

Renters' Voice!

@RentersVoice

Briefing Paper

**Briefing paper on Evidence for Private Rented
Sector Reform**

June 2024



Introduction

Renters' Voice is a group for people who rent from a private landlord or through a letting agent in Northern Ireland. Our experience of renting motivates us to create change by campaigning for improvements across the private rental sector:

- we **speak out** to influence public and political discussions;
- we ask to be **involved** in relevant decision making;
- we **empower** other renters to create change.

As well as being a strong voice for renters in NI, we want to embed a culture of tenant participation among decision makers.

Renters' Voice is supported by Housing Rights and funded by the Nationwide Foundation, but our voice is our own.

Summary

Coinciding with the return of Assembly, Renters' Voice began discussing and agreeing on our current top priorities for government, in particular Department for Communities. This involved engaging with our members and then checking if our experiences were shared by other private renters across Northern Ireland.

We were particularly interested in hearing from the most vulnerable private renters in society, those who can often feel voiceless or not listened to coming from a disadvantaged or marginalised community. Renters' Voice listened to powerful, personal testimonies from renters living with disabilities, renters from migrant communities, renters from rural communities and renters from low socioeconomic backgrounds.

Therefore, the priorities which we present below have been shaped directly by renters' experiences and our policy asks reflect the change which renters need.

1.0 Build more social and affordable homes

- **A critical lack of social homes is contributing to more low-income households turning to the private sector to live on a long-term basis.**
- **These households can only afford the cheapest private rentals which usually have the lowest standards and least security.**
- **This increase in demand is also driving higher rents and reducing the negotiating power of private renters when it comes to requesting repairs or improving housing conditions.**

1.1 The majority of our member's first choice of housing would be social housing. Unfortunately, due to the lack of supply, it is likely that they may never access it, therefore missing out on the many protections it offers. Renters' Voice knows of families who due to their low income, have been left with little choice but to rent homes in the poorest standards and with the least security for the last 10+ years, despite being on the social housing waiting list. Indeed, one of our members, who has been on the waiting list for 13 years, was recently issued a Notice to Quit, giving him just 2 months to find another private rental for him and his family, 2 members of whom have disabilities. Another 79-year-old member, who has been on the waiting list for 7 years has recently been issued a Notice to Quit and does not know how she will find a private rental property that meets her mobility needs. The same struggle to find a suitable rental property applies to renters with disabilities who are currently on the waiting list. One renter explained her dilemma to us of needing a bath-to-shower adaptation to access washing facilities but not wanting to pressure the landlord in case they decided to evict her.

1.2 People renting rurally also face further challenges, as housing options for private renters in rural areas are often even more limited than in urban areas. We spoke to renters in Dungannon who have no other choice but to rent low standard properties far from work, town, or their children's schools. This is highly unsuitable as, unlike urban public transport, rural transport is not as frequent or efficient, so even travelling short distances can be challenging.

1.3 In tandem with building more social homes, Renters' Voice wants to see other affordable housing options being explored and supported by the Department for Communities, such as Co-operative Housing¹ or Cost Rentals². We are also interested in Liverpool City Council's recent initiative to tackle housing supply by focusing on empty homes³b. There are currently 20,952 properties recorded as vacant with LPS⁴, and **Renters'**

¹ [cCCH Manifesto 2024 – Co-operative and Community Led Solutions to the Housing Crisis | CCH Confederation of Co-operative Housing](#)

² [LDA Cost Rental - Ida & In defence of cost rents - by Michael Byrne \(substack.com\)](#)

³ [Owners of empty Liverpool homes face 300% council tax hike - BBC News](#)

⁴ [dof-2024-0019-foi-response.pdf](#)

Voice would like to see a proactive approach by government to utilise empty properties to help tackle the housing crisis.

