

Consultation response

Affordable rented housing: Creating flexibility for landlords and better outcomes for communities

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Shelter
Scotland

Summary

- Shelter Scotland welcomes the opportunity to respond to the Scottish Government's consultation on creating more flexibility for landlords and better outcomes for communities. It is critical that any changes introduced help social landlords to allocate and manage their housing most effectively while securing tenants' rights.
- This consultation forms the core of a Housing Bill, intended for 2013. Shelter Scotland believes that the Bill is a unique opportunity to cement principles of security and stability in the Scottish housing system in a time of economic uncertainty. Any future changes in legislation should ensure that social housing is allocated to those in greatest need.
- Shelter Scotland supports a revision of the 'reasonable preference' categories to reflect modern housing and allocation practices. It is critical however, that 'priority groups', including those who are homeless or at risk of homelessness are protected in secondary legislation. By introducing greater flexibility, there must be no drift towards policies that penalise applicants based on household characteristics: allocations must continue to be based on **housing need**.
- Shelter Scotland is concerned about the serious problem of anti-social behaviour (ASB) for tenants and landlords and recognises the need to tackle it. As drafted, these proposals will not deal with ASB effectively and there are a number of points that must be clarified before being taken forward. Shelter Scotland will continue to work with partners to develop positive responses to ASB and to support landlords and their tenants to deal with the effects.
- Shelter Scotland **strongly opposes the proposal to introduce a 'probationary tenancy' for all new social tenants** which is not only unnecessary, but erodes tenants' rights. We do not believe that the way to deal with the bad conduct of a minority of tenants or to deal with arrears is to put everyone 'on probation'. Security of tenure should not be lightly surrendered and, as drafted, we cannot support this proposal.
- Shelter Scotland does not oppose the proposals for landlords to be able to take income and property into account when allocating social housing. It seems probable that the impact of these measures will be extremely limited, given the current profile of social tenants and waiting times, and as such, the complexity of administering these changes may outweigh the possible benefits. If these

proposals are taken forward, landlords must retain discretion to make decisions based on individual circumstances.

- Shelter Scotland supports the proposed change to the legal definition of overcrowding to bring it in line with standards commonly adopted in the social sector. There may be some unintended consequences for tenants in the private rented sector (PRS) however, and as such the Scottish Government should consult further on what these might be.
- Shelter Scotland broadly supports the proposal to introduce a 6 month qualifying period before there is a right to succession. This should not apply to husbands, wives, civil partners or joint tenants who have already entered into a legally recognised relationship with the deceased tenant.
- Shelter Scotland broadly supports the proposals seeking to ensure consistency and provide greater flexibility in relation to allocations with the practical concerns noted throughout this response. We have more serious concerns in relation to the proposals dealing with anti-social behaviour and in particular, the erosion of tenants' rights and any processes that are introduced without a robust evidence base. Many of the proposals require further research and consultation especially around unintended consequences and Shelter Scotland looks forward to being a part of that discussion.

Introduction

Shelter Scotland welcomes the opportunity to respond to the Scottish Government's consultation on allocation policy and changes to the tenancy regime in the social rented sector in Scotland.

At the moment this consultation paper forms the core of the Housing Bill intended for 2013. Shelter Scotland believes that the Bill is a unique opportunity to cement principles of security and stability in the Scottish housing system in a time of economic uncertainty. Many of our clients – and many of the people most directly affected by the proposals in this paper – are also those most directly affected by economic instability. They need the housing system to act as bulwark against unemployment, benefit cuts, reduced real incomes and shrinking public services. That is why we also believe that the Housing Bill should also be seeking to reform private tenancy arrangements – a direction of travel with

which the Scottish Government's recent draft strategy on private renting has signalled its willingness to engage.

Do the proposals for reforming social housing promote greater stability and security? To some extent they may do and, where possible, in our response we have sought to work with the grain of Scottish Government thinking. With some suggested changes even those proposals which are problematic may be developed to make them more benign.

However, we cannot state strongly enough our opposition to the proposal that security of tenure be removed from all new social housing tenants, through the introduction of 'probationary tenancies'. Security of tenure was only achieved in 1980 after years of arduous campaigning by tenants groups. It should not lightly be surrendered. We believe that an entirely false premise is being set up – that the way to deal with serious problems of conduct in a minority of tenants or to deal with arrears and debt is to stick everyone on probation for a year – with a tenancy being brought to an end without having to give any justification. That is so contrary to our experience of supporting sometimes chaotic families that we simply cannot accept the proposal as set out. At a time of greater turmoil in people's lives there is an enormous risk of adding yet further to instability and precipitating even greater social damage.

