

RENTER'S PARADISE

IMPROVING LIVING
CONDITIONS FOR
PRIVATE TENANTS



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A RENTER'S PARADISE?

London is home to the highest number of private tenants in the country.¹ It is the only region in England and Wales where more households are privately renting (776,000) than owning homes outright (690,000).² About 24% of all households in the Capital are privately rented.³

With renting now the norm for hundreds of thousands of people in the city, we need to be looking consistently for ways to improve living conditions for tenants. Whilst there is much ongoing debate about rising rents and contract lengths, the equally important issue of the state of repair of properties is often ignored.

While the vast majority of landlords, managing and lettings agents offer a decent and professional service, there are a few rogues who shirk their responsibilities when it comes to responding to repairs.

RATS AND BOILER PROBLEMS

This investigation spoke to Gemma Esseen, a tenant who went without hot water or heating for six weeks.

Gemma Esseen, 26, rented out a 1 bed in Walthamstow

"I moved to London from Lancashire in 2013 and rented my first flat. I soon had problems with my boiler which meant no hot water or heating for 4 weeks. It was mid-winter and the flat was absolutely freezing. I couldn't even shower, and on top of that, there was a massive draught from an ill-fitting broken front door and really bad damp. I was contacting my letting agency daily but nothing was getting done. It was such hard work, they were dragging their feet and it was a constant battle. I felt helpless. It was daunting. I was only 24, I had just moved to the city, it was my first flat and didn't know my rights or who else to go to. In the end this left me no option but to end my tenancy as soon as I could."

Consumer websites show numerous stories about appalling living conditions in private rented homes and a shocking lack of response from the letting agents or landlords concerned. To give perspective, a random sample over the past year in London, alleged claims of no hot water, no heating, houses full of rats, mould and substantial leaks.⁴

“They are actually the building managers, but they think they can get away with anything, not having to actually fulfil the duties of a landlord. During our tenancy they would take a very long time to fix anything. House is full of rats and moulds.”

– Friday 20th March 2015

1. A century of home ownership and renting in England and Wales, Office for National Statistics, last accessed 09/09/2015 <http://www.ons.gov.uk/ons/rel/census/2011-census-analysis/a-century-of-home-ownership-and-renting-in-england-and-wales/short-story-on-housing.html>

2. Ibid

3. Ibid

4. Independent Letting Agents Reviews, UK Letting Agents Directory, last accessed 09/09/2015 <http://www.uklettingagent.co.uk/reviews/#review863> accessed 18th August 2015

“Immediately upon renting a room in a flatshare I discovered there was no heating and hot water. The boiler needed to be replaced and this took over a month for them to do and I had to get Environmental Health involved to get them to replace it.”

– Friday 6th March 2015

“There are around 8 flats in our building and not a single tenant is still there after a year. Every tenant has had dreadful leaks and mould, yet if you raise the issue, they do nothing about it for months. If you push the issue, they fix the leak (after about 2-3 months) and then instead of replacing the rotting plasterboard, they wait for it to dry, and paint over it. The mould continues to grow through the paint.”

– Wednesday, 3rd Dec 2014

“They withheld essential tenant services, left us with no hot water and heating, let out a property with homemade electrics housed under a sink, put our children at risk with dangerous cupboards and broken safety catches on window locks and did nothing to remedy mould and damp, putting our children at further risk.”

– Monday 24th June 2014

Further research found that tens of thousands of private tenants are suffering from outstanding serious repairs.⁵

An estimated 2,916 complaints about urgent repairs are being referred to local authorities across the city every year. Furthermore, local environmental health teams across London receive some 24,514 complaints of outstanding repairs of all natures every year.

‘A PRO-RENTER GOVERNMENT’

The Government is doing some good work in strengthening protections for private tenants against landlords who shirk their responsibilities. As part of their deregulation bill this year, landlords are restricted from evicting their tenants if poor conditions or health and safety hazards are identified.⁶ Other pro-renter measures include the introduction of a ‘How to rent’ guide so tenants and landlords are aware of their rights and responsibilities and new rules requiring letting agents to belong to one of three redress schemes.

In London, Mayor Boris Johnson has introduced a set of voluntary minimum standards (The London Rental Standard) for landlords, managing and lettings agents.

The scheme has been successful so far with over 300 letting agents signing up, eight accrediting bodies licensed, and accreditation reaching 115,000 homes.⁷

It is the Capital’s first city-wide badge of accreditation which aims to improve the experience of landlords and tenants through the Mayor’s core principles such as transparent fees, better property conditions and protected deposits.

