evidenced these associations, characterising the cumulative adverse impact of the relationship - between rent levels, rent affordability and different kinds of austerity-associated reductions in state income - in terms of increased vulnerability and homelessness among affected cohorts. Particular emphasis was placed on the adverse *gendered* impact of this relationship on affected women, especially lone parents, younger cohorts and those in part-time, low paid and precarious employment, most notably those on zero-hours contracts.

Research supports this claim-making, affirming both (a) the cumulative and gendered adverse impact of austerity measures on affected women, including some of the most vulnerable cohorts;[17] and, (b) 'strong associations' between austerity measures and the 'experience of homelessness [among]...younger age groups... private renters and lone parent households'.[18]

To compound matters, in a context of *extended* austerity that includes the projected adverse impact of planned 'welfare reform' on household income in

[14] S. Fitzpatrick, et. al. (2013). 'The homelessness monitor: Northern Ireland 2013', Crisis: London, p.xiv.
[15] Beatty, et. al, op. cit, p.iii.
[16] Fitzpatrick, et. al, op. cit.
[17] See, for example, L. James and J. Patiniotis, 'Women at the cutting edge: why public sector spending cuts in Liverpool are a gender equality issue', Liverpool John Moores University; Fawcett Society, 'The impact of austerity on women, policy briefing', Fawcett Society: London, 2012; and, Scottish Government, 'The gender impact of welfare reform', Scottish Government: Edinburgh: 2013.
[18] Fitzpatrick, et. al, op. cit., p.vii.

the jurisdiction,[19] further associated problems of rent affordability in the sector are forecast:

> the [local housing allowances] ... measures will have ongoing consequences in the years ahead, and, as other welfare reform measures are phased in, *the problems of housing affordability for many low income households in the [private rented sector in Northern Ireland] ...are likely to remain.*[20]

Against this backdrop, some commentators have called for a fundamental 'review' of the cumulative socio-economic 'costs' of private sector tenancies to households across the United Kingdom, to include the introduction of interventions to establish some kind of 'universal' rental control aimed specifically at 'limit[ing] the drain [of rent levels] on household income', as a potentially 'fairer basis of housing delivery'.[21] Participants supported this call. In so doing, some identified such rent control as a possible mechanism for remedially addressing the relationship between prohibitive costs in the sector and constraints on individuals' capacity to save for mortgage deposits, as prospective first time buyers. The gendered dimension of this particular aspect of the debate was also underlined, with discussants citing constraints correlated to the over-concentration of women in low paid, low status, part-time and sporadic employment.

From this perspective, it is lamentable that the consultation document's treatment of the question of affordability omits a proper contextual account of the wider rent level correlations depicted in this section; and, that within that treatment, the notion of universal rent control - as previously described - is dismissed.

Recommendation

In proceeding with its review of the private rented sector, government should seek to take due account of the relationship between rent levels, rent affordability, financial hardship, homelessness and austerity-rationalised

[19] See, C. Beatty and S. Fothergill, 'The impact of welfare reform on Northern Ireland: a research paper', NICVA: Belfast, 2013.
[20] Beatty, et. al, op. cit., p.xi.
[21] Field, op. cit., p.361.

reductions in tenants' state income, to include extending further support to affected vulnerable cohorts beyond short-term mitigation.

Landlord and letting agent regulation: licensing and accreditation

3.2 Research on the United Kingdom case points to 'strong evidence' of 'sharp practice and abuses' by letting agents, as well as 'unscrupulous' landlord practice[22] associated, inter alia, with 'rundown, unsafe, or overcrowded properties'.[23] For obvious reasons, the latter may hold negative implications for well being at the level of the individual and beyond.[24] On this view, across all jurisdictions in the region, there is a compelling social justice case to be made for new (i.e. more meaningful, robust and effective) regulatory intervention on this particular dimension of the debate at hand.[25]

Discussants in the engagement events informing this response anecdotally evidenced such provider practice, citing cases of, inter alia, poor property maintenance and unreasonable/unfair behaviour in respect of rent increases, insecurity of tenure and tenancy termination. This controversy was depicted as compounded by cited inconsistencies in statutory enforcement of extant rights and responsibilities.[26] On this view, it was held that government 'did not do enough' to address the substantive social justice issues of tenant well being at stake in this debate, and that a significant policy rethink was consequently required to substantially enhance fulfilment of applicable rights and responsibilities.

Participants subsequently appealed for a new approach to regulation, to include a robust and comprehensive system of licensing and accreditation underpinned by more consistent and meaningful enforcement and accountability mechanisms. In addition, it was further held that unscrupulous landlords should not be allowed to profit from public monies, and that the advocated rethink should consequently provide for measures to recover

[22] House of Commons, op. cit., p.3.
[23] Ibid., p.15.
[24] Supra note 2 pertains.
[25] See, House of Commons, op. cit.
[26] On this, see Beatty, et. al, op. cit

housing benefit paid in respect of substandard properties and blatant non-compliance with regulations.[27] The more general point was that there should be more statutory scrutiny in respect of landlord behaviour and practice where public monies were involved.

