*How to use this template letter*

1. **Words in bold are instructions to help you complete the letter.**

*Remember to delete them before you send it.*

1. Words not in bold are example text.

*Change or delete to fit your personal situation.*

**Add your name and contact details**

**Add the agency name and contact details**

**Add the date**

**Start your letter**

Dear Sir/Madam

On **[date]** I saw a suitable affordable property at **[address]**.

It was advertised for rent at £**[XXX]** per month.

**Include a link or screenshot of the advert if you have one**

**Explain what happened. Provide details of who you dealt with and what was said.**

I contacted your agency to ask about the property and was told that you don’t accept tenants who need to claim benefits.

**State clearly what you are asking for**

I would like to apply to view or rent the property

I am a suitable tenant for this property or similar properties.

The fact that I receive benefits is not a valid reason to refuse to:

* offer me a viewing
* consider my application

I respectfully ask you to reconsider. I set out my personal situation and the law on DSS discrimination below.

**Explain your personal situation. Women and disabled people are disproportionally affected by no DSS policies so mention these things if they apply to you.**

My situation

I am a single woman with 2 school age children. I work in the local area.

I have a disability and receive personal independence payment (PIP) in addition to my wages and other benefits.

**Explain your financial situation. Delete any bullet points that don’t apply.**

My total monthly income is £**[XXX]** made up of wages and benefits.

I’m entitled to up to £**[XXX]** towards my rent. This is the local housing allowance rate for my situation. I can top this up from other income.

I can provide:

* £**[XXX]** deposit
* £**[XXX]** rent in advance
* a reference from my current or former landlord
* a guarantor

**Include this sentence if you know you can pass a credit check**

I can also pass a credit check if required.

**Give information about your current or most recent tenancy. Explain why you’re looking to move.**

I currently rent a similar property. The rent is £**[XXX]**. I have always paid in full and on time.

I have lived here for **[X years]**. Unfortunately, my landlord has decided to sell up so I’m looking for somewhere else to rent.

**Include this section if the agent says you need a guarantor and you don’t have one**

You told me that I must provide a guarantor because I’m receiving benefits.

I have set out above why this property is affordable for me.

It’s bad practice and unnecessary to insist on a guarantor just because I receive benefits.

I am more than happy to provide proof of income and past rental payments if required.

**Include this section if the agent says you will fail affordability or referencing checks**

You told me that I will automatically fail your affordability check because I’m receiving benefits.

I have set out above why this property is affordable for me.

It’s bad practice and unnecessary to have processes which automatically exclude all tenants in receipt of benefits. This includes the use of external referencing companies who have such processes.

I am more than happy to provide proof of income and past rental payments if required.

**Include this section to explain the law on DSS discrimination**

What the law says about no DSS policies

You should be aware of the court judgments obtained by Shelter on [2 July](https://www.bbc.co.uk/news/education-53391516) and [8 September](https://www.theguardian.com/society/2020/sep/09/disabled-homeless-man-wins-no-dss-case-birmingham-estate-agency-renting-housing) 2020.

The court ruled that ‘No DSS’ policies are unlawful under the Equality Act 2010.

It stated that rejecting tenancy applications just because someone is in receipt of benefits is unlawful [indirect discrimination](https://www.equalityhumanrights.com/en/advice-and-guidance/what-direct-and-indirect-discrimination#indirect) on the grounds of sex and disability.

Official figures show that women and disabled people are more likely to receive housing benefit. Banning tenants receiving benefits from renting properties therefore has a disproportionately negative impact on women and disabled people.

Agents with these policies could face [compensation claims from tenants](https://www.bbc.co.uk/news/education-51642316) and complaints to regulatory bodies.

**Include this section if the agent says it’s the landlord’s choice**

You have told me that it’s the landlord’s choice not to rent to tenants receiving benefits.

As an agent you cannot legally take an [instruction to discriminate](https://www.equalityhumanrights.com/en/advice-and-guidance/equality-law-estate-agents-letting-agents-and-property-management-companies) from a landlord. If you take an instruction to discriminate, this breaches equality law.

**Include this section if the agent says you’ve been refused because of mortgage lender or insurance company rules**

You have told me that mortgage lenders and insurance companies won’t allow lettings to tenants receiving benefits.

Most mortgage lenders have dropped these types of restrictions already.

Many insurance companies offer landlord insurance at an affordable rate that does cover lettings to tenants in receipt of benefits.

The recent court ruling means that any restrictive mortgage or insurance terms are likely to be unenforceable as these too may be indirect discrimination under the Equality Act 2010.

**Finish your letter**

In conclusion

I still wish to view or rent this property.

I have shown that I should be considered a suitable tenant for this property or similar properties.

Please reply within 7 days to confirm that:

1. You will reconsider my application.
2. You will no longer reject tenants’ application on the grounds that they receive benefits.

[Shelter’s guide for letting agents](https://england.shelter.org.uk/support_us/campaigns/letting_agents_guide) can help you to comply with equality law.

If I do not receive a response within 7 days, I will make a formal complaint to the agency.

If no action is taken following my formal complaint, I will report the matter to my local trading standards office for enforcement action.

I look forward to hearing from you.

**Add your name and contact details**