5. Questions sent to London’s 32 boroughs in 2015.

6. Stronger support against rogue landlords, Department for Communities and Local Government, last accessed 09/09/2015 <https://www.gov.uk/government/news/stronger-support-against-rogue-landlords>

7. Mayor’s landlord accreditation reaches 115,000 London homes, Property Redress Scheme, Last accessed 09/09/15 <https://www.theprs.co.uk/news/mayors-landlord-accreditation-reaches-115000-london-homes-1>

This report puts forward further practical recommendations to improve living conditions for tenants – specifically relating to outstanding urgent repairs – without advocating excessive regulation which would only push up rents and restrict supply in the private rented sector. This report does not claim to fix the problem of unresponsive landlords and letting agents, but rather looks at ways to improve the process for tenants, and complements some of the good work already being done.

COLD SHOWERS FOR MONTHS ON END

If a private tenant needs an urgent repair in their home (an “urgent repair” classified as having no hot water, no heating or a substantial leak), and the landlord or letting agent fails to act, they can contact their local council’s environmental health team. The council can then investigate the problem, visit the property to inspect it, and send out an improvement notice which tells the landlord to put the problem right and gives a time limit for doing so.

However, this investigation found that if a private tenant contacts their local council, the maximum time limit for an initial response from the environmental health team varies greatly from 24 hours (Brent, Greenwich) to up to ten days (Camden).⁸

Similarly, the maximum time limit for an initial home visit from local authorities varies from as little as one hour (Havering) to seven days (Westminster). Some councils say they have no general policy or guidelines whatsoever when it comes to time limits for initial responses or initial home visits in the event of an urgent complaint.⁹

Whilst this report does not advocate burdening local authorities with regulation, a lack of guidelines in this scenario puts tenants at risk of having no heating or hot water for days, weeks, or even months on end.

RECOMMENDATION 1:

- London Councils should introduce a city-wide voluntary time limit for initial responses and home visits by local authorities

There should be standard voluntary time limit for an initial response and initial home visit from the Capital’s local authorities. London Councils should introduce this city-wide voluntary limit for authorities to subscribe to. This report suggests that tenants in the Capital should have to wait no longer than one working day for outstanding urgent repairs or two working days for all other outstanding repairs.

RECOMMENDATION 2:

- Local authorities should publish average response and home visit times periodically and a league table should be developed

Once a city-wide voluntary time limit for initial responses is in place, local authorities

8. Questions sent to London’s 32 boroughs in 2015. 11 boroughs responded: Haringey, Camden, Brent, Wandsworth, Southwark, Havering, Westminster, Sutton, Islington, Greenwich and Lambeth

9. Ibid

should publish their average response and home visit times periodically. The Mayor of London can then create a league table of the best councils for tenant response times. This way, councils would be held to account without being burdened with regulation.

