



The private rented sector in Hackney: stakeholder engagement and listening exercise


Hackney Council


APRIL 2015


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Contents

Section	Page number
1	Executive summary 1
1.1	The project brief 1
1.2	Methodology 1
1.3	Some context for the study 2
1.3.1	Licensing 2
1.3.2	Views on licensing in Hackney 4
1.3.3	Hackney's PRS 4
1.4	Main conclusions and recommendations 4
1.4.1	The potential for discretionary licensing schemes 5
1.4.2	Developing Hackney Council's PRS offer 5
2	The project brief 6
3	Some context 7
3.1	Statutory context for private sector licensing 7
3.2	Licensing schemes in London 9
3.3	Hackney Council's engagement with the PRS 10
3.4	The New Era estate 13
4	Project methodology 13
4.1	Survey 14
4.2	Focus groups 14
4.3	Interviews 15
4.4	Hackney Landlords' Forum 16
5	The findings 16
5.1	Responses to the online survey 16
5.1.1	Renters 16
5.1.2	Other Hackney residents and/or businesses 19
5.1.3	Landlords 20
5.1.4	All respondents – views on discretionary licensing 23
5.1.5	Responses to free format questions 23
	Landlords and/or letting agents 23
	Private renters 24
	Other Hackney residents/business owners 26

5.2 Evidence from focus groups, interviews and other sources	28
5.2.1 Overview of the PRS in Hackney in 2015.....	28
Elected representatives and officers.....	28
Renters	31
Advice agencies.....	33
Landlords and agents.....	34
5.2.2 Hackney Council's services for the PRS.....	35
5.2.3 Accreditation	37
5.2.4 Anti-social behaviour and the PRS in Hackney.....	38
5.2.5 Licensing the PRS in Hackney	38
5.2.6 Council support for the PRS in Hackney.....	41
6 Conclusions and recommendations	42
6.1 Additional licensing	43
6.2 Selective licensing	43
6.3 Developing Hackney Council's PRS offer	44
6.4 Acknowledgements.....	45
Appendix A: Steering Group Membership.....	46
Appendix B: Questionnaires.....	47
PRS tenants.....	47
Private landlords/agents.....	54
Other residents and businesses	61
Appendix C: Focus Group and interview topic guides.....	67
Topic guide for preliminary focus group with landlords/agents, 9 December 2014.	67
Topic guide for renters focus groups, February 2015	68
Topic guide for preliminary focus group with advice agencies.....	69

1 Executive summary

1.1 The project brief

In October 2014 HQN, an independent housing consultancy, was commissioned by the Hackney Council to undertake an engagement and listening exercise focusing on the nature and future of the borough's private rented sector (PRS).

Specifically we were asked to look at two issues:

- The potential introduction of discretionary additional licensing for smaller HMOs and/or selective licensing for all private rented sector stock
- The development of a wider refreshed offer for Hackney's private rented sector.

Our study largely follows that of the Council's own Scrutiny Commission conducted in 2013/14 that looked at the potential for licensing the PRS in the borough; however, we did also explore with residents and landlords how the Council's wider 'PRS offer' could be developed.

1.2 Methodology

Working with the Council, we developed an online survey for renters, landlords and other people living and/or working in the borough to gather views about the nature and operation of Hackney's PRS. We also explored the potential for PRS licensing as well as what other steps could be taken to improve the renting experience for both landlords and tenants.

The Council promoted the survey widely, using a variety of techniques including its website, social media, emails and its fortnightly newsletter delivered to the borough's homes and businesses. Councillors and other agencies, such as Generation Rent and Shelter, helped with promotion through social media, word of mouth and their websites.

The online survey ran from 26 January until 3 March 2015 and was completed by 234 people of whom:

- 173 said they were PRS renters in Hackney
- 24 said they were landlords or lettings agents in Hackney
- 35 said they were other residents and/or ran businesses in the borough
- 2 respondents did not say which category they belonged to.

The survey was also publicised as being available in hard copy and HQN's address was provided for the return of completed questionnaires. No hard copy questionnaires were returned, however.

We held focus groups at which we explored people's perceptions of how well the PRS was working in the borough and invited ideas on how the Council might better support

landlords and renters. That included discussions about discretionary licensing. Four focus groups were run:

- One for landlords and lettings agents
- One for advice agencies
- Two for renters.

Invitations to landlords, lettings agents and advice agencies to participate in the focus groups were sent out by Hackney Council and HQN. Renters were contacted with the assistance of Generation Rent, DIGS and London Coalition Against Poverty.

In total there were twenty-five participants in the focus groups, rather fewer than hoped but the groups provided a great deal of useful and granular information, suggestions and observations from people who had a direct interest in strengthening Hackney's PRS.

HQN's team members also conducted a series of face-to-face and telephone interviews with key stakeholders. These included:

- Meg Hillier, MP for Hackney South and Shoreditch
- Councillor Philip Glanville, Cabinet Member for Housing Hackney
- Councillor Clayeon McKenzie, Chair of the Living in Hackney Scrutiny Commission
- Five Hackney Council officers with responsibilities for various housing-related services
- Representatives of professional bodies for landlords
- Representatives of non-profit organisations providing services to tenants in the borough
- People who had agreed to tell us about their experiences of the PRS in Hackney.

In addition, HQN responded to individual emails from people who had heard about the study and in March we attended a meeting of the Hackney Landlords' Forum, at which we presented initial results from our study and received observations and feedback from landlords.

1.3 *Some context for the study*

1.3.1 *Licensing*

There is mandatory licensing for all houses in multiple occupation (HMOs) that are at least three storeys high and have at least five tenants forming more than one household. Local authorities such as Hackney Council are responsible for applying and enforcing the conditions associated with mandatory licensing.

Local housing authorities may also introduce discretionary private rented sector licensing schemes under the Housing Act 2004, subject to certain conditions which include a formal consultation process. Licensing enables local authorities to regulate many of the services delivered by private landlords in their areas. There are two types:

- *Additional licensing* may be introduced by a local authority for smaller HMOs (properties of two storeys and less) in all or part of their area where there are significant management issues and/or such properties are in a poor condition
- *Selective licensing* allows local authorities to license all privately rented housing in an area with low housing demand and/or 'significant' and 'persistent' anti-social behaviour. The conditions which apply to selective licensing schemes were changing as we prepared this report.

Many local authorities in London have already introduced, or are planning to introduce, discretionary licensing schemes in their boroughs. As at March 2015 the selective licensing situation was:

- Newham, Waltham Forest and Barking and Dagenham have whole-borough selective licensing schemes in place and Brent has a scheme in three wards
- Enfield, Southwark, Redbridge and Croydon are all at various stages of consultation on proposed schemes.

Additional licensing for smaller HMOs has been implemented borough-wide in seven boroughs; there are partial schemes in two boroughs and a further two have recently finished consultation exercises to introduce schemes in their authorities.

With effect from 1 April 2015, new rules on selective licensing schemes came into force. Local authorities are required to obtain confirmation from the Secretary of State for any selective licensing scheme which would cover more than 20% of their geographical area or would affect more than 20% of privately rented homes in the local authority area. Additional criteria are also now in force. In addition to anti-social behaviour and/or low demand, a designation may be made to combat problems in an area experiencing poor property conditions, an influx of migration, a high level of deprivation or high levels of crime. The outgoing government made it clear that selective licensing schemes were only to be adopted as a last resort.

Local authorities may also use planning law, specifically an Article 4 Direction, if the number of family homes being converted into HMOs is causing concern. Hackney Council could use an Article 4 Direction to restrict development rights on family homes (Class C3 dwellings), requiring planning consent to convert a family home into a dwelling which is to be occupied by three to six tenants in more than one household (a Class C4 HMO). A change of use to form a larger HMO, for more than six tenants, already requires planning consent.

Our online survey showed support for the introduction of selective licensing in Hackney, particularly amongst non-landlords. A significant proportion of respondents wanted more information before they could decide (see below).

1.3.2 Views on licensing in Hackney

Do you think it would be a good idea to have a licensing scheme for more properties in Hackney's private rented sector?

	I have no opinion	I need more information before deciding	No, I am against the idea	Yes, I would support more private rented properties being licensed	Not answered
Landlord or letting agent	1	6	12	5	0
Non-landlord	5	50	8	146	1

1.3.3 Hackney's PRS

Over the last couple of decades, Hackney has become a highly desirable place to live, with inward migration fuelled in part by the development of public transport, well-run public services, and the employment opportunities provided of Silicon Roundabout and the City. House prices and rents have risen in response to demand and tenure patterns have changed. Now, approximately one in three of Hackney's properties are rented from private landlords.

The Council has a history of positive engagement with the private rented sector and is intent on improving the quality of properties and of services provided to PRS tenants within the borough. The Council provides a range of services, including grants towards property improvements. It runs a Landlords' Forum, is setting up a Social Lettings Agency and is currently working to increase awareness of and compliance with the new redress scheme for lettings agents. The Council is developing a long term vision for the sector and published in February a 'manifesto' urging the next government to adopt 'Ten steps to better private renting for tenants and landlords'.

