



c/o National Residential Landlords Association, 212 Washway Road, Sale M33 6RN

9th September 2022

Rt Hon Simon Clarke MP
Secretary of State
Department for Levelling Up, Housing
and Communities
2 Marsham Street
London
SW1P 4DF

Dear Secretary of State,

The undersigned organisations representing residential private landlords and letting agents across England, wish to congratulate you on your appointment.

One of your priorities will be taking forward the Government's plans to reform the private rented sector.

The plans set out in the Fairer Renting White Paper represent the most significant changes to the sector in over 30 years. It is therefore vital that they are workable from the outset, avoiding the need to return to them later to address unintended consequences.

Within the paper itself, there is much that we can welcome. For example, plans for court reform to underpin ending Section 21 are much needed, whilst the focus on improved enforcement of regulations is long overdue. Too often the actions of a minority of rogue and criminal landlords and agents have been allowed to give the sector a bad name. The White Paper provides an opportunity for councils, which need to be properly enforced, to work with responsible landlords and agents to root out bad practice and those who abuse their position.

We also welcome the Government's plans to strengthen repossession grounds concerning rent arrears and instances where landlords want to sell a property or where they, or a family member, want to move back in.

That being said, it remains the case some of the proposals in the White Paper need more consideration if they are to secure the confidence of responsible landlords as well as tenants. Of note:

1. **The new administration needs to avoid some of the anti-landlord rhetoric used by some previous ministers and back the majority of responsible private landlords to provide the homes to rent tenants desperately need.** Research by the District Councils Network has found that 76% of councils surveyed have seen an increase in private landlords selling up properties causing a rise in housing waiting lists, more people to lose their home and making it harder to find permanent accommodation for those in need. More social housing in the future provides cold comfort to renters struggling to find housing now. Likewise, homeownership ambitions, however laudable, are distant for those struggling to make ends meet. Professor David Miles, now a member of the Budget Responsibility Committee, has rightly previously noted: *“aspiring first-time buyers are hardly helped by squeezing the supply of rental property and driving rents up.”*
2. **The Government risks causing damage to the student housing market.** Plans for periodic tenancies will mean landlords renting to students will have no assurance that they will have properties available for new students at the start of each academic year. The Government has recognised that students are a special case by allowing fixed term tenancies to continue in purpose-built student accommodation. This needs to be extended to students and landlords in the private rented sector. At the very least, the Government should enable student landlords to repossess a property with 2 months’ notice where it is required for use by incoming students. The earliest such a notice could be served would be in the 10th month of a 12-month tenancy agreement. Without this, students will have no assurances about properties being available at the start of each academic year, making it difficult for them to plan their housing arrangements in advance.
3. **Landlords and agents will be left powerless to tackle anti-social and nightmare tenants.** The Government’s plans rely on the police and councils doing more to take action against such tenants so landlords can repossess properties. However, the White Paper falls back on vague commitments to agree ‘principles’ about how councils and the police will work to address this. Polling by the Tony Blair Institute for Global Change reports that of those who had experienced anti-social behaviour in the last year, only 26% said they had reported it to the police or local authorities and just 41% were satisfied with the response they received. This lets down fellow tenants and neighbours who have to face up to nightmare tenants. The Government needs to take another look at its plans to tackle anti-social tenants and work with the industry to devise an evidential basis that does not make it impossible to tackle problem tenants. As private landlords and agents themselves have experience both in trying to keep tenants safe and tackling ASB as it arises in our sector, we would welcome the opportunity to propose practical solutions that can be incorporated into legislation and court procedures.
4. **Court reforms must be in place before Section 21 goes.** It takes an average of over half a year from a landlord making a claim to repossess a property through the courts to it happening. This is too long when tenants might not be paying rent or committing anti-social behaviour. There needs to be confidence that the planned court reforms in the rental reform white paper will cut the time cases are heard and actioned before changes to tenancy agreements are made.
5. **The planned property portal and revised Decent Homes Standard (when agreed) make local landlord licensing schemes redundant.** With the details of all landlords and properties already available on the database which councils can access, additional local schemes would amount to unnecessary duplication of effort and an excuse for income generation by local authorities.

We would be grateful for an opportunity to meet to discuss our proposals further.

Perhaps your office could contact Ed Jacobs by emailing policy@nrla.org.uk or ring 0113 278 0211.

Yours sincerely,

Jodi Berg, Chair, National Residential Landlords Association

Ben Beadle, CEO, National Residential Landlords Association

Jason Taylor, Director, Eastern Landlord Association

Peter Littlewood, CEO, iHowz Landlord Association

Ruth Clarke, Chairman and Facilitator, Cornwall Residential Landlords Association

Stephen Lees, Chairman, South West Landlords Association

Andrew Parascandolo, Chairman, Leeds Property Association

Martin Silman, Chairman, Portsmouth & District Private Landlords Association

Andy Simpson, Chair, York Residential Landlords Association

Tony McVey, President, North West Landlords Association

Giles Inman, Business Development Manager, East Midlands Property Owners

Timothy Douglas, Head of Policy and Campaigns, Propertymark