



Make Renting Right

Campaign briefing

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Shelter
Scotland

Campaigning to Make Renting Right

Shelter Scotland wants to Make Renting Right and work towards a modern and dynamic private rented sector which meets the needs of today's renters and makes for a professional market where landlords can make reasonable returns on their properties.

To secure this change Shelter Scotland wants to see:

- **Stability** for people wanting to make rented housing their home.
- **Flexibility** for people to stay in their home as long as they need.
- A **modern tenancy** that gives security and flexibility for tenants and landlords.
- A **fair** system for sorting out renting problems when they occur.
- **Predictable** rents for tenants and landlords.

If we achieve this then Scotland will have taken a major step towards increasing the quality of life for the more than 300,000 households in Scotland who call the private rented sector home.

Why is Shelter Scotland campaigning to Make Renting Right?

Scotland's private rented sector is growing. It has more than doubled in the last ten years and now houses 312,000 households – that's 13% of all households in Scotland.¹ We used to see private renting as a place for students, young people and transitory workers. But this picture is changing: 80,000 households with children now live in Scotland's private rented sector.²

There are several reasons for this: it has become harder for many people to save for a deposit and buy a home since the 2008 financial crash; we've seen an influx of new 'buy to let' landlords over the past ten years; and the building of socially rented homes has not kept pace with demand, leaving more than 150,000 on council waiting lists across Scotland.³

¹ Scottish Household Survey, 2013-14 <http://www.scotland.gov.uk/topics/statistics/16002>

² Scottish Household Survey, 2013-14 <http://www.scotland.gov.uk/topics/statistics/16002>

³ Scottish Government, Housing Statistics for Scotland, March 2014

<http://www.scotland.gov.uk/topics/statistics/browse/housing-regeneration/hfsf>

This means that, in many cases, private renting is the only option for providing a home to the families and individuals who ten or twenty years ago would have aspired to the security and stability of a socially rented home, or would have been able to buy a home of their own. The insecure nature of the private rented sector – where short term leases are common and can give as little as one month’s notice in some cases – just isn’t suitable for this new generation of private renters, especially if you are a family that wants to put down roots in a community and send your children to local schools.

Poor condition is also an issue in the private rented sector – 63% of properties failed the Scottish Housing Quality Standard in 2012 and 4.4% of the private rented stock is below the tolerable standard. Figures from the same survey show that 89% of private rented stock had some kind of disrepair, with 74% having disrepair to ‘critical elements’, i.e. those which make the property structurally stable and wind and watertight.⁴

Shelter Scotland wants to see a high quality private rented sector which gives people the solid grounding they need to set up home, knowing they can stay for as long as they need to and that they’re able to assert their legal rights.

Make Renting Right: our clients’ stories

In 2013 Shelter Scotland helped more than 3,500 people with issues relating to the private rented sector – a significant proportion of our caseload. Below are real examples of people who have contacted Shelter Scotland for help in the past year about issues in their private rented accommodation.

Sarah’s story: Sarah is a young parent living with her two year old daughter. She works part time and pays £550 per month in rent, which is partly covered by housing benefit. Her landlord unexpectedly tried to increase her rent by well-above inflation. She was already having difficulty paying her rent as her wages didn’t cover all of her rent. Instead of negotiating a lower rent increase, her landlord ended her tenancy and evicted Sarah.

⁴ Scottish Government, Scottish House Conditions Survey 2012 - Key Findings

Laura's story: Laura and her flatmates shared a student flat. Two bedrooms in their flat were in such a state of disrepair that they couldn't be used and the council had to intervene – saying that no one should live in the flat until repairs were carried out. Laura and her friends were forced to move out for two weeks and were not given somewhere else to live and their landlord still made them pay rent. The landlord threatened to evict Laura if she or her flatmates complained about this situation.

Anne's story: Anne is 78 and has had serious problems with disrepair in her new rental home – electrical wiring is unsafe, her windows don't keep the wind out. She wrote to her landlord to ask for repairs to be carried out but nothing happened. She then found out that the gas boiler was unsafe and raised this with her landlord – instead of fixing the disrepair her landlord issued her with an eviction notice midway through her tenancy. Shelter Scotland were able to intervene to help her stay in her home, but she is still worried her landlord may ask her to leave at some point for no reason.

These case studies are a small example of the all too common issues facing private tenants who contact our helpline each year. Shelter Scotland wants to see a private rented sector which gives tenants the confidence to ask for repairs to be carried out without the fear that they might be asked to leave by their landlord, and protects tenants from unreasonable rent increases.

What we can do to Make Renting Right

The Scottish Government is consulting on forthcoming changes to the private rented sector, which is a great opportunity to Make Renting Right and improve the sector. We want to balance the relationship between tenants and landlords and give tenants the confidence to ask for repairs to be carried out without the fear that they might be asked to leave by their landlord, and protect tenants from unreasonable rent increases. Here's what Shelter Scotland would like to see:

- **A new tenancy with greater security for private tenants:** Shelter Scotland believes that we need a new private tenancy. This should give tenants the right to stay in their home for as long as they need, and private landlords the right to take their properties back in reasonable circumstances. The Scottish Government recently announced that

there will be a new tenancy for the private sector, and are currently consulting on what should form part of this.⁵

- **Reasonable and predictable rents:** Shelter Scotland believes that private tenants should be protected from unreasonable and unpredictable rent rises; in the new tenancy private rents should rise no more than once a year, and rises should be limited to the Consumer Prices Index.⁶
- **Efficient and fair dispute resolution:** Scotland's private rented sector also needs an efficient and specialised forum for dispute resolution in Scotland's private rented sector. The Scottish Government has confirmed plans to transfer all eviction and non-eviction issues in the private rented sector to a Private Rented Sector Housing Tribunal.⁷ It is essential that the tribunal is adequately funded and gives both tenants and landlords the confidence that they can resolve disputes quickly and efficiently.
- **Regulated letting agents:** letting agents play a significant role in the letting out of property and it is vital that the forthcoming regulation of agents⁸ ensures a high degree of professionalism, and provides dispute resolution that delivers for tenants.

Contact

Find out more and sign up to the campaign at: www.shelterscotland.org/makerentingright

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⁵ Scottish Government, Consultation on a new tenancy for the private sector, 2014

<http://www.scotland.gov.uk/Publications/2014/10/9702>

⁶ Shelter Scotland, 'Keeping rents reasonable and predictable in the private rented sector', 2014

http://scotland.shelter.org.uk/professional_resources/policy_library/policy_library_folder/keeping_rents_reasonable_and_predictable_in_the_private_rented_sector

⁷ Sections 16-20, Housing (Scotland) Act 2014

⁸ Part 4, Housing (Scotland) Act 2014