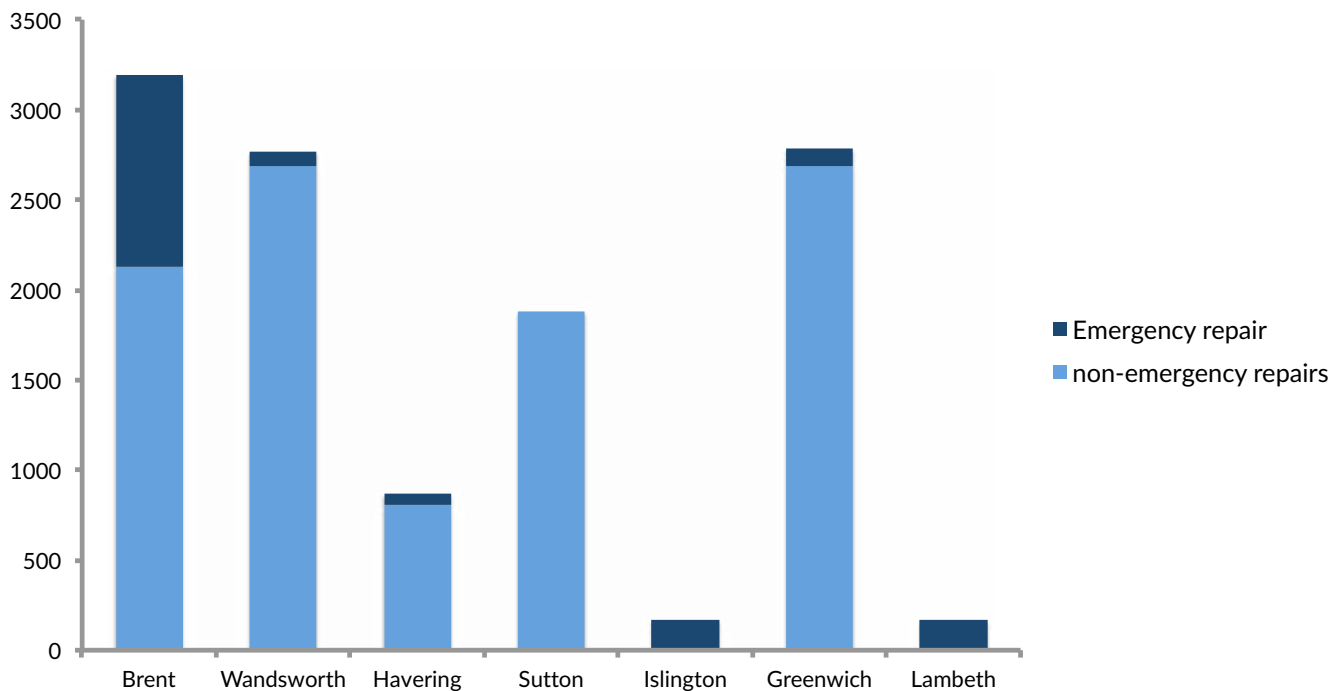
COUNCILS 'SWARMED' WITH COMPLAINTS

Out of the 32 London boroughs approached for this investigation, seven provided some form of figures on the number of complaints received from private tenants needing repairs. Three councils said they could not provide any data.

In the last three years, just six local authorities in London received 1,640 complaints from private tenants needing an urgent repair in their accommodation. Of these, 152 tenants had to wait more than 3 months before their emergency was fixed by the landlord.¹⁰ For the purposes of this report, an 'urgent repair' specifically relates to having no hot water, no heating or a substantial leak.

When it comes to all repairs, regardless of nature, there have been 11,491 cases referred to just five authorities, in the last three years.¹¹

Repair cases referred to Local Authority



Based on these official figures, councils across the whole of London are receiving an estimated 2,916 complaints of outstanding urgent repairs every year¹², and 24,514 complaints of outstanding repairs per year¹³, regardless of nature, across the city.

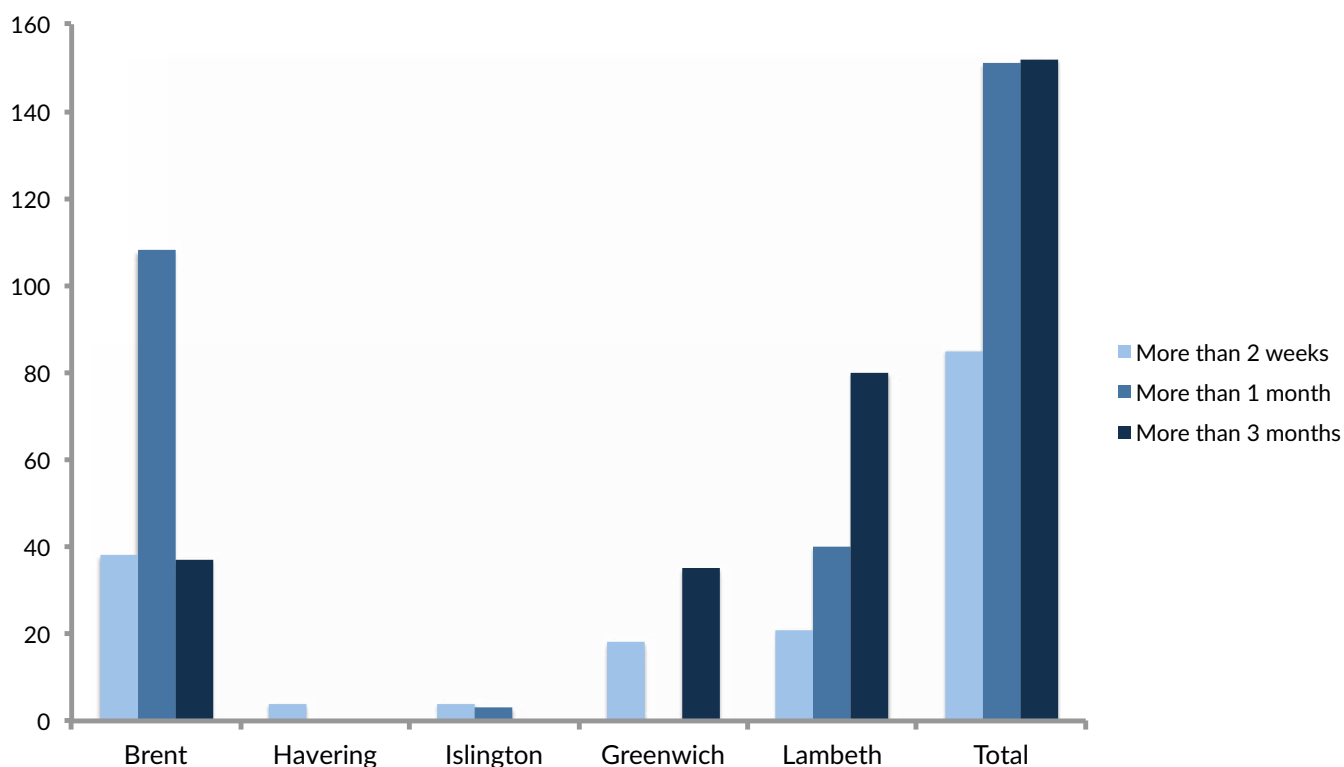
10. Questions sent to London's 32 boroughs in 2015. 7 provided figures: Brent, Wandsworth, Havering, Sutton, Islington, Greenwich and Lambeth.

