

JUST SPACE 4 FEB 2016 – speaking notes prepared by Rosie Walker

About RRL: RRL is a project funded by Trust For London to raise the legal and political awareness of London's 2.5 million private renters.

About me: I got involved after [Gunton Road experience]. Also written The Rent Trap [details] to fill the gaps in people's understanding, to try to move things on from the very simplistic 'All MPs are landlords, lets shout and stamp until we overthrow parliament.' So, landlord lobby, buy-to-let industry, how policy works, how law works etc.

My renting experience is typical: When I got involved with renting campaigning I'd already been renting homes for more than fifteen years, and I'd experienced the whole gamut of renting disasters: no-fault evictions, bullying from landlords, landlords refusing to fix broken boilers in January, extortion from dodgy letting agents, living with strangers who stole money from me, moving house every year or so, sleeping on friends' floors between rental contracts and spending most of my earnings to live in damp, cold homes with rats and mould. All of which will sound familiar.

What do we do?

Change everyday behaviour: There are two and a half million private renters in London, and they don't all have the time, energy or inclination to occupy buildings or fight the police - lots would not see that as the route to real change anyway. But, armed with a bit of knowledge, they might challenge harassment from their landlord or refuse to pay an extortionate fee to a letting agent - and it's this everyday behaviour that is the key.

Introduce the concept of renters' rights: We talk about renters' rights a lot - not because renters have tons of them (we don't) but because we have to try first to introduce lots of renters to the idea that we *could* have any. A whole generation has grown up thinking that it's inconceivable for a renter to have rights at all: I often hear people say things like "But it's my landlord's house, so he can do what he wants."

Develop renters' understanding: So we try to educate people through legal workshops, leaflets, regular newsletter and media work. Also, there isn't much understanding of what existing powers councils have to enforce these rights so we try and raise awareness about them – we recently launched a Renters' Index which ranks the councils according to what they are doing to help private renters.

Focus on London's councils: Some councils are really trying, while others still think private renting is something they don't have to bother with. Hopefully the index will show renters what powers councils have, and show them where they can put the pressure on to force them to do better.

Structure people's anger: I think part of our role is to help people target their growing anger – lots of people rush into protesting without understanding the complexity of what they're protesting about, so we help to structure it a bit - explaining what a Section 21 is, what councils can and can't do, showing them which policies could be changed at local and national level and how. But we're a very small project, so we can't do it all.

The average situation for a private renter in London

- Basics: 6 months security of tenure, no-fault evictions, uncontrolled rents etc.
- PRS deregulated in 1989 and both exits are now blocked.

Any hope?

Yes: Tiny change in S21, took huge, decades long struggle, landlord lobby howled and howled.

Licensing: At local level, some councils (local governments) are starting to do things like introduce landlord licensing schemes, which inject a certain level of transparency and accountability for the first time. Not perfect, some weak, but tax, standard, transparency. These schemes are especially needed in London boroughs, but also in other cities in the UK where there is high demand - or in other words, where the jobs are.

H&P Bill: And for all the terrible things about social housing in the H&P Bill, there are 5 (very small) good things for private renters:

1. A 'rogue' landlord database that councils can share
2. Banning orders for the worst landlords
3. Extension of Rent Repayment Orders (currently, if a landlord is successfully prosecuted by a council and the private renter has been getting housing benefit to cover the rent, the council can reclaim the housing benefit from the landlord – but the new proposal in the Bill is to also allow the renter to reclaim the rent for themselves, if they haven't been getting housing benefit)
4. Councils will now be able to sue landlords in the civil courts for penalties of up to £30k (much higher than they can currently get in the criminal courts), and the councils will be allowed to keep the money (which currently they can't).
5. Tougher 'fit and proper person' test for landlord licensing.

The only bad bit as far as private renting regulation is concerned is the new 'abandonment' procedure, which could allow landlords to evict more quickly (12 weeks) when someone has stopped paying their rent. But it's not actually that much quicker than using a Section 21, which is what most landlords use anyway.

Don't allow play off between tenure: Of course, the Bill is terrible for social housing and we totally oppose the destruction of social housing. The removal of another group's rights does not give us any additional rights of our own, so we stand together with social renters in opposing the parts of the Bill that destroy social housing. But not every part of the Bill is bad, and Bills are rarely thrown out of parliament altogether – they are usually adapted and renegotiated, so it's important that the right bits of it are renegotiated.

How/why is Europe different?

Better regulated: Some of the things that affect London renters affect renters in all major European cities these days: the transfer of wealth from the bottom to the top, the precariousness of employment, the privatisation of public housing. But in most European countries, there is more

regulation to protect renters' rights: landlords usually have to give a valid reason to evict, and most have some form of rent control.

Institutional landlords: Also, private landlords in Europe are often institutions with a professional reputation to protect. But in the UK, the Buy To Let mortgage that was introduced in the 1990s (which allows anyone to get a mortgage for a house based on the house's potential rental income rather than the buyer's salary) means that being a private landlord is seen as a 'get rich quick' option for individuals who shouldn't really be in the market at all; people who have no intention to take responsibility for a home or the people they house in it, have no reserves or insurance and just see pound signs in their eyes.