1.4 Main conclusions and recommendations

The borough is an increasingly popular place to live and consequently house prices and PRS rents have been rising, in part as a response to this increased demand.

Hackney like many places in London and elsewhere has continued to attract investment from Buy to Let landlords, some of whom will not necessarily have any previous experience or knowledge of residential property management. At present, although there are many decent landlords and lettings agents who operate to high professional standards, there are also those who are either unaware or heedless of their responsibilities. We were told about the very poor conditions that some renters have to tolerate and of the insecurity many feel. We often heard the comment that tenants felt powerless relative to their landlords. On the other hand, some landlords told us about the poor behaviour of some tenants and the way they feel the law protects tenants at the expense of landlords. We also found that some of the borough's residents felt that community cohesion could

potentially become increasingly difficult as a result of the transient nature of the lives of many people living in the PRS.

1.4.1 The potential for discretionary licensing schemes

Although we heard about the poor condition of some PRS stock, the unresponsive and sometimes criminal behaviour of PRS landlords and the impact of inward migration on Hackney's PRS, we did not find sufficient evidence in the course of our study that would suggest the Council should pursue selective licensing under the current legislative framework. We could not identify strong links between anti-social behaviour and the poor management of the borough's PRS (as required by the provisions of the Housing Act 2004). Low demand for housing, another criterion for selective licensing, is not a problem experienced in London boroughs and Hackney is no exception. There was no significant evidence of the issues specified by the new General Consent, although our study was designed and the evidence-gathering completed before the changes were announced. Again, in order to proceed with selective licensing, the Council would require a substantial, quantitative evidence base to prove that conditions existed which warranted the introduction of such a scheme.

Our findings suggest that there are problems in Hackney which are associated with the conversion of single-household properties into HMOs; problems both for renters themselves and in some cases for nearby residents. Larger HMOs are already covered by mandatory licensing but we recommend that the Council considers whether there is sufficient evidence to support the introduction of an additional licensing scheme for smaller HMOs and the use of Article 4 Directions. Both measures would require a specific, robust quantitative evidence base before a recommendation could be made by Council officers to introduce a scheme.

The survey, focus groups and interviews revealed considerable support for selective licensing amongst all groups except landlords and lettings agents. Those who favoured licensing believed that the Council's ability to impose conditions on landlords would help to bring properties and tenancy conditions up to a minimum standard. Success, though, would depend on the Council's ability to enforce those standards and conditions. Licensing would also improve the accountability of landlords, enabling residents and the Council to identify the people responsible for letting residential property in the borough. However, many of the issues raised as problems could be addressed by the Council adopting a more intelligence-led enforcement regime as well as through an enhanced PRS offer from the Council and ideally the implementation of the Council's 'Ten Steps' recommendations.

1.4.2 Developing Hackney Council's PRS offer

As a result of our study, and in addition to the conclusions above relating to additional and selective licensing schemes, we make the following recommendations to the Council for developing its services and support to the private rented sector in the borough:

- 1 Progress the Social Lettings Agency as quickly as possible. By giving landlords some assurance, it is likely to bring more properties into the reach of people on low incomes and the scheme will give the Council some control over property and

management standards in the sector.

- 2 Experiment with offering training, advice and guidance to landlords and tenants; just as some landlords are inexperienced, so too are many tenants. Our study indicated that landlords might need training on topics such as landlord and tenant law and health and safety. Tenants could benefit from a greater understanding of topics such as landlord and tenant law, energy saving and preventing condensation.
- 3 Continue to lobby the government for legislation on longer-term tenancies and encourage Hackney landlords to offer more secure terms.
- 4 Review the PRS information provided by the Council and work with agencies (eg, Generation Rent, DIGS, LCAP, CAB, Shelter) to put together an induction pack for new tenants. Make the pack available online as well as through lettings agents, SLA landlords and advice and support agencies.
- 5 Provide a single, named point of contact and perhaps a dedicated phone line, for landlords to seek advice from the Housing Service.
- 6 Review the procedure for providing money in the rent deposit scheme and find ways to release the money more quickly to people needing to secure a home.
- 7 Increase the level of funding allocated to enforcement work, particularly with respect to the level of the staff resource undertaking enforcement work with landlords and supporting tenants.

2 The project brief

HQN is an independent housing consultancy that provides advice, tailored support and training to housing associations, councils, ALMOs and other housing providers. In October 2014, HQN was commissioned to undertake a private rented sector (PRS) engagement and listening exercise for Hackney Council and work began in November 2014.

The Council's objective is to ensure that households renting in the borough's PRS live in good quality accommodation that is well managed by responsible landlords and it wants to support landlords and renters to achieve those objectives. The purpose of the exercise was to assist the Council by providing information on the views of stakeholders.

Specifically we were asked to look at two issues:

- The potential introduction of discretionary additional licensing for smaller HMOs and/or selective licensing for all PRS stock
- The development of a wider refreshed offer for Hackney's PRS.

The Council already has a good knowledge of aspects of the PRS in the borough. There is comprehensive mapping of the:

- Scale and nature of the PRS (distinguishing HB from non-HB residents)

- Police reported ASB (including trends at ward and neighbourhood level)
- Environmental protection incidents (50 metre street transects and ward trends) Noise nuisance reported to LBH (excluding social rented).

Our study follows that of the Council's own Scrutiny Commission conducted in 2013/14 that looked at the potential for licensing the PRS in the borough. The Commission made the following recommendations of particular relevance to the HQN project:

The Commission should be given an assessment of the likely impact of an Additional Licensing scheme, in the event of this being identified as the way forward (Recommendation 3).

The implementation of any wider licensing of the private rented sector would benefit from effective use of predictive analysis techniques. (It is assumed) that the Council will not be able to inspect every property that is the subject of a license application (Recommendation 4).

The ability to recover costs incurred from implementing wider licensing may rest on the ability to encompass all areas of activity within a definition of the 'administration' of the scheme. Aided by legal advice, the Council should (in the event of wider licensing being introduced) produce as broad a definition as possible of the administration of a scheme. The Council should look to include as many of the following into the administration of a scheme as is possible from a legal view (Recommendation 5).

3 Some context

3.1 Statutory context for private sector licensing

Local housing authorities (such as Hackney Council) are empowered to introduce a range of licensing schemes under the Housing Act 2004. Licensing effectively enables local authorities to regulate many of the services delivered by private landlords operating in their areas. There are three types of licensing:

- *Mandatory licensing* of larger Houses in Multiple Occupation (HMOs)
- Additional licensing of smaller HMOs
- *Selective licensing* of all types of private rented housing.

Under the law HMOs are treated differently to single family dwellings – particularly in relation to licensing. A property is an HMO if both of the following apply:

- At least three tenants live there, forming more than one household
- Occupiers share toilet, bathroom or kitchen facilities with other tenants.

Some HMOs are subject to mandatory licensing under the 2004 Housing Act. These HMOs are in properties:

- That are at least three storeys high
- That have at least five tenants living there, forming more than one household
- Where toilet, bathroom or kitchen facilities are shared with other tenants.

Additional and selective licensing are discretionary powers. **Additional licensing** may be introduced by a local authority for smaller HMOs in all or part of their area where there are significant management issues and/or the properties are in a poor condition. It would apply to properties of up to two storeys, occupied by three or more unrelated people who share some facilities such as bathrooms, WCs and kitchens. Consultation must precede the introduction of an additional licensing scheme and the authority must be able to show that other approaches have not significantly improved the management and/or the condition of the PRS in the area where licensing is proposed.

The rules governing **selective licensing** schemes changed as our study neared completion. In March the government issued a draft Statutory Instrument entitled The Selective Licensing of Houses (Additional Conditions) (England) Order 2015. The necessary Parliamentary consent was achieved just before the House rose and new criteria for selective licensing schemes came into effect from 1 April 2015. As a result, the current situation is that a selective licensing designation may be made if the area to which it relates satisfies one or more of the following conditions:

- Low housing demand (or is likely to become such an area)
- A significant and persistent problem caused by anti-social behaviour (ASB)
- Poor property conditions
- High levels of migration
- High level of deprivation
- High levels of crime.

The local housing authority may only seek to make a designation if the area has a 'high proportion' of property in the private rented sector. Government guidance defines 'high' as being more than 19% of the stock in English authorities currently and advises councils to check with the English Housing Survey as that figure might change over time. Additionally, the authority must apply to the Secretary of State for Communities and Local Government for permission for any scheme that would cover more than 20% of their geographical area or affect more than 20% of privately rented homes.

