

Submission of evidence: Local Government and Housing Committee Consultation into the Private Rented Sector

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Introduction

ACORN is a tenant's union with a branch in Cardiff and members across Wales. This evidence has been informed by a recent survey we undertook of private renters from mid-April – beginning of May 2023, along with the experiences of our members as tenants and campaigners aiming to improve the sector for tenants. This submission focuses on points 1, 4 and 5 of the committee's inquiry as this is where we feel we have the greatest expertise to offer.

1. The supply, quality and affordability of accommodation in the private rented sector.

a) Supply

We asked survey respondents to tell us all the barriers to entry they had found when trying to find a new home to rent.

- 80% of respondents said that on going to arrange a booking, the property had already been let.
- 35% of respondents said there were a lack of options within reasonable distance of their place of work or education.

We asked tenants, on being served with an eviction notice tomorrow, how confident they would be of finding a similar rental property available in their current area. 85% expressed doubt they would be able to.

"We were served a section 21 and there was nothing affordable in the county that was suitable for us and a cat"

"I feel I have to accept poor quality housing due to scarcity. My landlady knows she can act with impunity."

b) Quality

We asked survey respondents whether they had lived with any of the 29 'fit for human habitation' tests in the last 5 years, and whether they are living with any of these hazards now.

98.37% had lived with a hazard in the last 5 years and 78.7% are living with a hazard now.

For both questions, damp and mould was the most common problem, followed by low temperatures, domestic hygiene issues with the dwelling, and difficulties with keeping the property secure against unauthorised entry. Ingestion of lead, exposure to radiation, and exposure to uncontrolled fire due to disrepair were the least reported issues. Please see appendix 1 for the breakdown of responses for each hazard.

We asked tenants to consider the physical conditions of their homes and answer whether they felt they were getting value for money. 40% of respondents disagreed, or strongly disagreed with this. 38.3% had no strong feelings either way, while only 21.7% agreed or strongly agreed.

We asked respondents whether they had ever feared reporting an issue due to the threat of eviction, and whether they had ever been served an eviction notice for reporting an issue.

67.2% had feared reporting an issue in case of eviction, with 23% saying they had actually been served with an eviction notice in response to reporting an issue.

"Had no hot water for 3 months in the middle of winter, was only able to get out of the contract by threatening to sue the landlord who refused to fix the condemned boiler."

"I have fallen downstairs twice until my landlord had them brought up to standard. I had to get environmental health out to report my house. My landlord has increased rent for basic amenities like a working toilet, a vent and I have been harassed and insulted by him. Some repairs are outstanding."

c) Affordability

We asked tenants to what extent they agree with the statement 'My private rented home is good value for money'.

Over half (55.7%) disagreed or strongly disagreed with only 13.1% agreeing to some extent.

In addition to this, we asked survey respondents how much of their income is spent on rent. The largest response was the 32.8% of people who said they spend between 31-40% of their income. Next, was 21.3% of people who spend between 21-30% of their income on rent. The third largest response was for the 18% of people who spend between 51-60% of their monthly income on rent. Please see appendix 2 for a further breakdown of the results for this question.

Finally, on the subject of affordability, we asked respondents what barriers to entry they had found when attempting to find a new home to rent.

- 35% said another tenant offered more.
- 40% said they were asked to pay several months rent in advance
- 25% said they could not provide a guarantor.

"Rent has consistently eaten over half my wage for the entire time I've been working in Cardiff. I cannot afford to buy a house because rent is so expensive."

"The rent increase eats into other essentials such as energy bills and food."

4. Barriers to accessing the private rented sector including challenges facing young people and people with pets.

We asked respondents what barriers they had experienced when trying to rent a new home. Highly featured, was a lack of homes that allow pets with 43.3% of people experiencing this issue.

Other key issues seem to be based around guarantors, credit checks and references. With 25% saying they couldn't provide a guarantor, 8.3% being unable to pass a credit check, and

a further 8.3% said it was their first time renting and could not provide references. Please see appendix 3 for a breakdown of the different issues tenants faced.

"It was so difficult arranging even a viewing - we had to hand over so much personal info before we could even take a look at a flat. Every agent wanted to see our tax returns, P60s, credit scores etc in order to consider us for a viewing."

"We were often told that the viewings were full. We were encouraged by the estate agents to bid over the asking price - and then refused and offered the house indicating they were lying about other prospective tenants."

5. How effectively the private rented sector is regulated.

a) Rent Smart Wales

We asked respondents whether they had ever reported a problem with their landlord or letting agent to Rent Smart Wales. Of the 9.8% who had, 50% said that Rent Smart didn't act to solve their issue and 50% said they didn't know whether Rent Smart had done anything to solve their issue.

100% of respondents who had contacted Rent Smart Wales said they found them unhelpful and 60% of those people said they found Rent Smart extremely unhelpful.