We do, however, recognise the need to continually develop the tools which landlords and others have to tackle anti-social behaviour. These proposals dealing with anti-social behaviour, point to failings in the way that the current court system tackles ASB and how landlords can respond to tenants who act anti-socially. Any legislative or practice changes to tenancy rights, eviction processes or the allocation of housing in relation to anti-social behaviour must be based on robust evidence. We want to continue to engage constructively on what the solutions might be. We cannot do so while security of tenure is under threat.

Responses to questions

Proposal 1: Create more flexibility for social landlords to decide who should get priority for their housing

1. Do you think social landlords should have the flexibility to decide who gets priority for their housing? **YES / NO / NOT SURE**

Shelter Scotland recognises that social housing is an integral part of the Scottish housing system and should be viewed as an attractive option for potential tenants as well as a vital safety net for those in acute housing need. Shelter Scotland has been calling for a revision of the 'reasonable preference' groups for some time, and as a member of the Scottish Government's Allocations Policy Review Group, believes there is a consensus that the current categories are out of kilter with modern social housing and modern allocations.

This proposal to reform current reasonable preference groups is sensible, although it is critical the Scottish Government specifies, as proposed, the particular 'priority' groups whose housing needs are not met in the private housing market and that all social landlords must 'include in their allocation policy'. In effect then, this proposal means removing the current reasonable preference groups and replacing them with a revised set of priority groups, yet to be defined. The consultation paper specifically states that these groups should be people 'in greatest housing need, including those who are homeless or threatened with homelessness'. While the proposal is that Scottish Ministers would set these priority groups in secondary legislation and that there would be consultation to define these, Shelter Scotland would expect to see priority being given explicitly in legislation to homeless people and those threatened with homelessness. In addition, we would expect priority to continue to be given to those in poor quality housing and who are overcrowded. It is critical however, that any changes continue to **protect the most vulnerable households** who have no other housing options available to them.

2. What do you see as the benefits of this proposal?

Revising the reasonable preference categories should be an opportunity to focus on those vulnerable groups who are excluded from all other parts of the housing system. The proposal would mean a modest but important realignment of national priority groups that would take precedent over local priorities. Importantly, the principle that social housing is allocated according to need would remain central.

Putting the criteria in secondary legislation means they can more readily be adapted as circumstances evolve.

3. What do you see as the problems with this proposal?

The Scottish Government must ensure there are no negative consequences of trying to give landlords greater 'flexibility'. Specifically, 'flexibility' should not discriminate against certain group(s), for example on the grounds of age. All social housing should be allocated based on housing need and not on additional household characteristics. Where

necessary, legislation already permits discretion, for example around adapted properties and as such, it is not necessary to grant further flexibility around household composition. Shelter Scotland would not support any changes that block access to social housing for any group or give preference on criterion other than housing need.

We also want to ensure that there is no drift towards “local homes for local people” type policies. While it is right to recognise locality factors in a housing allocation – such as proximity to family to give or receive care and support – there must be no question of people being given additional priority simply because they are more “local”. To do so is to restrict access to social housing in a way which does not apply to other parts of the housing system; to open up huge subjectivity as to what constitutes “local”; and to address an issue which owes far more to perception than evidence.

4. What can we do to overcome these problems?

The revised reasonable preference groups should be defined in secondary legislation and the Scottish Government and the Scottish Housing Regulator (SHR) should monitor landlords’ ongoing commitment to allocating housing to these groups.

5. What housing needs do you think should be protected nationally?

As stated, Shelter Scotland believes that the needs of homeless/potentially homeless households and those in poor quality or overcrowded housing should be protected nationally through legislation.

Proposal 2: Create the flexibility for social landlords to consider an applicant's income when deciding their priority for housing

6. Do you think income should be taken into account? YES / NO / NOT SURE

The proposal is for social landlords to be allowed to take income into account when **allocating** housing, but critically, rules should not be changed to prohibit anyone from joining a waiting list. Shelter Scotland is not opposed to this proposal but does not believe that removing the current ban on landlords taking income into account when allocating housing will make a significant impact. Scottish Government statistics show that nearly 80% of socially rented tenants are from the lowest five income deciles nationally¹, while

¹ Customer Segmentation by Scottish Housing (Scottish Government, 2010) www.scotland.gov.uk/Resource/Doc/1035/0101202.doc shows that of 638,739 social tenants, 496,279 (78%) are from the lowest 5 income deciles.

around 60% of social tenants are in receipt of full or partial housing benefit indicating no or very low income, and a necessity for state subsidy.

