

Briefing: Insecurity in the private rental market

The Private Rented Sector (PRS) in England is home to 11 million people, including 2 million children and 745,000 older people. Legislation has failed to keep pace with the changing market. Section 21 'no fault' evictions mean that most private renters could be evicted at any time for no reason whatsoever.

- 1. Government must bring forward a comprehensive Renters' Reform Bill to overhaul the sector's outdated legislation, providing renters with security of tenure.**
- 2. The Renters' Reform Bill must abolish Section 21 and ensure that landlords can only evict when they can prove a legitimate reason**
- 3. The Bill must also create a centralised National Landlord Register to improve accountability and ensure legal standards are met.**

Background

The last piece of comprehensive legislation to affect the Private Rented Sector (PRS) was introduced in 1988. Since then the PRS has changed beyond recognition. It has doubled in size and is now home to households of all ages, backgrounds and sizes. This exponential market growth, made possible by financial incentives for landlords and a lack of regulation, has resulted in 11 million people now living in a PRS which is characterised by insecurity, poor conditions and high prices. Acknowledging that legislation must be updated and conditions for renters must be improved, the government have rightly committed to introducing a Renters' Reform Bill.

Key Stats

- Citizens Advice found that private renters who made a formal complaint to their local authority or redress scheme had a 46% chance of being served with an eviction within 6 months;
- The English Housing Survey found 25% of homes in the PRS do not meet the Decent Homes Standard with 14% having a Category 1 hazard, therefore posing a significant safety risk;
- 45% of private renters have been victims of illegal acts by their landlord or agent;
- One in ten parents in the PRS (11%) said their children worry about becoming homeless.

Section 21

A Section 21 is an eviction notice that landlords can serve which provides no reason for the eviction, giving the renter just two months to leave their home. It can be served at any time after a fixed term has expired. As a result, renters constantly live in fear of eviction. Research shows that nearly one in five (18%) of renters hasn't complained about poor conditions for fear of being evicted. They'll also accept anything from



negligence to harassment from their landlords, because they're too scared of being served a Section 21 if they raise an issue. Citizens Advice research in 2018 revealed that this fear is justified; tenants who had received a Section 21 eviction notice were twice as likely to have complained to their landlord, five times more likely to have gone to their local authority and eight times more likely to have complained to a redress scheme prior to receiving the eviction notice.

Impact of Instability

Insecurity affects private renters' mental and physical wellbeing. Being denied the right to a safe and secure home takes its toll, and we hear from private renters every day who are struggling to cope because they are scared of losing their home.

In our 2021 survey of private renters;

- 39% said their housing problems or worries left them feeling stressed and anxious
- 22% said their housing issues or worries made them physically sick
- 21% said their housing issues had negatively affected their performance at work.

Frequent moves can have a significant impact on physical & mental health, as can living with the uncertainty of knowing you can be asked to move at any time. Unwanted or unexpected moves can be very disruptive, and 12% of renters told us that their children were affected by their last move, upsetting school routines, meaning schools had to be changed, and having to say goodbye to friends.

Beyond effecting both physical and mental health, a lack of security prevents renters from putting down roots and investing in their communities.

Recommendations

In order to ensure renters can feel at home in their tenancies, the government must finally deliver on their promise to remove Section 21 and end no-fault evictions. The upcoming Renters' Reform Bill, for which the government have committed to bringing forward a White Paper this year, intends to do this. In removing Section 21 however, it is essential that renters have genuine security. Any Grounds for eviction must require a sufficiently high evidence bar to avoid unfair evictions through other means. Renters must always have a right to a hearing if their landlord tries to evict them and evicting a tenant should never be a paper-based process. Giving renters security of tenure will allow them the ability to ask for improvements to be made to the condition of the property without fear of retaliatory eviction.

To improve accountability in the sector and ensure legal requirements are met, a centralised National Landlord Register must be introduced. England is the only nation in the UK which does not currently operate a landlord register. This lack of accountability means renters have no way of knowing if their landlord is legally compliant or if the property is safe before moving in. To ensure healthy and safe communities, it is important that local authorities have access to information about landlords operating in their areas and the properties being rented so they can carry out essential enforcement action.