Local residents, landlords and tenants must be consulted for at least ten weeks prior to the introduction of a selective licensing scheme. Evidence is also needed that an authority's enforcement and other actions have been applied effectively. Furthermore, discretionary licensing proposals need to be consistent with an authority's housing strategy and a co-

ordinated approach to dealing with homelessness, empty homes and ASB.

The guidance on the new framework goes on to say that selective licensing should only be introduced where, "...there is no practical and beneficial alternative".¹ This implies that the outgoing government saw such schemes as being a last resort and to support this stance had in March issued other advice to local authorities on improving the PRS in their areas and tackling poor housing conditions in the sector.

A local housing authority may also use development control measures if it is concerned about communities becoming unbalanced by the conversion of single family dwellings into HMOs. Article 4 Directions can require landlords to seek planning permission to convert a Class C3 dwelling house into a Class C4 HMO.

With the changes introduced by the outgoing government, the legal position on the licensing of the PRS has become less clear. Overall, the criteria for the selective licensing of the PRS have become more stringent, while those for additional licensing of HMOs remain as they were. In both cases an extensive consultation exercise is required to ensure affected parties understand what is proposed and have had the opportunity to comment.

3.2 Licensing schemes in London

Many London boroughs have explored the potential of PRS licensing and a patchwork of approaches has been adopted, in part because of the different nature of the PRS in each borough.

We researched the current situation on selective and additional licensing in London and the tables below set out our findings as at March 2015.

Table 1: Selective Licensing in London as at March 2015

Borough	Implemented/under consultation/other	Whole borough or partial	Date introduced
Newham	Implemented	Whole	January 2013
Barking and Dagenham	Implemented	Whole	September 2014
Waltham Forest	Implemented (includes smaller HMOs)	Whole	March 2015
Enfield	Consultation declared unlawful	Whole	To be decided
Southwark	Consultation concluded December 2014	Partial – selected streets	To be decided
Redbridge	Under consultation	Whole	To be decided

¹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418551/150327_Guidance_on_selective_licensing_applications_FINAL_updated_isbn.pdf

Borough	Implemented/under consultation/other	Whole borough or partial	Date introduced
Croydon	Under consultation	Whole	To be decided
Brent	Implemented	Partial – three Wards in the South/Centre of the borough	January 2015

Table 2: Additional Licensing in London as at March 2015

Borough	Implemented/under consultation/other	Whole borough or partial
Barking and Dagenham	Implemented	Whole
Hounslow	Implemented	Whole
Camden	Implemented	Whole
Brent	Implemented	Whole
Harrow	Implemented	Whole
Newham	Implemented	Whole
Kingston	Implemented	Whole
Ealing	Implemented	Partial – six Wards
Haringey	Implemented	Partial – five Wards
Islington	Consultation concluded January 2015	Partial – two streets
Southwark	Consultation concluded December 2014	Whole
Enfield	Consultation declared unlawful	Whole
Redbridge	Under consultation	Whole

3.3 Hackney Council's engagement with the PRS

Hackney Council has a long track record of positive engagement with the PRS. It seeks to encourage decent, law abiding landlords to offer good quality, affordable housing to the one-third of the borough's population who live in privately rented accommodation.

The Council's Private Sector Housing Service has a wide ranging remit. It is responsible for ensuring that people who live in accommodation not owned by the Council have safe and healthy homes. It has powers to enforce legal minimum standards and provides advice to ensure that both tenants and landlords know what is required of them and what they should expect from each other. The service can assist with:

- National minimum standards for privately rented homes
- Disrepair
- Drainage and sewerage defects
- Some pest control issues
- Disconnection of gas or electricity by the landlord
- Fire, gas and electrical safety
- Sharing of amenities.

The Service also administers a range of grants that private landlords can access to improve their properties or bring them up to an acceptable standard for letting. Among these are:

- Empty Property Grants
- Home Repair Assistance Grants
- Warmth and Security Grants
- Landlord Grants (that can pay up to 50% of improvement works for kitchens, toilets, etc).

During the course of our study the Council initiated a campaign to drive improvements in the PRS in Hackney and more generally. This involved closer inter-departmental work within the Council and an awareness campaign to highlight what additional action and legislative steps national government could take to put in place a range of measures to facilitate councils using their powers more effectively to drive improvements in the PRS. As part of this campaign, Hackney residents have been encouraged to sign a petition supporting the 'ten steps' the Council believes the next government should take. (See the box below).

Ten steps to better private renting for tenants and landlords

- 1 Inflation-capped rents:** To ensure greater security for tenants, as well as continuity of income for landlords.
- 2 Longer tenancies:** These should be offered for years, not months, giving more stability – particularly for families with children.
- 3 Stopping retaliatory evictions:** By changing the law over notices seeking possession for assured shorthold tenancies.
- 4 Fast-track licensing schemes:** Cut red tape for councils setting up licensing schemes to ensure high quality standards of accommodation and service.

- 5 Create a national quality kite mark:** So tenants can identify good quality accommodation.
- 6 Pay housing benefit direct:** Explore further incentives for responsible landlords, including the choice for tenants for direct payments of housing benefit to accredited landlords who offer longer tenancies and stable rents.
- 7 Public register of landlords and properties:** To enable tenants to find out directly who they pay rent to and enable the Council to provide information and support to landlords who need it.
- 8 National ban on rogue landlords:** As with disgraced company directors, plus bigger fines and more consistent sentencing.
- 9 Costs transparency:** Make it mandatory for landlords to publish related costs of a property, such as utility bills, and for lettings agents to explain their fees.
- 10 Improve safety:** Mandatory installation of fire and carbon monoxide detectors and mandatory annual electrical tests.

See: <http://www.hackney.gov.uk/10-steps.htm#.VQrwnuH-Wdw>

The Council has created a Hackney Landlords' Forum and encourages landlords and agents to attend. Forum meetings provide advice on landlords' rights and responsibilities and up to date briefings on legislative and other changes that might affect their businesses. Hackney Council is a member of the London Landlord Accreditation Scheme and it actively promotes the scheme to landlords working in the borough.

The Council has been active in raising awareness of the private rented sector and the role of the local authority in the PRS. During the course of our project, activities included: a well-attended meeting of the Forum; a month-long promotion of the role of the PRS in meeting housing needs in the borough; the online survey that was part of our study and articles in the Council's fortnightly 'Hackney News'. The edition published on 9 February carried an article entitled 'Action on Renting' while the edition published on 23 February focused on calls to cap rents in the PRS. There was a poster campaign and sixty sites in shopping districts were used to promote the Council's drive to promote better conditions in the borough's PRS.

Hackney set up a Social Lettings Agency which went live in October last year. The service is in the process of development and it offers:

- Management and maintenance services for private landlords
- Security for landlords, with guaranteed income and management quality for their properties
- Rents set at LHA rates

- Free membership of the local landlord accreditation scheme
- Pre-tenancy support to tenants and then floating support for the first few weeks of occupation.

Overall, we found that the Council is committed to engaging with landlords and interested in landlords' views on how this engagement could be improved and developed.

3.4 The New Era estate

Hackney has become associated with a particularly notorious case involving the PRS in the recent past. The New Era estate in Hoxton was bought by an American hedge fund, Westbrook Partners, from First LBS Holdings in March 2014. The owners planned to increase dramatically rents for the 93 existing residents who had been paying rents significantly below the market rate. Eventually, following pressure from the Mayor of Hackney, Hackney Council, the local MP, other elected representatives, some celebrities and the residents themselves, the owners agreed to sell the estate to the Dolphin Square Foundation. This charity has recently been established after the sale of Dolphin Square in Pimlico and has as its objectives to provide affordable rental housing for working Londoners within 30 minutes of Westminster. While the sale was a private deal between Westbrook and Dolphin, the sale was facilitated by the Council and the GLA and came about as a result of the clear position of the Council and discussions with Westbrook, Meg Hillier, MP for Hackney South and Shoreditch and Richard Blakeway, London Deputy Mayor.

As part of the agreement with the Foundation, existing rents and tenancies will continue or be renewed, for all, over 2015. Also the Foundation will:

- Develop a 'fair' rent policy
- For the first time, provide affordable housing
- Engage with residents about the future of the estate.

The case provides proof of the pressures on the housing market in Hackney. It also demonstrates the power and influence that concerted action by the Council, residents and others can bring to bear addressing some of the problems facing Hackney's PRS.

4 Project methodology

The study was undertaken by Lydia Dlaboha, Sue Farrant, Roger Jarman and Emma Lindley under the direction of Alistair McIntosh, Chief Executive of HQN. During the project our work was supervised by a Steering Group made up of officers from the Council (see Appendix A).

In the course of our study we ran a well-publicised survey to seek the views of Hackney-based PRS landlords, PRS tenants and other residents and businesses; conducted focus groups and telephone interviews with a range of stakeholders; attended a meeting of the

Landlords' Forum; and invited individuals to give us case studies of their experiences of the PRS in the borough.