2.0 Make renting accessible

- **It is crucial that everyone who needs to access private rentals can. Yet we know that for many people requirements such as guarantors and fees act as barriers.**

2.1 Renters from other countries face barriers to accessing private rentals, including needing a guarantor who lives in NI and a reference from a previous landlord. We spoke to private renters from East Timor, who work in factories in Dungannon. They explained that they are often left with no choice but to house share with family or friends, which leads to overcrowding, or to rent properties which are in extremely poor conditions from landlords who don't ask for these requirements.

2.2 However, guarantor specifications, such as being a homeowner or receiving a certain wage, means inaccessibility is not limited to newcomers to Northern Ireland and can affect any renter whose family or friends do not own their own homes or are on low incomes. This inaccessibility was felt by a member of Renters' Voice recently when, despite sending references from previous landlords and employers and demonstrating that he and his wife could afford the deposit and rent in advance, their rental applications were refused. Eventually, a relative in England agreed to act as guarantor, and the family was able to avoid homelessness and secure a home.

2.3 Another Renters' Voice member who is estranged from family has been issued a retaliatory eviction notice and is currently struggling to find a property that does not require a guarantor. As the end of her notice period draws closer, it is becoming increasingly likely that she will need to seek temporary accommodation from the Housing Executive as she is now finding the private rented sector inaccessible.

2.4 Many renters also face discrimination from landlords and estate agents who refuse to rent to people receiving benefits. One of our members recently felt this discrimination when they were inquiring about a tenancy and were told by the agent not to apply as they wouldn't accept applicants in receipt of benefits.

2.5 Discrimination is also experienced by renters on low incomes by the charging of illegal letting fees. For example, the same agency mentioned above, advertises and charges a non-refundable £100 'Credit Check' fee for tenancy applicants. This fee is not affordable to most people on a low income and, therefore, puts these renters off from applying to the agency in the first place. This practice of charging illegal letting fees is still commonplace in

Northern Ireland, despite the law being clarified in 2017⁵. In January of this year, Renters' Voice carried out research into this matter⁶ and found that 26% of agents we contacted were charging letting fees, which we know to be illegal. On average, letting agents were charging £54.00 of illegal fees. It is important to point out that these fees are not just limited to successful applicants, indeed, of those charging fees, only 18% said that their fees were refundable if the applicant was unsuccessful in their rental application. Given the high demand for rental properties, people often have to apply for numerous properties and thus pay numerous application fees before successfully finding somewhere to live. One of our members who moved at the beginning of this year paid a £40 'digital administration fee'. Although our member knew this was illegal practice, they decided to pay the fee as their 8-week notice to quit was elapsing, and the property was one of few properties suitable for their needs.

2.6 Renters' Voice believes this discriminatory practice needs to stop and wants the Department for Communities to remove these barriers to access. We want to see landlords and letting agents banned from requiring guarantors or excluding renters in receipt of benefits and we want to see the law clarified and an absolute ban on letting fees legislated for in Northern Ireland.

3.0 Make renting affordable

- **Due to ever-increasing rents, private renters are struggling to afford their housing costs, as well as other necessities such as food and energy.**

3.1 In February 2023, Renters' Voice conducted a survey to gauge the different pressures private renters in NI were under. Nearly half of all respondents (47%) reported paying 40% or more of their total income on rental payments⁷. This is not surprising given that the average rent in Northern Ireland now stands at £830pm⁸ and rents are increasing on average by 10% per annum⁹. These affordability issues in the sector are particularly concerning given that almost half of private renters in NI rely on housing benefits to help pay their rent. One of our members currently must find £200 every month to make up the difference between the Local Housing Allowance rate (LHA) and her full rent. This means every month our member is dipping into money which is supposed to cover her food and

⁵ Paul Loughran v Piney Rentals Limited & F5 Property Limited [2017] NI Cty 2

⁶Renters' Voice commissioned research forms only one part of wider research into letting agent fees which is currently being carried out by CIH. The findings of the wider research are not yet published.

⁷ [renters-voice-cost-of-living-crisis-report-2023-final-pdf_0.pdf \(housingrights.org.uk\)](#)

⁸ [Northern Ireland Housing Market Update: Q4 2023 - PropertyPal Content Hub](#)

⁹ [content.propertypal.com/download/northern-ireland-housing-market-update-q4-2023/?wpdmdl=11114&refresh=66631013591361717768211](#)

energy bills, therefore leaving her short in these areas. Renters' Voice believes benefits should cover the basics, which is often not the case.