Research evidences the case for such legislative-regulative intervention, capturing the relationship between fulfilment of rights and responsibilities across the sector and the need for government to 'put in place a much simpler, more straightforward regulatory framework'.[28]

Finally, it was further proposed that government efforts to raise standards in the sector should include the introduction of property safety requirements similar to those in other jurisdictions of the United Kingdom, as well as the development of some kind of new statutory complaints service to which private renters could directly appeal in cases of unscrupulous practice and dispute.

From this perspective, the prospect of the Executive moving forward under the review on the question of provider licensing and accreditation is encouraging.

Recommendation

In taking forward the review, the Executive should ensure that any subsequently developed licensing, accreditation and enforcement mechanisms are robust, enabling and 'straightforward' enough to effectively address any and all extant and future unscrupulous landlord and letting agent practice.

Knowledge/information shortfalls

3.3 The Consortium is concerned at apparent knowledge and information shortfalls among private sector tenants in the jurisdiction, in respect of applicable rights, responsibilities and state support for tenants.

[27] On this, see House of Commons, op. cit.
[28] Ibid., p.3.

Participants cited examples of such shortfalls, and research on the Northern Ireland case also notes their existence.[29] For example, it was generally observed that 'tenants *need to know* their rights' (FWIN focus group), while research has identified gaps in tenant knowledge with regard to the calculation of local housing allowances rates.[30]

Discussants consequently advocated government support for the development of a comprehensive tenant advice and information initiative for the sector, aimed, in the first instance, at awareness-raising with regard to rights, responsibilities and support. Related proposed remedial actions included the distribution of some kind of basic information material to all affected parties, as well as the development of applicable advice provision at the level of community.

Recommendation

As it progresses the review at hand, and in line with its wider ambition to realise effective tenant protection, the Executive should seek to improve provision of information across the private rented sector in respect of tenant rights, landlord responsibilities and applicable state support for tenants.

Expansion of housing supply: emphasis on the affordable

3.4 The consultation document poses the question of whether the private rented sector 'should play a role in bridging the ... shortage in housing supply' in the jurisdiction and government should 'incentivise growth and investment' in the sector.[31] The Consortium is troubled by the implied prospect of an expanded sector, given the risk such expansion could potentially pose to affordability in future housing supply.

The evidence base for the prevalence of such risk includes research that attributes the latter to substantive factors such as actual/projected cost 'hikes' endemic in the sector and the absence of universal rent controls to prevent

[29] Beatty, et. al, op. cit
[30] Ibid.
[31] DSD, op. cit.

such hikes.[32] Participants supplied anecdotal accounts in support of this claim-making, for example, attributing a lack of affordability in the sector to unreasonable consecutive and sustained rent rises by landlords.

On this view, the Executive should proceed with due caution in taking forward any proposals to expand the private rented sector, recognising and addressing any apparent contradiction between such expansionist intent and the demand for affordability in future housing provision.

Recommendation

The Consortium urges the Executive to give due consideration to the possible adverse implications for rent affordability in the jurisdiction of extended reliance on the private sector to boost housing supply.

4. Conclusion

As noted, as is well established in the literature, access to affordable, safe, stable and adequate housing can profoundly impact well being at the level of the individual, the household, the community and society at large.[33] And, as we have seen, recent research on the private rented sector in the Northern Ireland case has helped to capture the nature and extent of that impact by identifying troubling associations between the experience of renting in the sector, extended austerity measures, financial hardship, gendered vulnerability and homelessness,[34] all of which raises substantive questions of social justice.

Given the multidimensional nature of that impact, the framing of these questions necessarily connotes diverse policy areas, not only housing but also, inter alia, health, social security and community planning. In the context of the current review, therefore, it is imperative that all such questions should be addressed by government on a properly coordinated and collaborative cross-departmental basis, with due regard given to all implicated cross-cutting

[32] Field, op. cit.
[33] Supra note 2 pertains
[34] Beatty, et. al, op. cit.; also, Fitzpatrick, et. al, op. cit.

equality and rights considerations. Finally, it is also incumbent on government to commission such further research as is necessary to more fully capture the dilemma at hand, ensuring the review remains sufficiently supported by an appropriately robust, context-specific and up-to-date evidence base.

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Appendix 1

Summary: qualitative research engagement detail

Focus groups and interviews: facilitation, locations and dates

- Greenway Women's Centre-facilitated focus group at its Belfast premises, 8 December 2015
- Women's Centre Derry-facilitated focus group, Strathfoyle Women's Centre, 10 December 2015
- FWIN-facilitated focus group and interviews at its Derry premises, 14 and 17 December 2015, respectively

Participants' profile summary

Overall composition: included some venue staff, board members, volunteers, service users; and, more generally, women living and working in different disadvantaged and rural localities and those in the private rented sector, including parents, young people and older people.