4.1 Survey

We began by working with the Council to create an online survey for renters, landlords and other people living and/or working in the borough. The survey was also available in hard copy on request to HQN and could be returned to HQN by post. Although one person requested the hard copy forms, we only had online responses.

The Council promoted the survey using a variety of techniques including its Twitter account (2,000 followers), its Facebook page (1,500 'likes'), its 'YouTube' channel (100 subscribers), emails and its fortnightly newsletter delivered to 108,000 homes and businesses. Councillors and other agencies, such as Generation Rent and Shelter, helped with promotion through social media, word of mouth and their websites.

The online survey ran from 26 January until 3 March 2015 and was completed by 234 people:

- 173 were PRS renters in Hackney
- 24 were landlords or lettings agents in Hackney
- 35 were other residents and/or ran businesses in the borough
- 2 respondents did not say which category they belonged to.

Respondents to surveys of this kind are self-selected so they cannot necessarily be said to fully represent the views of, say, renters or landlords in Hackney. For instance, as we only received online submissions, each of the respondents would have needed access to the internet to take part in the survey. Furthermore it is probable that individuals with strong opinions about the PRS would have been more likely to complete the survey than, say, those who had few problems either letting out or renting accommodation in the borough. This needs to be borne in mind when considering the results from the survey. We consider that the Council achieved a reasonable response rate for a survey of this kind. (Had this been a statutory consultation exercise seeking views on the introduction of a selective licensing scheme, a much higher response rate would be expected.)

4.2 Focus groups

Four focus groups were held, fewer than planned due to a rather disappointing response to invitations despite the wide-ranging promotion of the focus groups by both the Council and HQN. The details are in table 3 below.

Table 3: Engaging with the PRS in Hackney focus groups

Focus group	Numbers in attendance	Date held
Advice Agencies	Six	03 December 2014
Landlords	Six	09 December 2014
Renters	Five	18 February 2015
London Coalition against Poverty (LCAP)	Eight	10 March 2015

4.3 Interviews

We spoke in person or over the telephone to a range of people with a particular perspective on the PRS in Hackney. We met three elected representatives:

- Meg Hillier, MP, 9 March 2015
- Cllr Philip Glanville, Housing Portfolio Holder, Hackney Council, 21 January 2015
- Cllr Clayeon McKenzie, Chair, Living in Hackney Scrutiny Commission, Hackney Council, 23 February 2015.

We interviewed the following people from agencies and organisations, working in support of tenants or landlords:

- Chris Hancock, Crisis, 19 December 2014
- Seb Klier, Generation Rent, 7 January 2015
- Gavin Dick, National Landlords Association, 12 January 2015
- Connie Cullen, Shelter, 13 January 2015
- Dave Princep, Consultant to Residential Landlords Association, 16 January 2015
- Jon Scarth, PAL Coordinator, St Mungo's Broadway, 10 February 2015
- Ita Symons, CEO, Agudas Israel HA, 4 March 2015
- Chris Kersey, Team Manager, Hackney Young People's Complex Support Service, 10 February 2015.

The following Hackney Council officers also spoke to us:

- Mitzi Myrie, Benefits and Housing Needs, Hackney Council, 29 January 2015
- Barbara Spencer-Devonish, Private Sector Housing, Hackney Council, 21 January 2015

- Julia Kanji, Trading Standards, Hackney Council, 13 January 2015
- Mark Billings, Head of Housing Needs, Hackney Council, 1 February 2015
- Judith Morrison, Head of Leasehold and RTB Services, Hackney Council, 26 February 2015.

4.4 Hackney Landlords' Forum

We attended the Landlord Forum set up by the Council on 6 March 2015. At the Forum, members of the study team gave a presentation on the project and gathered evidence from landlords and lettings agents about their engagement with the Council.

5 The findings

5.1 Responses to the online survey

5.1.1 Renters

A total of 174 respondents were renters in Hackney's private rented sector².

Renters were asked if they were in receipt of Housing Benefit (HB) and the responses showed:

- 18 were receiving HB
- 142 were not
- 14 preferred not to say.

The majority of renters answering the survey were paying the full market rent for their accommodation with no recourse to State support.

Respondents were also asked if they had tenancy agreements for the accommodation they occupied. Most (145) renters said they did have agreements, while a significant number (25) did not and four preferred not to say or did not know.

Survey respondents were asked a series of questions about the property they lived in. Almost all (more than 93%) lived in self-contained accommodation, mostly flats or apartments:

- 74% rented flats/apartments
- 13% lived in a house or bungalow
- 13% lived in a shared house or bedsit.

² Although 173 respondents initially reported that they were renters in the PRS, an additional respondent then completed parts of the rest of the survey. Totals vary accordingly (with either 173 or 174 PRS renters).

Overall most respondents (76%) considered that the properties they lived in were in a 'fair' condition or better. However, a significant minority (24%) rated the condition of their properties as 'poor' or 'very poor' (table 4).

Table 4: 'How would you rate the quality/condition of the property?'

Option	Total	Percentage
Excellent (nothing needs doing)	10	6
Good (only minor problems)	46	27
Fair (some problems, but not too many)	75	43
Poor (quite a lot of problems)	31	18
Very poor (a lot of major problems)	11	6

Base number of responses: 173

In a similar vein, renters were asked if they experienced any issues with their current accommodation. Inevitably perhaps, renters experienced one problem or another with the accommodation they occupied and a large proportion (72%) said they had some issues.

Renters were next asked a series of questions about the accommodation they occupied and the service delivered by their landlords. The results are set out in table 5.

Table 5: PRS stock condition and landlord services

To what extent do you agree or disagree with the following statements:	Strongly agree %	Agree %	Neither agree nor disagree %	Disagree %	Strongly disagree %	Total %	Number of responses
Property is in a poor state of repair	16	31	23	23	7	100	124
Repairs are not done when they are needed	34	32	16	12	6	100	125
My landlord or agent enters my home with no notice	10	17	8	35	30	100	125
My landlord uses threatening behaviour/language	3	14	10	32	41	100	122
I feel safe in my home	15	53	14	14	4	100	126

Repairs were a significant issue. Almost a half of renters (47%) surveyed agreed that their accommodation was in a poor state of repair and 66% were of the view that repairs were not undertaken when they were needed.

Perhaps more worryingly, over a quarter (27%) of surveyed renters agreed with the statement that 'my landlord or agent enters my home with no notice'. There are legal provisions regarding landlord access to properties and the survey suggests that a significant number of landlords are breaking the law.

A significant proportion of surveyed renters (17%) reported that their landlords used threatening behaviour towards them, although most (68%) of renters felt safe in their homes. That still left 17% of respondents who said they did not feel safe.

The survey gathered views from people who rented in shared accommodation. The questions focused on the availability of facilities and the behaviour of renters towards one another (see table 6).

Table 6: Views on facilities and other tenants

To what extent do you agree or disagree with the following statements:	Strongly agree %	Agree %	Neither agree nor disagree %	Disagree %	Strongly disagree %	Total %	Number of responses
Too many people have to share basic facilities (such as bathroom/toilet/kitchen)	9	16	19	28	28	100	126
The home is not big enough	20	23	14	28	15	100	125
The other tenants in the property cause a nuisance (e.g. excessive noise)	12	24	7	25	32	100	124
The other tenants in the property use threatening behaviour/language	4	6	15	32	43	100	125

This table only includes responses from renters who were occupying their accommodation with others.

A quarter of renters surveyed thought that too many people shared basic facilities where they lived and nearly half (43%) believed their homes were not big enough for their needs. Although excessive noise from other renters was a problem for 36% of respondents, the use of threatening behaviour or language by other renters was relatively uncommon, with only 10% of respondents stating that this was a problem for them.

Renters were also asked who they would seek assistance from if they had problems with their tenancies. Table 7 sets out the responses to this question.

Table 7: Seeking advice on tenancy matters

If you have problems with your tenancy or your home, are you likely to seek help or advice from any of the following:	Very likely %	Quite likely %	Not at all likely %	Total %	Number of responses
My landlord or agent	57	23	20	100	174
Hackney Council Housing Office	8	30	62	100	166
My local Councillor or MP	2	18	80	100	164
Neighbours and/or friends	27	46	27	100	168
Housing Advice Agency (Shelter, Citizens Advice Bureau or other)	17	33	50	100	168

Most (80%) renters would approach their landlords if they had a problem with their tenancy or home. That does mean, though, that one in every five cases relations between renters and their landlords are so poor that renters feel unable to approach their landlords about issues related to their tenancies. Nearly as many (73%) would use neighbours and/or friends as a source of advice and assistance and 50% would go to agencies such as Shelter or CAB.

The Council was seen as a source of help or advice by only 38% of renters in the event of problems with their tenancies. This could reflect fear of retaliatory eviction or could mean that the respondents are not aware of the Council's services to PRS tenants or that the current 'offer' and the access pathways do not meet the needs of the wider (predominantly in work) demographic of those living in the PRS. Even fewer renters would look to elected representatives for advice on housing issues. Four out of five surveyed said they would be very unlikely to approach their MP or Councillor to assist them with a housing issue.

