



Submission from Depaul UK – A New Deal for Renting

October 2019

About Depaul UK

Depaul UK is a charity that prevents homelessness and provides support to vulnerable young people. Last year we provided services including emergency accommodation, longer-term housing and community outreach to almost 4,000 young people. Our Nightstop network operates across the UK and we deliver many other services across London, the North East, Greater Manchester and South Yorkshire.

If you have any queries, please contact Daniel Dumoulin, Depaul UK's Policy and Public Affairs Manager. Daniel.Dumoulin@depaulcharity.org.uk; 07989 404363.

Summary of main points

- In the twelve months up to the end of March 2019, over 57,000 people asked a local authority for help with homelessness because of the end of an AST. Getting rid of section 21 could mean that far fewer people become homeless because of the end of a tenancy.
- Applying ground 14A to private rented accommodation could help more survivors of domestic abuse remain in their property. Private landlords may need support if using ground 14A to ensure that doing so does not result in more harm for survivors.
- The proposed grounds would not be an appropriate substitute for Section 21 for homelessness accommodation. Unfortunately, as a last resort, we sometimes have to serve Section 21 notices if a tenant who no longer needs support or exceeds an age limit refuses to move out of our accommodation. We have suggested ways in which the proposals could be revised to take account of this type of accommodation.
- The proposals could result in landlords becoming less willing to let to people who have been homeless or are at risk of homelessness. This effect could be mitigated by incentivising more landlords to house people who are homeless or are at risk of homelessness.

Answers to questions:

Question 24: Should this new ground [14A] apply to all types of rented accommodation, including the private rented sector?

Depaul UK agrees that survivors of domestic abuse to have greater rights to remain safely in a property if they wish to do so, rather than feel as though they need to leave to build a secure home elsewhere.

Applying ground 14A to private rented accommodation could help more victims of domestic abuse remain in their property. If this ground is extended to private rented accommodation,

the government should ensure that survivors are not put at risk of more harm. Private landlords will generally have less capacity than social landlords to deal with evictions involving domestic abuse in a safe and sensitive manner. They may therefore need support from an appropriate agency if using ground 14A.

Question 36: Are there any other circumstances where the existing or proposed grounds for possession would not be an appropriate substitute for section 21?

Yes

The proposed grounds would not be an appropriate substitute for Section 21 for homelessness accommodation. By homelessness accommodation we mean accommodation where people who have been or are at risk of homelessness have a tenancy linked to support, with an expectation that people will move out of the tenancy when they no longer need support. This is so that other people, who do need support, can access it.

Around 25 per cent, or 120, of the homelessness accommodation units managed by Depaul UK have ASTs. Sometimes this accommodation is comprised of RSL, LA or PRS flats; it can also be in supported accommodation projects. It is often part of services alongside local authority commissioned support. Most of our other residents are on licenses.

Homelessness accommodation cannot function as intended unless tenants stay in properties for a limited period. Tenants generally agree to move out of the schemes when they are ready to live independently. In some cases, tenants are unwilling to move out when they no longer need support, exceed an age limit or are putting other tenants or staff at risk. Unfortunately, as a last resort, we sometimes have to initiate eviction proceedings. We serve around eight or nine Section 21 notices a year.

Case study - Sheffield young person's dispersed accommodation – Delivered by Depaul UK, commissioned by Sheffield City Council

This scheme consists of 105 accommodation units across Sheffield, most of which are registered social landlord flats with periodic ASTs. The scheme aims to ensure that people aged 16-24 who have been or are at risk of homelessness develop skills and knowledge needed to live independently. Depaul UK manages the accommodation and provides support, for example with tenancy management skills, welfare benefits and accessing mental health services.

Young people normally stay in the project for up to a year on periodic ASTs. Fixed-term tenancies are not used because it is impossible to know at the outset how long young people will need support for. Around 85 per cent make a positive move on, most often into a general needs local authority tenancy.

Unfortunately, on occasion we need to evict young people from this accommodation. For example, we have recently started eviction proceedings against a tenant who has refused our repeated requests that he move out. He is now older than the maximum age limit and

is no longer engaging with support. We used Section 21, as we do not think Section 8 provides any grounds that we could use.

The proposals should be revised in order to take account of the type of accommodation described above. Depaul UK has identified three options for doing this. Although we can see strengths and weaknesses for each option, we do not currently have a preference between them. We hope to have further discussions on this topic with Government and other service providers:

- 1) Add a new ground to Schedule 2, which could be used for Section 8 evictions
- 2) Create a new type of tenancy for people who are living in this type of accommodation
- 3) Clarify that existing grounds can be used to evict tenants in scenarios similar to the one described above.

Question 45: Do you think these proposals will have an impact on homelessness?

Yes

In the twelve months up to the end of March 2019, over 57,000 people asked a local authority for help with homelessness because of the end of an AST. Getting rid of section 21 could mean that far fewer people become homeless at the end of a tenancy. The proposals should, however, be modified to protect homelessness accommodation, see our answer to questions 36.

Question 46: Do you think these proposals will have an impact on local authority duties to help prevent and relieve homelessness?

Yes.

Getting rid of section 21 could mean that far fewer people become homeless at the end of a tenancy, therefore demand on local authority duties to prevent and relieve homelessness could be reduced.

The proposals could, however, cause difficulties for homelessness resettlement schemes, including schemes commissioned by local authorities, in their current form. See our answer to question 36. This could make it more difficult for local authorities to prevent and relieve homelessness.

Landlords who are not part of these schemes could be also be less willing to let to people affected by homelessness, see below, which would also make it more difficult for local authorities to prevent and relieve homelessness.

Question 47: Do you think the proposals will impact landlord decisions when choosing new tenants?

Yes

The proposals could result in landlords becoming less willing to let to people who have been homeless or are at risk of homelessness. This is because landlords are likely to view the

proposals as making it more difficult to evict tenants. Implementing the proposals could therefore make landlords more averse to providing accommodation to tenants who are perceived as higher risk, including people threatened by homelessness.

The extent to which the proposals could affect landlords' willingness to house people who have been homeless or are threatened by homelessness would vary in different areas, depending on local demand for rental properties, i.e. the extent to which landlords can pick and choose between potential tenants.

This effect could be mitigated by incentivising more landlords to house people who are homeless or are at risk of homelessness. As in some existing resettlement schemes, financial or tenancy management incentives could be provided. The proposals should be modified to protect these schemes, see our answer to question 36.