3.2 Another member who was out of work last year, had a £220 shortfall between her rent and the LHA rate. During this time, our member was receiving £393.45 per month through Universal Credit, which she stretched to cover her essential expenses like food and household bills, including costly electric heating. When there was nothing left to work with at the end of the month, she was forced to borrow money and accrue debt to cover the rent shortfall. This is why **Renters' Voice wants to see the LHA rate increased to cover the bottom 50% of market rents.**

3.3 To ensure the increase in LHA achieves its intended purpose, landlords must also be prevented from raising rents, which often swallows up the additional LHA and keeps rents unaffordable. Renters' Voice is aware of a landlord who, since the last LHA rise, has significantly increased the rent for the renters in his building who are in receipt of LHA. Therefore, Renters' Voice **calls on the Department for Communities to stabilise rents¹⁰, for example through the use of rent controls.** Some renters feel so strongly about the connection between lack of social supply and increased private sector demand/high rents that they want to see a rent freeze until the Northern Ireland Housing Executive begins building homes again.

3.4 One of our members, who is self-employed, lives in constant uncertainty. On top of not receiving a steady income, she also has the added uncertainty of not knowing how much money she needs for the coming months. This is because she does not know when the next rent increase will come, how much of an increase it will be, or if she will need to factor in moving costs for a new deposit if her current rent becomes unaffordable.

3.5 Renters' Voice would also suggest the Department for Communities carries out a **detailed investigation into what affordability looks like for private renters in Northern Ireland over the long term** to inform what rent control methods could be implemented. Without stabilising rents, we risk giving more and more public money to landlords without addressing affordability for renters. Additionally, **Renters' Voice supports the Cliff Edge Coalition's call to introduce a financial inclusion service, including access to a grant, for those impacted by a shortfall between LHA and market rents.** We want to see the Department for Communities supporting this initiative **as well as ensuring their resources match the public need for Discretionary Housing Payments (DHP).**

¹⁰ [Rent-Stabilisation-report-2014.pdf \(lse.ac.uk\)](#)

4.0 End 'No-Fault' Evictions

- **Renters do not have the security they need, as those on periodic tenancies can be asked to leave their home for no reason, with as little as 28 days' notice.**
- **Renters cannot fully exercise our rights to repairs and maintenance or challenge irresponsible or intimidating landlord behaviour, as these 'no-fault' evictions enable retaliatory evictions to occur.**

4.1 The current demand for private rental properties means that if an eviction notice is issued, renters are under considerable stress and added financial pressure to find a suitable, affordable home in a short period otherwise they risk homelessness. One of our members, who is a father of two, was recently issued with a 2 month Notice to Quit, after living in a property for 7 years. His family, who have been waiting for a secure, social home for 13 years, were forced to find a new home quickly otherwise they risked homelessness. This sudden upheaval, put his family, including his severely disabled son under significant emotional stress as they were once again thrown back into a pressurised rental market. Competing against potentially 75 other households for the same property, as reported by PropertalPal¹¹, is a nerve-wracking experience, particularly when you can only afford a fraction of the advertised properties and know the clock is ticking down on your 8-week NTQ.

4.2 In addition to the lack of security and adequate time to find a new home, 'no-fault' evictions mean that renters often cannot exercise their other rights due to the fear that any complaint will result in a landlord issuing a notice to quit in retaliation. This fear of eviction hangs over the most vulnerable renters and traps renters in sub-standard properties. Renters' Voice knows a single mother who, shortly after moving into her property, discovered a significant hole in the roof, which causes rainwater to run down the internal walls. Despite this falling below the current fitness standards, the renter hesitates to contact Environmental Health as she fears being evicted before she can secure another property close to the factory where she works. The renter knows there is a housing shortage in the area and fears becoming homeless if she reports the issue.