5.1.2 Other Hackney residents and/or businesses

As part of the survey, people who were not PRS tenants were asked about their experience of living near to or operating a business close to privately let properties. There were 35 respondents to this part of the survey, most of whom (63%) described themselves as owner occupiers.

This set of questions focussed on the aspects of the private rented sector in Hackney that might be described as anti-social behaviour. Responses showed that the biggest problems centred on the rubbish/litter outside PRS properties and the general upkeep of the outside space of properties in the sector. Half of surveyed respondents frequently or very frequently experienced problems with the upkeep of the outside of PRS accommodation in the area where they lived/conducted their business. Nearly as many (41%) frequently or very frequently had problems with litter outside PRS properties.

Noise was less of a nuisance, although almost 30% of these respondents did report that they experienced this type of nuisance frequently or very frequently. Over one-quarter of

respondents (27%) frequently or very frequently experienced problems with an excessive number of people either visiting or living in nearby PRS accommodation.

There was less concern about disturbance or threatening behaviour by PRS tenants or their visitors. Even so, 27% of these respondents reported they had experienced problems with PRS tenants or their visitors causing a disturbance either frequently or very frequently. Only 6% of respondents, frequently or very frequently experienced threatening behaviour or language from PRS tenants or their visitors.

Table 8 summarises the responses to this part of the survey.

Table 8: Views of the PRS – owner occupiers, business people and others

Do you experience any of these problems from privately rented properties near you?	Very Frequently %	Frequently %	Rarely %	Very rarely %	Never %	Total %	Number of responses
Noise nuisance in or immediately outside the property	3	26	32	18	21	100	34
Rubbish/litter outside the property	15	26	35	21	3	100	34
The upkeep of the property's outside space	24	26	18	21	11	100	34
Too many people living in or visiting the property regularly	9	18	29	18	26	100	34
Tenants or visitors to the property causing a disturbance to other residents and/or neighbours	3	24	31	18	24	100	33
Threatening behaviour or language from occupants and/or visitors	3	3	41	18	35	100	34

5.1.3 Landlords

Surprisingly, only a relatively small number of landlords/managing agents (24) completed the survey despite Hackney Council's persistent efforts to encourage completion.

Most respondents operated on a small scale:

- Seventeen (71%) owned just one property that they rented out
- Three owned between 2 and 5 properties
- One owned between 6 and 10 properties
- Two owned between 21 and 50 properties
- One had a portfolio of over 51 properties.

Nineteen of the landlords rented out single family dwellings and five also rented out HMOs, either exclusively or alongside a portfolio of self-contained flats/houses.

Just four landlords said they used agents to manage their properties. Eighteen managed their properties themselves while two respondents were agents managing property on behalf of others.

None of the 24 landlords/agents surveyed let accommodation to Hackney Council nominees. This suggests that respondents were primarily providing for households that would not be defined as 'in need' by the Council and would most probably be young professionals or couples not in receipt of Housing Benefit.

PRS rents in Hackney are relatively high so one question focused on problems landlords might have collecting rent. In general this was not a problem. Twenty of the landlords (83%) reported the 'tenants continue to pay their rental in full and arrears have not been increasing' and only one respondent said that 'tenants are finding some difficulty paying their rent and arrears are increasing a little'. Three landlords (13%) said that 'tenants are finding it much more difficult to pay the rent and arrears are increasing significantly as a result'.

A further question asked landlords about their understanding of their duties and responsibilities as a landlord. Table 9 summarises the responses to this question.

Table 9: Landlord understanding of their duties and responsibilities

How confident are you that you are fully informed about your duties and responsibilities as a landlord?	%
Fully informed about all my responsibilities and duties as a landlord	50
Well informed but might have some gaps	46
Unsure if I am fully informed	4
Not well informed	0
I am not informed at all about my responsibilities and duties as a landlord	0

Base number of responses: 24

As might be expected, most respondents claimed that they had a sound understanding of their duties and responsibilities as a landlord. None felt they were not well informed or were not informed at all about their duties and responsibilities as a landlord.

Landlords were then asked where they felt they did have gaps in their understanding of their role. Specifically they were asked 'what type of information would be useful to you in carrying out your responsibilities as a landlord?' The answers to these questions are set out in Table 10 below.

Table 10: Self-reported gaps in landlord/agent knowledge

What types of information would be useful to you in carrying out your responsibilities as a landlord?	Number
Landlord and tenant law	16
Health and safety requirements	14
Housing Benefit	6
Management responsibilities	8
Who I need to contact regarding Council services	10

Base number of responses: 24

The 24 surveyed landlords could tick as many boxes as they choose in answer to this question.

Although the respondents claimed that overall they understood their duties and responsibilities, a large proportion admitted to gaps in their knowledge about the letting of residential properties. For instance, two out of three (66%) wanted more information on tenant law and more than half (58%) wanted more information about their responsibilities for the health and safety of their tenants.

When asked if they were 'aware that the Council provides a range of initiatives intended to support landlords in carrying out their duties?' respondents showed low levels of awareness. Out of the 23 landlords who answered this question, only one said they were aware of the support available and made use of it. Four knew of the support but did not make use of it but 75% were not aware that support was available.

Landlords requested specific support in the following areas:

- Written guidance on landlord duties and responsibilities – requested by eight landlords
- Workshops run or organised by the Council on landlord duties and responsibilities – requested by three landlords
- More information about joining the Council's existing landlord accreditation scheme – requested by five landlords
- Discounts on goods and services that could be negotiated by the Council – requested by five landlords.

The survey asked landlords about their awareness of the redress scheme introduced by the government that requires lettings agents to join one of three authorised Ombudsman services. Of the 22 landlords who answered this question, 56% (12) were aware of the scheme. The features of the redress scheme were outlined and landlords were asked if the scheme would improve standards in the PRS. Twenty-three landlords responded in the following way:

- Yes, a lot, 13%
- Yes, a bit, 30%
- Not significantly, 7%
- No change at all, 0%
- I need more information before deciding, 18%
- Don't know, 30%.

5.1.4 All respondents – views on discretionary licensing

The survey described the possible features of a discretionary PRS licensing scheme in Hackney borough. All respondents (landlords, renters and others) were then asked if they thought PRS properties that are not currently licensed should be brought under a licensing framework. The majority (65%) of all respondents supported the idea, perhaps reflecting that most respondents were tenants who saw licensing as offering protection against landlords performing poorly or perhaps even illegally. However, a significant proportion, approximately 25%, of respondents said they needed more information before they could decide.

When the overall figures are analysed by type of respondent the picture is slightly different. Half of the landlords and letting agents were opposed to licensing, with only five of the 24 respondents (21%) supporting the idea. The full results are set out in table 11 below:

Table 11: Views on licensing in Hackney

Do you think it would be a good idea to have a licensing scheme for more properties in Hackney's private rented sector?	I have no opinion	I need more information before deciding	I am against the idea	Yes, I would support more private rented properties being licensed	Not answered	Number of responses
Landlord or letting agent	1	6	12	5	0	24
Non-landlord	5	50	8	146	1	210

5.1.5 Responses to free format questions

Landlords and/or letting agents

Six respondents gave their views in response to the question about whether privately rented properties in Hackney other than those already covered by the legally-required scheme should be subject to licensing.

Their concerns were about the costs to landlords and the time and red tape that would be involved. This comment summed up the views expressed:

'I believe existing legislation is sufficient to protect tenants from unscrupulous landlords, and I think licensing would only serve to increase bureaucracy without being of much benefit to either tenants or landlords.'

Most of the landlords/letting agents who expressed opinions about improving information and communication called for:

- More information to tenants about their rights and the Letting Agent redress scheme
- Better and more regular communication between the Hackney Council and landlords
- Develop the Council's Private Sector Housing Service – 'a valuable source of information and guidance' – to be more accessible to the public, landlords and agents.

One suggested occasional inspections to check on the condition and safety of properties and another proposed a voluntary agreement between tenants and landlords which spelt out what is and is not acceptable.

One landlord who was renting out a single property commented:

'If you believe licensing is the way forward, perhaps it should be limited to those renting out multiple properties? When I'm renting out a property which used to be my home and very well could be my home again in the future, I have a keen interest in keeping the property in very good condition.'

Private renters

People who rented privately in Hackney provided a great deal of commentary on the condition of their accommodation. The most frequent complaint was about damp and mould and their inability to get repairs done. Many people referred to feeling intimidated by their landlords or agents and there was a fear of revenge evictions if they complained. Rents were generally considered to be unreasonably high. This response reflected many others:

'I have lived in my current property for over three years. We have had recurring issues with damp, rotten windows and have been broken into twice. Little has been done to rectify these issues despite asking for a resolution on a number of occasions. We have recently been informed that our rent will increase next month. We can see no justification for this as the property has deteriorated so badly since we moved in. We have looked for alternative properties but would have to move outside of the borough to find anything of a similar/better standard for the same (overpriced) rate.'