If this proposal is adopted, the Scottish Government must produce clear guidance on when and how income can be considered when allocating housing and how this will be balanced against other needs. As with other aspects of housing circumstances which can vary over time, landlords will need to look at income continuously rather than simply at the point of application. At whatever point landlords consider the income of an applicant, it is important that they make enquiries to understand the household finances, rather than looking at income in black and white terms. This means considering debt repayments, child maintenance payments and any other financial obligations that would create a significant discrepancy between a persons' income and their real household budget.

7. What do you see as the benefits of this proposal?

There are two main benefits to the proposal

- a) It aligns allocations practice more fully with housing options approaches to accessing housing
- b) It allows social landlords to build mid-market rented accommodation and let it to target income groups without having to set up a separate subsidiary body.

8. What do you see as the problems with this proposal?

The main problem is complexity, as set against the limited need for such a measure. If landlords take account of actual usable income which will vary household to household then the assessment becomes quite sophisticated. Given that there are few applicants for social housing on above average incomes landlords may question – rightly, in our view – whether it is worth it.

Proposal 3: Create the flexibility for social landlords to consider whether an applicant owns property when deciding their priority for housing

10. Do you think social landlords should have the flexibility to consider whether an applicant or their family owns property when deciding their priority for affordable rented housing? **YES / NO / NOT SURE**

As with Proposal 2, Shelter Scotland is not opposed to social landlords being able to consider whether an applicant owns property when deciding their priority for housing but

does not believe that this will impact on a large number of allocations. The purpose of this proposal is to ensure that social housing is not allocated to people who have other accommodation available to them and are choosing not to occupy it, perhaps because they are letting it at commercial rent. If this proposal is adopted then it should not penalise people who may technically be homeowners but who still find themselves in housing need.

If this proposal is taken forward then the Scottish Government must produce guidance on where exceptions should be made where property is owned but it is not reasonable to occupy. The list of exemptions given in the consultation paper does not cover all the possible scenarios where a person may own property but would not be able to live there, for example when a couple have separated, there is no abuse, and one person has moved out. If the house is a family home and one person is still residing there with children for example, then it may not be reasonable to sell the property, but one party would be without accommodation they could reasonably occupy.

An additional category should be added to ensure exemption is given to anyone who:

- owns property but it is not practicable or reasonable for them to occupy it and they remain in housing need.

11. What other situations are there, if any, when an applicant owns property but is genuinely unable to access it?

As mentioned above there are numerous scenarios where it would be unreasonable for someone to occupy a property they own, some mentioned in the consultation document, others not. In addition, if this proposal is adopted, then there will be a number of anomalies that arise, and legislation and accompanying guidance should make provision for such exceptions to be taken into account.

Some examples could be:

- where a couple have separated and one has moved out of the home they jointly own.*
- where someone has inherited a property along with other relatives and the selling of that asset and division of proceeds will take a long time*

12. What do you see as the benefits of this proposal?

If a household has alternative accommodation which it is reasonable for them to occupy, then their need is less acute than those who do not own property. Although the impact of this proposal seems limited, this power could help to ensure that social housing goes to

those in greatest need in all cases. It could also help some applicants consider their options and to utilise the accommodation they already own.

13. What do you see as the problems with this proposal?

The main problem – as with the income proposals – is the complexity of the assessment as set against the possible benefit.

14. What can we do to overcome these problems?

To the extent that Right to Buy acted historically as an incentive for people to access social housing even if they had other means to meet their housing needs, further reform of Right to Buy would be welcome.

Proposal 4: Change the law to stop living rooms being considered as rooms available for sleeping in

15. Do you think living rooms should be counted as being available for sleeping in? YES / NO/ NOT SURE

Shelter Scotland agrees with this proposal and believes that the vast majority of social landlords will already work with a definition of overcrowding beyond the legally defined minimum and as such would not allocate housing on the basis of a living room being used as a bedroom. By changing the legal definition of overcrowding to stop living rooms being counted as sleeping accommodation, the law would be brought in line with standards commonly adopted.

