

THE RENTERS' VOTE

Making homes safe and secure

A Renters' Manifesto for Wales



GENERATION RENT
The national voice of private renters



Introduction

On Thursday 6 May, voters in Wales will elect 60 members of the Welsh Parliament (the Senedd).

Generation Rent is calling on candidates for the Welsh Parliament to commit to supporting:

1 An end to 'no fault' evictions

2 More powers given to councils to tackle landlords who rent out unsafe homes

3 Tougher penalties for landlords who break the law

4 Enabling renters to claim back rent from negligent landlords

5 Improving Rent Smart Wales to give renters more information about their home

Security

While the recent amendment to the Renting Homes (Wales) Act increased the notice period for no-fault evictions to six months, it is still possible for landlords to evict tenants without needing a reason.

Tenants have no certainty that they will live somewhere for more than a year so find it difficult to put down roots.

When landlords sell properties they often evict tenants to do so, and the tenants bear the financial and emotional costs of finding a new place to live. Landlords who evict on no-fault grounds must help tenants with the costs of moving. Better yet, they should be encouraged to sell to councils with the tenants staying put.

Covid-19 has caused a spike in rent arrears cases but at present courts have no option but to grant evictions when renters have more than two months' rent arrears. To stop people losing their home as a result of the pandemic these rules must change.

Landlords can also force tenants to move by raising the rent beyond what is affordable. While tenants can challenge rent increases through the Rent Assessment Committee – but only three tenants in the country did this in 2019-20.¹

The next Parliament must:

- Amend the Renting Homes (Wales) Act 2016 to abolish Section 173 no-fault evictions
- Require landlords who wish to evict a tenant to sell or move back into the property to prove their grounds, submit details of the eviction to Rent Smart Wales, and cover the tenants' moving costs
- Provide funding for local authorities to buy out landlords with sitting tenants who want to sell
- Give courts discretion over evictions for rent arrears, to account for mitigating circumstances such as Covid-19
- Restrict rent increases to the rate of wage inflation



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1. <https://residentialpropertytribunal.gov.wales/decisions/1/2019-04-2020-04>

Safe Homes

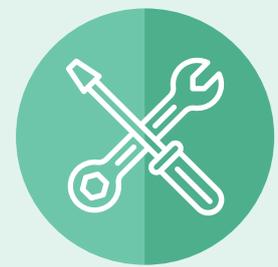
There are few deterrents for landlords who break the law. In many cases in which a court convicts a landlord of letting out an unsafe property, the fine is comparatively low and the worst landlords see it as “a cost of doing business”.

The UK Parliament's Housing and Planning Act 2016 introduced several new powers that have strengthened the position of councils and tenants in relation to weeding out criminal landlords. Landlords who break the law in England can face Civil Penalties of up to £30,000 or Rent Repayment Orders to the tenant of a year's rent – but not in Wales.

The Welsh Government intends to give renters a new channel through the courts to take action against negligent landlords, by adopting legislation passed in England through the Homes (Fitness for Human Habitation) Act 2018. But to make this a viable option for renters, the Welsh

Government must ensure that renters can access legal support.

Getting a year's rent back is the second most popular outcome of landlord negligence for renters, with 24% of respondents to a Generation Rent survey in February 2021 favouring this option. The most popular choice is for councils to seize rented properties, make the necessary repairs and allow the tenant to stay if they wish, with 45% of respondents choosing this option.² Councils in Wales already have the power to do this for Houses in Multiple Occupation – through Interim Management Orders – but this should be expanded to all types of home.



45% of survey respondents

wanted the council to seize the property if the landlord ignored a council order to make repairs.

The next Parliament must:

- Give councils powers to levy Civil Penalties on landlords who let out unsafe properties or break licensing laws,
- Allow renters to apply for a Rent Repayment Order if their landlord has failed to fix hazards in their home, or has tried to evict them illegally,
- Ensure redress for tenants under Fitness For Human Habitation regulations is accessible to all, and
- Expand Management Orders to apply to all types of home.

2. Full details available here: https://www.generationrent.org/elections_2021_evidence_summary

Landlord registration

Rent Smart Wales requires all landlords to be registered, and all property managers to be licensed.

Tenants are able to check the legal status of their home online. However, tenants want to know more about their landlord or home, particularly when they are looking to rent a new one. Respondents to a recent Generation Rent survey were most likely to want information about a landlord's history of deposit claims (57% of respondents selected this in their top three). This is unsurprising given how frequently we hear of landlords making exaggerated claims on the deposit at the end of the tenancy, which can be difficult to challenge.

Renters also wanted to know how much the property cost to rent (56%) and the

landlord's accreditation to a professional body (42%). Collecting rent data through Rent Smart Wales would help the Welsh Government and the public to understand the market and develop new policies to bring rents down.³

Other information about properties is available publicly, such as energy performance certificates (EPCs), so these could be integrated with Rent Smart Wales.



57% of survey respondents

selected 'information about a landlord's history of deposit claims' in their top three preferences.

The next Parliament must enhance Rent Smart Wales's powers to:

- Collect information about deposit claims from deposit protection schemes
- Collect information about legal action against landlords
- Collect information from landlords about the rent they charge and their professional accreditation as part of the registration process, and
- Display this information to users alongside other public information about individual properties such as Energy Performance Certificates.

3. Further details in summary of research findings, *ibid*.

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Generation Rent's mission is that every home in the private rented sector is safe, secure and affordable.

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