Most of the views about licensing returned to the issue of affordability (which licensing is not able to address directly). Several people said they thought rents should be capped and

others expressed fears that licensing would be a further upward pressure on rental charges:

'No doubt this would result in increased costs – which would be passed on to tenants.'

Supporters of wider licensing saw it as a way of getting help for tenants when landlords failed to meet their repair responsibilities. Comments included:

'It would stop ruthless landlords neglecting their properties and tenants. There would be an official way of checking and support in dealing with repairs.'

And:

'Accountability, to know there is someone making sure properties are maintained in a habitable way. Prices and demand are high, there need to be safeguards.'

A broader point was made by another respondent:

'At present landlords are not under sufficient scrutiny. This relates to the condition of properties, rent increases, charges for contract renewals, expediency and quality of repairs, etc. Tenants live in a precarious state (we have been on a rolling month-by-month contract for four years) with little security of tenancy. There is also a public health issue, eg, every rented property I have lived in has had dangerous mould that the landlord refuses to address and blames tenants for (this experience is not unique).'

A note of caution was struck by someone with knowledge of what had happened as a result of a licensing scheme in Glasgow:

'It sounds good in theory but could lead to increased rents and landlords doing things to circumvent the licence.'

Another person was also cautious:

'It sounds like a broadly good idea, but I would want to see evidence from other councils that this has actually improved conditions for tenants, rather than, for instance, landlords simply increasing rents to cover the cost of the scheme.'

Suggestions for improving management standards (question 18) again focussed on rents:

'There needs to be some kind of rent control, prices are insane!'

And:

'Housing needs to be of a better standard and a more reasonable price. Rental prices have become out of control in Hackney and are driving tenants away.'

Many respondents said tenants needed more information about their rights and more protection when things went wrong:

'There are few places to get information. As a tenant it feels like you have no rights or no way to enforce them, and the landlord can do what they like.'

A couple of people suggested ways of redressing a perceived imbalance in power between landlords/agents and tenants:

'Perhaps the scheme/borough/government could invest in a database which contains references from tenants on their landlords, in much the same way the opposite is implemented in any new tenancy. This way, potential tenants could refer to the previous references on a given property and decide to enter into the contract with full knowledge of who their future landlord will be.'

More directly, someone wanted to:

'Force landlords to live in the properties they rent out for a week and see how insane it drives them. Force estate agents to do the same.'

Lettings and estate agents aroused strong feelings in many renters:

'There is a desperate need for more legislation of estate agents. I have lived in Hackney for four years and in each time I move there are more new fees. With our current agent we had to pay agency fees when we moved in, again when we renewed the contract and we will have to pay again when we move out. It is absolutely ridiculous. All of the services that the agents provide are for the landlord. The contract protects the landlord primarily, and in fact restricts the rights of the tenant, and yet we are expected to pay for the privilege of simply signing a contract and moving in. They check our references for the landlord not for the tenant. Letting agents are allowed to create whatever fees they want and are never expected to provide a real service to tenants.'

Some respondents called on Hackney Council to provide more information to tenants or to be more proactive about improving standards:

'Recruit extra enforcement officers; prosecute rogue landlords to the full extent of the law. Offer grants to help remove health hazards.'

Other Hackney residents/business owners

In answer to question 5 (*Do you experience any of these problems from privately rented properties near you?*), several people complained about anti-social behaviour. For example:

'We had a drug dealer renting the flat upstairs for a couple of years leading to undesirable people visiting the property and (at) various times of the night. We have two private landlords in our block who have converted their flats into houses of multiple occupancy by building a wall across the living room. These are let out to students who dump rubbish everywhere and make a lot of noise.'

On the other hand:

'My area has changed a lot in the 11 years we have been here. It was much more transient and the properties available were cheaper and less well maintained. Now the properties are aiming at a much more expensive market, which makes it less communal at times (a shame) but certainly less noisy and untidy.'

There was a recurrent theme that PRS tenants did not generally engage in the life of local communities.

People who commented in response to the licensing question were primarily concerned with the conditions experienced by tenants. One person put it like this:

'In addition to licensing Hackney should ensure that all buildings/landlords receiving large sums from Housing Benefits are checked annually to ensure adequate living conditions. [Hackney should] launch campaign that allows tenants to report poor landlords to avoid 'revenge evictions'. Even small developers as landlords should be subject to checks and oversight and measures put in place to act upon complaints even if anonymous from tenants who are often scared of being made homeless.'

Another said:

'Private landlords can get away with disrepair and other responsibilities; there is a high turnover of tenants in this sector which is damaging to the creation of sustainable and cohesive communities. Private landlords should be subject to the same level of accountability as public landlords are.'

One person said succinctly:

'It is important to protect the right of tenants from unscrupulous landlords'

High rents and the impact on the community was mentioned by several people. One commented:

'The area has changed very dramatically in a very short space of time. A far wealthier demographic is prepared to pay high rents for low quality housing. Landlords are tempted to charge breathtakingly high rents which result in local people being squeezed out. Right to Buy is resulting in social housing being sold off at prices the local community cannot afford. I have three adult children who were all born in Hackney but struggle to afford to live here. The gap between the 'haves' and the 'have nots' is noticeable.'

Many of the suggestions for improving management standards called for more enforcement. They included:

- Register and monitor the condition of all privately rented property
- Make all private rental agreements subject to strict controls that ensure fairness to both parties

- Compulsory training for landlords
- Code of conduct for landlords
- Cap rents so that tenants can live in more reasonable and relaxed conditions and feel more inclined to care and invest in their secure rented properties
- Have a regulated and public complaints boards for bad landlords
- Review legislation and introduce more widely available longer term tenancy agreements
- Legislate for landlords to have a duty of care to maintain properties to an agreed standard.

5.2 Evidence from focus groups, interviews and other sources

5.2.1 Overview of the PRS in Hackney in 2015

Here we report on the evidence we collected from a range of sources about the nature of Hackney's PRS and specifically how it can be improved (separately from the survey). The case studies have been gathered from people who attended the focus groups and also from landlords, renters and others that approached us separately about their experiences of the PRS in the borough.

Elected representatives and officers

Elected officials outlined their views about the PRS in Hackney. Private renting had been in decline until recently and many people had aspired to become owner occupiers - and achieved it. In these circumstances private renting has not been the 'norm' and, as a result, many landlords and renters need advice and information about their rights and responsibilities. This creates problems for the Council trying to oversee a vibrant yet safe PRS in the borough.

We heard from elected representatives in particular about their concern that people's housing arrangements were having a significant impact on their well-being and were making their lives more precarious. The PRS was expensive for many households and security of tenure was limited. A third of all homeless households accepted by the Council had been evicted through no fault of their own from the PRS; they had been subject to Section 21 Notices.

There were concerns about the wider impact of the London housing crisis and the state of the wider London housing market on Hackney. It was felt that the situation potentially exacerbated social polarisation within the borough, with a range of national policy initiatives leading to a situation whereby poorer households were being forced to live in areas outside Hackney where housing was cheaper. The Council itself has to source family housing from the PRS in boroughs such as Enfield and Waltham Forest because landlords in Hackney will not take families on Housing Benefit who are seeking properties of two bedrooms or more.

The borough's elected representatives and officers told us that, in general, stock condition is not a significant and persistent problem in much of Hackney's PRS. Low quality private rented accommodation may be a significant issue in parts of the borough but the problem is not widespread. We were told that in some respects Hackney's PRS is now more like Camden's or Islington's than the private rented sectors in boroughs such as Newham to the east of Central London.

Case study: Landlord A

As a landlord you can scarcely get any support from the council, they support tenants not us. I have a property with seven flats, I've had a lot of problems with tenants and I think the council encourages bad behaviour by not communicating with landlords.

For example, I've had a tenant for five years. When he started a temporary job he told me that there might be some problems with paying his rent while his housing benefit got sorted out. He didn't pay any rent from March to December and I asked the council if he was being paid his benefit. The council won't give any information about tenants; they hide behind data protection all the time. I wrote to them telling them I was not getting any rent from the tenant and asking them to stop paying the housing benefit to him if that was happening. The council said they would investigate and asked me to supply all the information, which I did three times. I don't know if they kept losing it. Then I got a letter saying they would pay me the housing benefit money from now on. I had three letters from them saying they would do this but they never did.

I issued a Section 21 notice to the tenant and at the end of the period he went to court claiming that I was evicting him illegally because the council was paying me. The court kicked his case out. I had repeatedly asked the council for a breakdown of the payments they had made to this man before the court case and I got a reply from the council four months after the court case.