The implications of this proposal are most likely to be felt across the private rented sector where the definition of bedrooms and living rooms can be less distinct. It is important if this proposal is taken forward that any unintended consequences are considered fully.

16. What do you see as the benefits of this proposal?

Changing the legislation to bring it in line with modern circumstances would feed into the definition of homelessness ensuring greater consistency.

17. What do you see as the problems with this proposal?

We have not had an opportunity to explore this fully but would want to make sure that there were no adverse impacts on private tenants

18. What can we do to overcome these problems?

As we recommended in our submission to 2011's Private Rented Sector Bill, a more comprehensive review of the scale, distribution of and remedies for overcrowding would be very useful.

Proposal 5: Create a qualifying period before anyone can succeed to the tenancy

19. Do you think there should be a qualifying period before succession to a tenancy? **YES / NO / NOT SURE**

Shelter Scotland supports this proposal and feels that the introduction of a qualifying period for certain 'qualifying persons' would help to ensure consistency and fairness. Although the number of succeeded tenancies each year is quite small, this proposal is attempting to stop tenancies being succeeded at the eleventh hour by people who do not genuinely consider the property to be their home.

20. Who do you think that qualify period should apply to? Tick all that apply.

- A husband, wife, civil partner or joint tenant
- A partner ✓
- A family member aged 16 or over living at the property ✓
- A carer who lives in the property ✓
- All of the above.

It does not seem necessary to extend the qualifying period to husbands, wives, civil partners or joint tenants who have already entered into a legally recognised relationship with the tenant and should have the option to succeed the tenancy without a qualifying time period. For the other groups identified, a qualifying period will lead to consistency for successions across all social landlords and help to ensure best use of social housing.

Shelter Scotland also believes that the right to succeed a specific property should be removed if the succession would result in under occupation. If there is a right to succeed, the landlord should have a power to provide alternative accommodation if there is demand for the property that would be under-occupied. This should be a power rather than a duty so that landlords can use discretion in different scenarios weighing up how much demand there is for that property, what alternatives they have available etc. This provision would be similar to those for succession of adapted tenancies.

21. How long do you think this qualifying period should be?

Shelter Scotland believes the qualifying period should be for 6 months.

24. What can we do to overcome these problems?

This proposal will inevitably throw up some anomalies if it is taken forward and the Scottish Government should seek to identify these and mitigate against them where possible. In practice what should happen is landlords should be allowed to operate a certain amount of discretion in these situations and the revised succession provisions should determine where there is a right. It is important that legislation is changed to either allow for this discretion or an exclusion clause is established for exceptional scenarios, or, for example, when the person has been in their tenancy for less than 6 months but can prove they co-habited for the 6 month period at a previous address.

Proposal 6: Create the flexibility for social landlords to consider previous antisocial behaviour when deciding an applicant's priority for housing

25. Do you think social landlords should have the flexibility to consider previous antisocial behaviour by an applicant or their household when deciding their priority for affordable rented housing? YES / NO / NOT SURE

Shelter Scotland does not support this proposal and thinks it is both poorly conceived and would be extremely problematic to put into practice. While anti-social behaviour is a serious and extremely distressing problem for tenants and landlords, it is a small minority of tenants who are responsible and landlords have a number of ways to tackle tenants who act anti-socially.

Excluding people from social housing will not change their conduct. Almost inevitably, they will end up in private renting where landlord tools for handling problems are much less developed. Ironically, many of these lets will be at the lower end of the market and in former socially-rented homes.

The proposal is 'to allow social landlords to take into account whether an applicant or a member of the household has acted antisocially, when deciding on priority for housing'. Landlords already have the option to suspend applicants from receiving offers of housing if they have an anti-social behaviour order (ASBO) or have been evicted for anti-social behaviour. It is not defined in the proposal what 'has acted antisocially' would mean, what evidence would be required, or how this would need to be proven. It would be extremely dangerous to jeopardise someone's chance of getting allocated a home based on hearsay or a single complaint. There is nothing here to define what would constitute 'previous antisocial behaviour', the number of occurrences that would be necessary for it to count

against someone and how it would need to be evidenced. For these reasons it seems like this proposal is unworkable and would have many unintended and very serious outcomes especially in neighbour disputes.

In addition, it is not defined what it would mean for social landlords to take previous antisocial behaviour into account when 'deciding on priority' which adds a further layer of complexity.