Counter-intuitive: So although it might feel wrong when big companies start to move in to London's PRS (eg. Newham, WF), if you think about it, it might actually be better. *Possibility* that they could be transparent, more accountable, absorb shocks maintenance costs more easily

Inside or outside the tent? Politics and policy makers

Spectrum: RRL a very small project, so it can only ever be a tiny part of a big picture. Need whole spectrum of groups – from inside tent to outside. Protest AND intelligent lobbying. Renters movement so far is prey to the classic failings of the left – self-interest, tribalism, vanity of small differences, immature understanding of power. The best and most effective campaigners are the ones who put the cause before their own interest – who want to 'campaign themselves out of existence' rather than set up a new organisation so that they can be the directors of it.

Change policy: Like climate change, housing is one of those problems that can only really be fixed with a considerable amount of heavy lifting from government. You might be able win specific housing campaigns through the media, raising awareness, protest and so on. But a broader improvement in the conditions of private renters and the availability of decent housing is only possible through changing policy, and you can only do that if you engage with politicians, the policy making process and political parties. It can be a desperately dispiriting experience, though.

LONDON MAYOR MANIFESTO

Note: Mayor currently doesn't have much power, so it's all about understanding existing power structures so we can work out how to change the right bits.

I've also got a guide to what renters can do locally, either in groups or on own – can send it if email.

Power and democracy

* **Introduce a London Housing Bill**, which would allow London to devolve powers over housing. With devolved power to collect its own property taxes (especially capital gains tax), London would have the power to make housing policy that fits London's unique circumstances. Currently, London's planning policy has to conform to the National Planning Framework. But London is unlike the rest of the UK and its powers should reflect this. The London Housing Bill should give the Mayor power to introduce city-wide rent controls. A courageous and bold Mayor would resign if parliament does not pass the London Housing Bill.

* Set up a proper **private renter representative body at the GLA**; one that will be genuinely listened to. We're working with Sian Berry – Green candidate (AM/Mayor)

* **Keep the Olympic precept** (approx. £25 per year added on to Londoners' council tax to pay for Olympics, due to be phased out). This £25 per year should become an affordable housing precept, and should be ringfenced to finance a London housing programme that builds genuinely affordable housing.

Affordability

* **Scrap current definition of 'affordable'** as 80% of market rate. Most ordinary Londoners cannot afford 80% of market rate, whether renting or buying.

* **Encourage landlords to charge the London Living Rent** (currently being calculated by researchers at Loughborough University's Centre for Research in Social Policy). Landlords who charge above the London Living Rent should be heavily taxed. Or, we could make it a condition of the London landlord licence.

Rent control: there are many successful models, including:

* Berlin model (landlords can't charge more than 10% above the median rent for the city)

* Swedish model (rents are set using a points system, with points awarded for the size and quality of the home, the features a home has, and what amenities there are nearby)

* Flexible model (a cap is set, but LLs are free to charge above it if they want. Any amount they charge above the cap is taxed at 50%. This extra tax revenue can fund social housing in the capital to alleviate the pressure on the PRS.

Welfare Reform

* Put pressure on central government to **end the freeze on Local Housing Allowance** (currently in place 2015-2020)

Planning

* Stand up to bullying from property developers. **Give council staff proper training in understanding the 'viability assessments'** that developers use to get around their Section 106 affordable housing obligations. Build the skills and confidence of council staff so they can challenge developers who currently run rings around them. OR...

* Abolish viability assessments altogether

* Make the planning decision-making process more transparent and accountable, with **genuinely enforceable quotas for affordable housing** (rented and bought). Note subsidy should remain 'in perpetuity' not like current model where people buy at a discount then allowed to sell at market rate.

Land

* Set up a **new GLA agency to encourage public bodies who own land** to use it for affordable house building. For example, Transport For London (TFL) owns land bigger than the size of Camden, and much of it is underused.

* Explode the myth that developing brownfield sites is more expensive than developing green belt land. It isn't.

Funding

* The GLA currently runs a **Housing Bank** offering low cost loans to speed up housing developments. Currently this is targeted at 'intermediate rent' and shared ownership, neither of which offer ordinary Londoners a good deal. **Instead it should be used to set up Community Land Trusts** and other housing co-ops.

Landlord licensing

* Around half of London's boroughs are now planning to introduce some form of landlord licensing scheme to drive up standards and force out the criminals. But some are better resourced than others. **Join all the council schemes together** and set up a London-wide enforcement team to make it work properly.

* **Give up on the idea of 'voluntary regulation'** like the London Rental Standard. Voluntary regulation is an oxymoron and only around 2 % of the city's private landlords have signed up to the London Rental Standard. With all the talk of 'renters unions', risk that without collective bargaining potential, they could end up being a slightly stronger version of the LRS – essentially a kitemark, a brand.

* Make **energy efficiency measures a compulsory part of a London landlord licence**, so that private renters do not have to go without heating in poorly insulated homes.

Decent Homes Standard

* Currently the Decent Homes Standard only applies to social housing. Make it a requirement of a London landlord license that every privately rented home meets the Decent Homes Standard.

Security of tenure

* Can't change national law just in London. And currently the only private landlords offering tenancies of longer than a year are those who cater for the very wealthy end of the market (eg. Get Living London, in the Olympic Village, charges its tenants around £400 per WEEK). But Londoners on ordinary incomes need security of tenure, too. So, make it a requirement of a London landlord license that landlords offer 3 or 5 year tenancies. Landlords can end the tenancy early if they can prove they need the property for themselves or a family member to live in, or if they can prove they are selling it. Tenants can leave at any point with a month's notice, because in London landlords have no difficulties finding replacement tenants.