In another case I accepted a tenant on housing benefit at the beginning of September and the council was going to pay me the housing benefit direct. I got nothing and finally in January I got an interview with the council. They told me that the tenant was already claiming housing benefit for another property so they were not going to pay me. That meant I lost five months' rent; why didn't they tell me earlier? I don't mind taking some risks as a landlord but I don't want to accept tenants on housing benefit again because of the council.

Nonetheless, there are still significant problems in Hackney's private rented sector. These principally centre on the sector's high rents and the limited security of tenure. We were told that with rent levels rising, renters are fearful that they might be asked to leave their accommodation so that landlords can extract a higher rent from new tenants. Investors in the borough's PRS – often based overseas – were simply interested in securing the biggest possible yields from their investments. This often results in a high turnover of tenants so that the maximum rent can be secured every six months or so, at the end of the assured shorthold tenancy. The potential to levy higher rents from new tenants also means

that renters were fearful of retaliatory evictions. Elected officials were particularly concerned that this scenario meant that people were unable to put down roots in the borough and, for some, think about starting a family. The 'churn' in population in the PRS does not help develop 'community cohesion' within Hackney (in the widest sense).

Council representatives we spoke to were concerned that a lot of landlords that owned just one or two properties did not take a professional approach to renting out their accommodation. They were unaware of their legal responsibilities. Many of these had lived in the borough then secured work elsewhere and rather than sell up, they had decided to rent out their properties looking to secure a capital gain at some point in the future. Others may have obtained their properties through inheritance.

Case study: Landlord B

I've managed a flat since 2008, now the owner is in her 80s and she wants to sell up. There has been a tenant in the flat for 20 years, she has been a good tenant and hasn't caused any problems until now. In April last year I gave her notice, said the lease would not be renewed and asked her to leave within six months. She went to the council and was advised to stay put. I then issued a Section 21 notice which was due to expire shortly before Christmas. She is a single mother so I didn't want to be unreasonable but now she has had four months' notice and still refuses to go. She has been on the council's housing list for 14 years and says she wants a council house but won't get one unless I evict her. I want to know why the council supports that kind of behaviour.

Case study: Landlord C

I'm a leaseholder in a former council property. My tenant and her daughter have been there for five years. She was nominated by the council and she's on housing benefit. It's a two-bedroom flat and the rent is £1,330 a month.

At first she was on full benefit, so rent was not a problem. Then she got a job and her benefit was reduced by £600 and she had to make up the balance. In the past year and a quarter it has been incredibly challenging for me to get the money. I have been to the council and they say there is not much they can do, although when she wasn't even passing on the benefit she was getting, I made a formal application to the council to pay me the benefit direct, which they did.

I applied for possession of my flat in August, got possession in January and I then got a bailiff order for the end of April. I'm having to evict her for non-payment of rent but because that is very difficult, I had to serve a Section 21 notice to try to speed things up. Even so it has dragged on since last year. I'm told the only way to get my money back from her is to go the small claims court and I've had to put a payment holiday on the mortgage on my home. I think it is unfair, the law is in favour of tenants and I have no recourse.

I still have to pay the service charge to the council, even though I'm not getting the rent. If she was refusing to pay rent to the council, the council would take her to court to evict her and wouldn't rehouse her but now they are going to rehouse her because they say they have a duty to her daughter. In my view she has made herself intentionally homeless.

The council wants me to take another tenant on benefit but I don't want a repetition of what I have experienced. The council don't help you. It's horrible for my finances and very stressful. I'd rather sign an agreement with the council so they are responsible for paying the rent. I'd consider that option and I am talking to them about it.

Renters

Working with the Council, we asked Generation Rent, DIGS and the London Coalition Against Poverty to use their networks to invite renters to a focus group. Two groups were held.

At the focus groups we heard about a very precarious existence for some people living at the lower-cost end of the PRS in Hackney. Some properties in this segment of the market are of a very poor quality. One renter told us that he had viewed a property where the bedroom had no windows and at another the entrance to the basement flat was barely high enough for an adult to enter. Here we also learnt of cases where landlords had subdivided properties so that the maximum rent could be levied from multiple self-contained units with rents linked to Local Housing Allowance (LHA) rates. Even so, landlords would often attempt to push up rents beyond the LHA level forcing renters to 'top up' their rents with income from other sources (often other benefit payments). Typically flats let to single, homeless people are of poor quality, small and rented out at LHA rates of £240 per week.

Case study: Renter A

The rent on our flat was £1,300 a month. Five days before the end of our fixed term tenancy we bumped into the landlord on the stairs and he told us he was going to put our rent up to £1,700 in a month's time. When we said that was too much, he finally agreed on £1,550.

Then he came round and wanted us to sign up for a new fixed term tenancy immediately, saying we had to be covered by a contract. I told him that it wasn't that urgent as the contract would roll on if we did nothing. He said he didn't know that and it's unclear to me if he genuinely doesn't know about his obligations under the law. He doesn't do repairs except emergency repairs; he is not interested in anything else. It takes weeks, if not months, of chasing to get repairs done.

If you disrupt the landlord in any way, there is always someone else who will take the property.

One of our focus group participants told us they rented a shared room in an HMO for £600 a month and another shared a one-bedroom flat with her three children for £1,300 a month; both rents were above the LHA rate and both tenants complained of their landlord's failure to do repairs. In one case the Council was involved as there was extensive damp and a dangerous disrepair issue with an entire window falling out; when pressed to take action the landlord had done no more than prop the window back in place.

In this part of the PRS, rents are paid through the benefit system direct to the landlord and Social Fund loans are no longer available to provide clients with some basic provisions. Furthermore, renters in this part of the market often want furnished accommodation but many flats are only let unfurnished. Advice agencies representing vulnerable young people in Hackney in particular thought that kitchen 'white goods' should be provided as a minimum in accommodation that was privately let. We were told of individuals who had been in temporary hostel accommodation for three years and two years respectively, waiting for somewhere more permanent to become available.

In this part of the market tenants are particularly fearful of retaliatory evictions. We were told by some renters that they would not take their cases to the local authority because eviction was a very real possibility. One renter at the focus group had indeed complained to the local authority about the condition of his flat and was now fighting to retain his tenancy because the landlord was seeking to evict him. The renters at the focus group said they often felt intimidated by the landlords they rented from. One middle-aged person related how they had complained to the Council about disrepair in their HMO and the landlord had come in the night and removed the door from their room. The renter rang the Council and went to their MP but the situation was not resolved and they moved out. They commented that that situation was typical; as soon as a landlord knew someone had been to the Council they got rid of the tenant.

The view was that landlords had all the power and the renters had very little. Renters also complained about not necessarily being able to identify their landlord. Often agents were involved in the lettings and management process and it was not clear if the agent or landlord had the responsibility for making decisions regarding the tenancy. Where disrepair existed, renters complained that problems could take up to twelve months to fix. Sometimes this could affect the health of renters, particularly where properties suffered from damp and condensation.

Some client groups face particular problems accessing decent PRS housing in Hackney (and elsewhere in London). We were told there is a lack of HMOs for the under-35s because under HB rules this age group can only claim a room rate of £90-£120 per week in Hackney³. Hostels cost £97 per week. Locally, the only option for most of this group is the YMCA hostel; cluster flats and suitable HMOs for these clients are 'very rare'. Indeed, Council officers told us that the availability of HMOs had declined as landlords sought to avoid mandatory licensing. Many HMOs have been converted into self-contained studio units while others have become single family dwellings. That has created a problem for the people at the bottom end of the market who would have rented a room in an HMO but who cannot afford self-contained accommodation.

³ The Shared Accommodation Rate for Inner East London BRMA, covering 92% of Hackney borough, was £98 pw in 2014/15 and is £102 pw in 2015/16.

Case study: Renter B

I moved into a two-bedroom flat over a shop with two friends in 2010. We were told there was no deposit; we just had to pay one month's rent in advance and when we left we wouldn't pay the last month's rent. We dealt with a lettings agent and had a contract with him. For nearly three years it was generally okay except we were told the landlady lived in Cyprus and everything had to be signed off by her so repairs took a very long time and the agent would go for the cheapest option.

After about three years a lot of things began going wrong with the flat and we tried to get them fixed. About the same time we began getting unannounced visits from an elderly man, accompanied by a large man in a suit who told us the old man was the landlord and he was the translator. They wanted to come in and take photos of the flat and we kept telling them to go to the lettings agent.

The agent eventually came with the handyman to assess the repairs. He told us that our rent went direct to the landlord so the agent had very little control. One night at 10pm the elderly man turned up without warning and had another man with him to interpret. They were very rude to my female flat-mate, very sexist. They refused to accept that some things needed to be repaired and tried to say we were responsible for other things.

Over the next six weeks the man kept turning up unannounced. One day he came with a builder and an interpreter and walked into the bedroom of my housemate while she was getting dressed. When she protested he told her to shut up and know her place. We said that in future we would only deal with the letting agent and two days later we got a notice of eviction. The notice said the landlord wanted to renovate the property and couldn't do it while tenants were in it. The agent told us the landlord had no money for the repairs and had not paid the agent's fees for nine months. We moved out (to another borough) but this was all very unpleasant and stressful.