27. What do you see as the problems with this proposal?

As stated above, Shelter Scotland does not support this proposal at either a policy or a practical level. As it currently stands, it is not clear how this proposal would be implemented and landlords would have a number of problems proving antisocial behaviour had taken place if the tenant/prospective tenant chose to challenge the decision.

28. What can we do to overcome these problems?

As drafted the problems outweigh any advantages – it needs to be redrawn to focus on objective evidence of anti-social behaviour. Even then it begs the question as to what happens when applicants are simply excluded from social housing.

Proposal 7: Create the flexibility to allow a Short Scottish Secure Tenancy to be granted in more cases of antisocial behaviour
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29. Do you think Short SSTs should be an option for social landlords in tackling antisocial behaviour? YES / NO / NOT SURE

Shelter Scotland opposes this proposal and does not think it would have a positive impact on either landlords or tenants.

The proposal is to allow social landlords to grant new tenants Short SST's **and** to be able to convert existing Scottish Secure Tenancies to a Short SST where they 'consider it reasonable to do so' where they have 'information on previous antisocial behaviour'. While it is important that landlords are able to tackle antisocial behaviour effectively, this would constitute a serious erosion of existing tenant's rights and would effectively make the landlord judge and jury in deciding if antisocial behaviour has taken place and what the consequences of that might be. Although the consultation paper does suggest that the tenant would have the right to appeal, this proposal puts a lot of subjective decision making in the hands of social landlords. There is the potential that a person's tenancy

and therefore living situation could be seriously impacted by little more than a rumour of antisocial behaviour or a complaint from a disgruntled neighbour.

30. Do you think housing law should continue to focus only on antisocial behaviour which occurs in and around a tenant's property? **YES / NO / NOT SURE**

Yes – although anti-social behaviour in the wider locality can be a problem, it is not for social landlords to address any more than it would be a letting agent's or a bank's in the private sector.

31. What do you see as the benefits with this proposal?

32. What do you see as the problems with this proposal?

As stated in relation to the previous proposal, this proposal would open up the system to abuse and hearsay in disputes between tenants and it would be very difficult to prove when antisocial behaviour has taken place.

33. What can we do to overcome these problems?

34. What do you think all social landlords should take into account when considering whether or not it is reasonable for them to grant a Short SST or convert a Scottish Secure Tenancy to a Short SST?

If this proposal is taken forward then a detailed framework for precisely what evidence can be taken into account should be issued. It is vital that any antisocial behaviour that is taken into account is evidenced and verified.

35. What more could we do to help social landlords tackle antisocial behaviour by their tenants?

Shelter Scotland recognise the problems created by anti-social behaviour and are willing to work with the Scottish Government and social landlords to tackle the problem more effectively.

Proposal 8: Simplify the eviction process where another court has already considered antisocial behaviour by a tenant or their household

36. Do you think we should examine ways of making evictions simpler where another court has already considered serious antisocial or criminal behaviour committed in the tenant's home or its locality? **YES / NO / NOT SURE**

Shelter Scotland understands what a blight anti-social behaviour can be for tenants and their communities and how difficult it can be for landlords to resolve. Shelter Scotland is committed to working with landlords, tenants groups and partners to develop effective

responses to anti-social behaviour but changes to legislation need to be based on a clear framework and be based on robust evidence.

Shelter Scotland opposes this proposal in its current form which is to look at making eviction simpler if another court 'has already considered serious antisocial or criminal behaviour'. This suggests that if a person has been to court, but not necessarily been convicted, then under the proposal social landlords would be able to evict the tenant more easily. We would suggest that this should **only** be applicable when there has been a conviction for ASB or for serious criminal behaviour.

37. What do you see as the benefits of this proposal?

Shelter Scotland does not support this proposal in its current form.

38. What changes do you consider might be appropriate?

Shelter Scotland would suggest that this should **only** be applicable when there has been a conviction for ASB or for serious criminal behaviour.

39. What do you see as the problems with this proposal?

As noted above, as currently drafted, this proposal seems to suggest that if a person has been to court, but not necessarily been convicted, then social landlords would be able to evict the tenant more easily. It does not seem that this proposal is workable or that it would have the intended impact. This proposal does not address how this would work in practice and how social landlords would consider reasonableness as part of this process.