11. Ibid

12. In the last three years, six local authorities in London received 1,640 complaints from private tenants needing an urgent repair, averaging 273 cases per authority. The 273 average multiplied by London's 32 local authorities, equals an estimated 8,647 urgent cases across the city over the three year period or 2,916 cases per year.

13. When it comes to all repairs, regardless of nature, there have been 11,491 cases referred to just five authorities, in the last three years, averaging 2,298 cases per authority. The 2,298 average multiplied by London's 32 local authorities, equals an estimated 73,542 cases across the city over the three year period or 24,514 cases per year.

Number of private tenants by how long their emergency took to be fixed



Not only do outstanding repairs inconvenience tenants, but this volume of referrals places a huge burden on local authority environmental health teams who have to investigate the problems, visit the properties and pursue unresponsive landlords and letting agents.

RECOMMENDATION 3:

- Local authorities should be given the power to issue Fixed Penalty Notices to rogue landlords

Once local authorities have had a case referred to them, they should be given the power (by Government) to issue Fixed Penalty Notices to landlords who do not acknowledge and action outstanding repairs.

Not only will the threat of a fine help force compliance and speed up repairs, it will help environmental health teams recover some of the cost of investigating the problem.

RECOMMENDATION 4:

- The Mayor's London Rental Standard should be amended to require landlords and agents to put in place and communicate advance arrangements in the event of an urgent repair

Currently, the London Rental Standard - a voluntary set of minimum standards that the Mayor expects from landlords, managing and letting agents - requires landlords to:

- Provide their contact details including phone numbers, address and email
- Always be contactable and respond within a reasonable period of time

- *Deal with urgent repairs within three working days of being notified*

It should be amended to require landlords and agents to put in place and specify pre-defined arrangements to the tenant in the event of an urgent repair.

Landlords could set out upfront the process in the event of an urgent repair. For example there could be a team of tradesmen in place with a list of key contacts and emergency phone numbers given to the tenants. This would undoubtedly speed up the response especially in circumstances where the landlord is on holiday or otherwise unreachable. Likewise, agents could set out the process step by step in the event of an urgent repair, including emergency numbers, clearly on their website. These arrangements should be communicated to the tenant in simple terms before any contract is signed.

COMMON-SENSE AND REGULATION-LITE

Whilst the majority of landlords and agents conduct their business professionally and provide good, quality accommodation, more needs to be done to deal with those who are unresponsive or evade their responsibilities. It is unacceptable that local environmental health teams are having tens of thousands of cases of outstanding repairs referred to them every year, placing a huge unnecessary burden on their resources.

Common-sense and regulation-lite measures such as: Introducing city-wide voluntary response time limits, introducing league tables, recognising the best performers, arming local councils with the power to issue fixed penalty notices to rogue landlords and encouraging landlords to put in place pre-defined arrangements will lift the burden off stretched local authorities and ultimately improve living conditions for private tenants.

APPENDIX

	Total repair cases referred to local authority (inc non-emergency)	Emergency repair cases referred to local authority
Brent	3,190	1,063
Wandsworth	2,768	83
Havering	870	66
Sutton	1,881	*
Islington	*	169
Greenwich	2782	92
Lambeth	*	167
Total	2782	428

Total figures for 2012, 2013, 2014

*Figures not provided

	No of private tenants having to wait for more than 2 weeks before their emergency was fixed	No of private tenants having to wait for more than 1 month before their emergency was fixed	No of private tenants having to wait for more than 3 months before their emergency was fixed
Brent	38	108	37
Havering	4	0	0
Islington	4	3	0
Greenwich	18	0	35
Lambeth	21	40	80
Total	85	151	152

Total figures for 2012, 2013, 2014

* Figures not provided



FEEDBACK

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