4.3 This shared fear of retaliatory eviction among renters is very much justified. One of our members is looking for a new home after being issued a Notice to Quit. This was issued shortly after the PSNI contacted the landlord to investigate a report from our member that he was harassing her. The landlord, who was repeatedly entering her home whilst she was out, told our member several times that he likes to walk past the house at night and admitted looking through her windows. Not surprisingly, this behaviour frightened our female member, who lives alone. Unfortunately, the evidence she is able to provide has not

¹¹ content.propertypal.com/download/northern-ireland-housing-market-update-q4-2023/?wpdmdl=11114&refresh=66699f3122a511718198065 p.g.13

been deemed sufficient to evidence harassment, so Environmental Health could not take action, meaning our member now only has a few weeks to find an alternative property.

4.4 In order to provide private renters with the security they need, **Renters' Voice want to see the introduction of indefinite tenancies in Northern Ireland, which can only be ended in certain verified circumstances.** To ensure the legislation meets its intended goals, Renters' Voice calls for the Department for Communities to learn from other jurisdictions which have implemented similar legislation. For example, in Scotland, the lack of sufficiently robust verification processes means that unfair evictions still occur. Indefinite tenancies not only provide renters with a secure place to live, but Renters' Voice is also aware of research which indicates that longer tenancies help stabilise rents¹².

4.5 Renters' Voice welcomed the motion to end 'No-Fault' evictions, which passed in the NI Assembly on 16th April 2024 and is hopeful that this shows the Assembly's intent to progress this priority. **While no-fault evictions are still possible, Renters' Voice asks that the Notice to Quit period is increased to a minimum of 6 months'**, to allow renters on low incomes to save for a deposit and find a suitable place to live. It would also give households a greater sense of security, particularly those with children.

5.0 Make homes warmer and cheaper to heat

- **Renters' Voice wants homes that are fit for purpose. By this, we mean a home that is safe to live in and efficiently heated.**

5.1 Renters' Voice knows that poorly insulated homes, draughty single-glazed windows & inefficient heating systems make homes uncomfortable and unsafe to live in, as well as add to the financial stress renters are under. In our Cost-of-living survey (Feb 23)¹³, nearly 70% of respondents stated that the efficiency of their heating system made it more difficult for them to afford to heat their privately rented homes. Indeed, one of our members, who lives alone in a studio flat, received her quarterly winter electric bill for £754. Our member's usage does not warrant such a high bill as she only put on the heating for 3 or 4 hours at most per day, at the height of winter. The bill is shockingly high because her heating system is electric radiators, which are costly to run and ineffective when trying to heat a large room, like her studio flat. Even when the heating was on, our member recorded the room temperature at below 18 C.

5.2 As well as significantly reducing energy bills for renters, energy efficient properties emit significantly less carbon emissions. Legislating for a higher minimum EPC rating benefits everyone in society, not just private renters. **Renters' Voice therefore wants to see the**

¹² [Rent-Stabilisation-report-2014.pdf \(lse.ac.uk\)](#)

¹³ [renters-voice-cost-of-living-crisis-report-2023-final-pdf_0.pdf \(housingrights.org.uk\)](#)

Department for Communities commit to a target for all private rental properties to have an EPC rating of C or above.

5.3 To align with higher EPC ratings, **Renters' Voice wants legislative change to update the current fitness standards, focusing on what is deemed an adequate provision of heating.** Currently, one of our members has been living without heating or hot water since 23rd December 2023 due to a broken gas boiler. Despite the landlord persistently delaying the repair, Environmental Health can take no action as the property has working sockets to plug in an electric heater. Renters' Voice strongly believes that electric heaters and electric storage heaters should not be considered to provide, 'a reasonable degree of thermal comfort,' and would argue that, as well as being extremely costly to run, they do not prevent or protect against the growth of mould and the spread of dampness which is prejudicial to health. Therefore, we **want to see all electric heaters and electric storage heaters removed from the current Fitness Standards definition of 'efficient heating'**¹⁴.