"Issues with my landlord threatening illegal eviction and harassment such as threatening to change the locks were reported including written evidence. The reply from RSW was that they would look into it but were unable to let me know the outcome due to GDPR rules. My landlord continued to be licensed and he never mentioned RSW contacting him so I presume they took little if any action."

b) Environmental Health

We also asked respondents whether they had ever reported a problem with their local environmental health team. Of the 26.7% of respondents who had reported a problem to Environmental Health, 43.75% said they had helped to resolve the issue.

31.3% of respondents who had reported an issue to Environmental Health said they found them to be helpful overall. 62.6% said they found them to be unhelpful overall. Lots of the further comments indicated a reluctance to report issues to Environmental Health for fear of eviction.

"I wouldn't report my landlord to RSW or Environmental Health for fear of retaliation."

"I've been living with severe leaks. Water pouring out of the ceiling, through a roof, through a very poorly built roof, and a wall (3 different rooms) This isn't mentioned. It's been going on for years in the property I live in but due to the likelihood of eviction I didn't contact EVH. I've been evicted for that before."

Recommendations

In order to improve the quality of homes and encourage tenants to report their issues to enforcement agencies, laws must be brought in to end no fault evictions and to stop landlords from being able to hike rents. Tenants are still living in fear of these measures and they are standing in the way of necessary repairs and fair treatment.

Letting agents and landlords must be legally deterred from discriminating against different groups looking for a new home. The amount of rent that can be asked for in advance of moving into a new home should be capped at one month and bidding wars should be outlawed, put mystery shop style spot checks in place to crack down on offending agencies.

APPENDIX 1 - Hazards

Type of hazard	% experienced in the last 5 years	% living with hazard now
Exposure to mould, damp, fungal growth or mites	85.2	57.4
Exposure to excessively low temperatures	63.9	24.6
Domestic hygiene problems with the dwelling: Poor design, layout or construction such that the dwelling cannot readily be kept clean; Exposure to pests; An inadequate provision for the hygienic storage and disposal of household waste	50.8	21.3
Exposure to excessive noise	34.4	6.6
Exposure to excessively high temperatures	32.8	9.8
Electrical hazards	32.8	8.2
Difficulties in keeping the dwelling secure against unauthorised entry (for example broken locks, doors or windows)	26.2	9.8
Problems being able to maintain personal hygiene: An inadequate provision of: facilities for maintaining good personal hygiene; sanitation and drainage	23.1	3.3
Problems with the position, location and operability of amenities, fittings and equipment	23	16.4
Overcrowding or a lack of adequate space for living and sleeping	16.4	6.6
A lack of adequate lighting	14.8	8.2
Falls due to disrepair associated with toilets, baths, showers or other washing facilities	11.5	1.6
Poor design leading to collision with, or entrapment of body parts in, doors, windows or other architectural features	9.8	6.6
The collapse of the whole or part of the dwelling including falling elements	9.8	1.6
Exposure to asbestos fibres or manufactured mineral fibres	6.6	1.6
Falls due to disrepair on surfaces	6.6	1.6
Falls due to disrepair on stairs, steps or ramps	6.6	4.9
Exposure to carbon monoxide; nitrogen dioxide; or sulphur dioxide	3.3	0
Exposure to volatile organic compounds	3.3	0
Falling from one surface to another (including falling from height)	3.3	1.6
Exposure to uncombusted fuel gas	1.6	0
An inadequate supply of water free from contamination, for drinking and other domestic purposes	1.6	0
Ingestion of lead	0	0

Exposure to radiation	0	0
Exposure to uncontrolled fire and associated smoke due to disrepair	0	1.6
Contact with: controlled fire or flames; hot objects, liquid or vapours, due to disrepair	0	0
An explosion at the dwelling	0	0
None of the above	0	21.3
Not sure	0	4.9

APPENDIX 2 - Proportion of income spent on rent

Proportion of income spent on rent	% of respondents
0 - 10%	0
11 - 20%	4.9
21 - 30%	21.3
31 - 40%	32.8
41 - 50%	9.8
51 - 60%	18
61 - 70%	6.6
71 - 80%	1.6
81 - 90%	1.6
Over 90%	3.3

APPENDIX 3 - Barriers to finding a new privately rented home as reported by respondents who have moved house in the last 5 years

Barrier to finding a new home	% of respondents
Called to arrange a viewing and told the home had already been let	81.355
Advert that said 'professionals only'/'no DSS'	45.76
Lack of accessible homes on offer	33.89
Advert that said no families	3.38
Another tenant offered more money	35.59
Asked to pay several months rent in advance	40.67
Couldn't provide a guarantor	25.42
Lack of options near my work/college	35.59
Lack of options near my children's schools	1.69
Lack of homes that allow pets	44.06
Lots of housing has been converted into holiday lets	33.89

First time renting and couldn't give a previous reference	8.47
Didn't pass the credit check	8.47