Proposal 9: Create an initial tenancy for all new affordable rented housing tenants

41. Do you think all new affordable rented housing tenants should be allocated housing using an initial tenancy? YES / NO / NOT SURE

Shelter Scotland strongly opposes this proposal believing it is not only unnecessary and bureaucratic but erodes hard-won tenants' rights by trying to force positive behaviour from a small minority by penalising **all** new tenants. This would include putting on probation the tenants of specialist RSLs who provide adapted housing for disabled people or sheltered housing for older people. We cannot see the rationale for that.

This proposal is predicated on the assumption that the threat of taking someone's home away will ensure new tenants will behave. This assumes the worst of all new tenants and suggests an over-simplified contention that 'bad' behaviour can be eradicated with the threat of a penalty. In reality, tenants who are struggling to adhere to their tenancy agreement by accruing rent arrears or behaving anti-socially, need support, advice and information to help them to stay in their home.

The proposal is to require social landlords to grant a Short SST to all new tenants which would 'automatically' convert to a Scottish Secure Tenancy after 12 months. The consultation explains that the rationale for this is to give social landlords an opportunity to tackle issues or breaches of tenancy conditions and resolve them, and to achieve 'a shared understanding of rights and responsibilities'. There is, however, no independent, verified evidence to show that introducing a probationary tenancy for all new tenants will achieve either of these things or in fact, that 'any problems in a tenancy usually arise in the first year' as it says in the consultation paper. Tenancy problems are most likely to arise at times of considerable stress, for example, relationship breakdown or loss of work. All social landlords should have a pre-tenancy process in place to agree rights and responsibilities to ensure tenants understand the legal contract they are entering in to. There should also be ongoing advice and support available for any tenant struggling, whether in the first 12 months of their tenancy or at any other time.

Unlike probationary tenancies in England, where each social landlord can choose to introduce them for either all or none of their tenants, the proposal is that social landlords in Scotland would have to grant a Short SST to **all** new tenants. This would include new tenants with disabilities, support needs and the elderly, for many of whom this would be unnecessary and add an additional amount of stress and uncertainty.

If this proposal is taken forward, Shelter Scotland believes that as with Short SST's currently, the 'probationary' period should be issued with mandatory housing support. In offering a 12 month tenancy, there is an implicit suggestion that the tenant is not yet ready for the responsibility of a Scottish Secure Tenancy and as such, this period should be used to provide the necessary housing support as is currently the case with SSSTs². If this proposal is taken forward it would also be very important that there is an independent third party involved in the decision not to convert the SSST to a Scottish Secure Tenancy. As with many of the proposals in this consultation paper, a non-independent decision-maker is given a lot of decision making power and there is no judicial body considering the reasonableness or proportionality of ending someone's tenancy.

42. What do you see as the benefits of this proposal?

Shelter Scotland does not support this proposal on either a policy or a practical level.

43. What do you see as the problems with this proposal?

² There is also the analogy with probationary periods in employment contracts which some people have used to justify probationary tenancies. Although we think the analogy is a poor one – someone is given a job to perform a certain set of tasks; people are given a house because they need shelter – the comparison is telling in one way. When an employee is in a probationary period they get additional support and supervision and may appeal a termination of contract if that support is not given. The same should apply at the very minimum for tenancies.

This proposal represents a significant procedural change for social landlords and effectively means a double sign up for all new tenants which would be time-consuming and expensive. The proposal suggests Short SST's would convert 'automatically' to SST's at the end of 12 months providing there are no problems from either landlord or tenant. It would not be good practice however, to convert the legal status of someone's tenancy without meeting with them to discuss new terms of contract and as such, it would be inescapable that landlords would have to meet with all tenants after 12 months to sign their new SST. For large landlords with hundreds of new tenants each year, this would be extremely onerous and in the vast majority of cases unnecessary.

44. What can we do to overcome these problems?

We would prefer that the proposal is not taken forward. However, if this proposal is taken forward it should be as a power not as a duty as in England, which is not an option which is explored in the consultation. That would mean only those landlords who are committed to developing complete packages of support and action would use the power. In addition, as with current SSSTs, provision of housing support must be mandatory.

Proposal 10: Allow social landlords to use Short SSTs to let intermediate rented housing

45. Do you think the law should be changed to allow social landlords to grant Short SSTs for intermediate rented housing? YES / NO/ NOT SURE

This proposal seeks to create more flexibility for social landlords to develop and manage mid market rent housing (MMR). The case for this is not well made in the consultation paper and it is not clear why the standard SST's cannot be used.

For further information contact Fiona King on 0344 515 2456 or fiona_king@shelter.org.uk