5.4 Crucially, to ensure these changes in legislation achieve their purpose, Renters' Voice also calls on the Department for Communities to **prioritise enforcement** of EPC ratings and fitness standards. As we have seen with the continued practice of charging illegal letting fees, that legislation alone does not ensure compliance.

6.0 Update repairing standards

- **Lack of repair and maintenance is a major issue for private renters as it affects our quality of life, health, and well-being and adds to our financial stress.**

6.1 One of Renters' Voice's older members, who is 79, is currently a patient in a rehabilitation unit, recovering from a leg and arm injury that she sustained due to disrepair in her home. The repair issue, which was rotten decking, was reported by our member 4 years ago but had not been properly addressed by the landlord. In April of this year, when our member was working outside in the garden, a corner post connecting the decking to a flight of steps broke off at its base due to rot, and our member fell down the flight of steps onto the ground. This fall resulted in broken and damaged limbs, a two-week stay in hospital and nearly two months in rehabilitation to date. Furthermore, after reporting the accident to Environmental Health, our member was informed that the landlord now wants to sell, and the lease will not be renewed, leaving her with just 3 months to find a new suitable home. Despite her physical injuries, our member is most concerned about whether she will find a new tenancy which will give her the security she needs at 79.

Renters' Voice believes this accident, like others caused by failure to repair in a timely manner, demonstrates the need for **Fitness Standards to be updated, particularly around**

¹⁴ [Minimum fitness standards | Department for Communities \(communities-ni.gov.uk\)](#)

health and safety. Therefore, Renters' Voice **calls on the government to legislate for a Repair Standard that would ensure repairs are carried out within a fixed period depending on the health and safety risk, i.e., 24 hours, 3 days, or 4 weeks.**

6.2 We feel so strongly on this topic that **we also want to see legislation allowing renters to withhold their rent until certain repairs are carried out. For example, our member with the broken boiler, who is mentioned above (5.3), has continued to pay her rent in full** despite having no heating or hot water, as she could face eviction otherwise.

6.3 As mentioned above, Renters' Voice knows that as well as increasing fitness standards, the Department for Communities will have to also prioritise enforcement of these standards.

7. Increase regulation and training for landlords and letting agents

- **It is critical that everyone involved in letting homes act professionally, regardless of whether they choose the sector as their profession (i.e. estate agent) or become a landlord, 'accidentally'.**

7.1 Renters' Voice members, as well as some of the renters we engaged with through Disability Action, Greenway Women's Centre, and STEP, have been the recipients of poor landlord behaviour, which at times has included disturbing or harassing behaviour.

7.2 One renter told us that her landlord insists on collecting the rent in cash, and calls to her home unannounced every week to collect it, often in the evening around 10 pm. The renter, who does not speak English, struggles to communicate with the landlord and feels unsafe and frightened when he appears, often at the rear door of the property. On one occasion, she witnessed him urinate in her garden late in the evening before using his master key to enter her home and request the rent. Renters' Voice believes all renters should feel safe at home and is therefore **calling for compulsory landlord and letting agent licensing** to help protect renters, particularly female renters, by ensuring the landlord or letting agent has met a **'fit and proper' person test** like in England, Scotland and Wales.

7.3 **Additionally, we want to see professional training for landlords and letting agents** as we believe this will help enforce higher standards of practice in the private rented sector. In 2012, one of our members applied for Housing Benefit but was not notified that his application was successful. After struggling to pay the rent in full for many months, our member fell into one month of arrears and was subsequently issued with a Notice to Quit. It was only when our member phoned the letting agent to enquire about the NTQ that he was informed that the agency had been receiving his housing benefit. This meant that he had not been notified of his overpayment each month, and the letting agent had, in fact, issued a NTQ for arrears which didn't exist. This experience left our member, who had two children under the age of 3 at the time, extremely stressed and anxious. Renters' Voice believes that

mandatory professional training could have prevented this, as training would ensure that letting agents are aware of the law, know how to process benefit entitlements correctly and we believe it would also encourage agents and landlords to follow best practice.

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