Advice agencies

Advice agencies told us that they preferred to deal with social housing providers rather than private landlords. Phone calls to the local housing authority, Hackney Homes (the ALMO) or a housing association would usually get a problem resolved and Environmental Health could be involved if necessary. Dealing with private landlords was more problematic. Taking a landlord to Court for letting a sub-standard property was an option but there were costs involved which might not be covered by Legal Aid. And there was always a possibility that a Section 21 Notice would be served which would mean the client could lose their accommodation.

There is another side to this, though. Landlords we spoke to claimed some of their tenants were eager to be served Section 21 Notices because they believed they could secure Council accommodation through this route. Families with children in particular thought that eviction from a privately rented flat would help secure access to accommodation provided by a social housing provider.

Securing deposits for PRS accommodation was another difficulty faced by people in housing need who were trying to rent in the private sector. We heard of cases where a £2,000 deposit was needed which advice agency clients struggled to find. The local authority would sometimes help provide deposits for this group but they could take a long time to sort out and might be insufficient. The *Crisis*-backed support scheme in Hackney's PRS was now addressing some of these issues.

Some of the advice agencies involved in the study worked with client groups that had very challenging conditions. For vulnerable young people, some with mental health problems, the PRS rarely offers an appropriate housing solution. PRS landlords can let on the private market without needing to accommodate young people on benefit and are often unwilling to rent to this group. We heard that 'moving on' from supported accommodation was often difficult because there was no provision, in either the social or private rented sectors. Some clients lived in flat shares or in lodgings where their security of tenure was minimal and they could literally face eviction overnight.

Another group struggling to cope in the Hackney housing market was recent migrants. We were told about Eastern European migrants who no longer were eligible for some State benefits and this had increased homelessness amongst this group. Some of these migrants had been working illegally and did not have proof that they had been employed for the preceding period. Access to JSA and HB for this group was impossible under the rules introduced in Spring 2014.

Landlords and agents

Several people made the point that there had been changes in the nature of the PRS in Hackney in recent years and one landlord representative was firmly of the view that the Council didn't fully understand the sector. In his opinion, the Council was making the mistake of assuming that the private rented sector was failing. That and the failure to realise that the sector was not homogenous but made up of many separate businesses frustrated many landlords and made them less willing to engage.

Some of the landlords noted the growth of the buy-to-let sector; flats in many new residential blocks in the borough had been purchased by this new breed of landlord. One long-established landlord welcomed these new arrivals in the PRS, saying that greater competition helped to drive up standards.

There were grumbles about a perception that the Council sided with tenants. We were told that tenants would complain to the Council, saying for example, that their heating did not work. The tenant would fail to pay the rent and the Council would tell them to stay in the property. There were also complaints about the difficulty landlords had in contacting the Council, especially over problems with benefit payments.

Landlords were concerned that a small number of rogue landlords and people who lacked knowledge about their responsibilities gave the sector a bad name and felt that more enforcement action should be taken by councils in general (not necessarily Hackney). Landlords were as keen as tenants to bring rogue landlords to book. We were told that across the country only 500 cases were brought against 'rogue' landlords by local

authorities in 2012. By contrast 150,000 prosecutions were brought against people without TV licences.

The point was made that small-scale landlords tended to use agents and as they could be identified they could also be targeted with training and information. As one landlord put it, 'agents have a major part to play in encouraging compliance'.

Case study: Homeowner

I live in my own home and close to me is a house split into around nine bedsits/small studio flats. Is this legal? Because there are so many people living in the house the owner has installed a very noisy water pump in the house. I can hear it operating especially in the early morning and late at night even though I'm two houses away. My neighbours in the house between mine and this property are also disturbed by it. They have told the landlord (very politely) what is happening and suggested what he needs to do to remedy this. He responds with what I can only describe as affronted bluster and claims none of his tenants hear the pump. They do, we have asked them.

In 2006, the Council gave planning permission for a workshop to be built in the garden of this house and there is now a small building there that looks like an outhouse. It has never been used as a workshop and there have been people living in it since it was built. When I raised this with the planning department, it was investigated but as the structure had been built for over four years and – there had been no complaints – they allowed the landlord to change its use.

This has been going on for years and there seems to be little my neighbours and I can do about it. The landlord seems to know the laws inside out and has strategies to get round them. I've been to the council but nothing seems to happen and I am at a loss to know how to remedy this situation.

5.2.2 Hackney Council's services for the PRS

In interviews and focus groups we asked for views on the services delivered by Hackney Council to PRS landlords and tenants in the borough. Council representatives acknowledged that the enforcement service was largely reactive in nature, partly because services of this kind are geared up to respond to issues as they are raised by PRS tenants. The Council is considering ways of providing more proactive delivery of housing enforcement services as part of its current work to develop an enhanced PRS 'offer'.

Some renters we spoke to described the enforcement services as 'slow' and 'bureaucratic'. They also argued that only a proportion of cases would be reported to the local authority because many PRS tenants feared retaliatory evictions.

On a specific point, one landlord at our focus group lamented the performance of the Council's pest control service; the borough was overrun by rats, he claimed, and he felt the Council did precious little to deal with the problem.

Council officials told us that relatively few harassment cases in the PRS are brought to their attention and there are not many illegal evictions either – about five to ten cases a year. Officers are aware that a perceived threat of retaliatory eviction could dissuade some tenants from reporting problems to the Council. Cases of disrepair usually involve condensation or damp. Overall, most landlords appear to deliver a reasonable service although there are some 'rogue' landlords.

Views on the Council's Housing Options service were mixed. Some advice agencies were full of praise for officers working in very difficult circumstances. Others were less positive with some claiming that the level of service offered depended on the person who dealt with the case in question. Knowledge and practice was also variable. Sometimes clients might be offered rent deposits and then others would not. Advice agencies called for a more consistent approach by officers.

The Council's approach to regulating lettings agents had come to the fore in the recent past with the introduction of the government's redress scheme. This was timely as the Council had received a spate of complaints about 'rogue' letting agents who had taken deposits then disappeared. Those were mostly criminal cases and the police would be involved. A fixed penalty regime was being introduced for lettings agents that did not comply with the law and the Council was hopeful that the redress scheme might reduce complaints. Visits to agents began in February and 80 are planned, although this will put a strain on resources. Officers are hoping that by writing first to encourage registration, agents will comply and the number of visits required will be reduced.

Elected officials from the Council were satisfied with the performance of Hackney's Housing Benefit service and said it was much better than it had been. Some of the tenants we spoke to were unhappy about the lack of communication between the HB service and the Housing Needs team which in some cases had meant delays in securing HB payments. Landlords were also dissatisfied with the operation of some parts of the HB service. There were claims that the HB service was understaffed and that it could take up to six weeks to process applications for benefit.

One group of landlords was particularly exercised by the Council's limited supervision of its nominees to the PRS. These landlords liked working with the Council to house nominees because the rent was guaranteed at the LHA rate and lettings agents were not involved. We heard about cases where there had been a change of tenant and rental payments then became less predictable; identifying an officer to help resolve these cases had proved problematic. Landlords wanted Hackney to deal promptly with issues regarding their nominees, pointing out that landlords have mortgages to pay and cannot make excuses to their lenders about why they cannot make their repayments. The Council needed to act more quickly to ensure rents are paid for nominees to the PRS. When letting to Hackney nominees, no deposit is required and no rent is paid in advance so when payment is not forthcoming, the landlord can be in a difficult position. If a landlord let their property in the market place they would have more security from rent in advance and a deposit.

Landlords appreciated the grant funding available from the Council. These could be used for disabled adaptations, energy efficiency measures and to bring empty properties back into use.

There was praise too from landlords for Hackney Council's website which was described as 'one of the better ones'. The Landlords' Forum was also seen as forward looking and a good way to hear about developments in the sector including any changes in the legal framework for the PRS.

5.2.3 Accreditation

Although there was general support for accreditation in principle, in practice many of the people who contributed to the study were sceptical about its role in promoting better conditions in Hackney's PRS. Hackney is signed up to the London Landlord Accreditation Scheme which is managed by Camden Council. The local authority has 560 accredited landlords but one councillor we spoke to estimated that this number represented just 3% of all landlords in the borough. Accreditation simply did not have the reach that was needed to really have an impact on the PRS in the borough and we heard that 'rogue' landlords and amateur landlords were just not interested in becoming accredited.

Advice agencies told us that they used to require landlords to be accredited when clients were referred to them but now they were so desperate for accommodation that accreditation was no longer a condition. In any case, they believed that accreditation did not necessarily guarantee a high quality of service.

In the main, renters did not understand the accreditation system in the PRS and in any case people were so desperate to secure accommodation in the borough that enquiring about a landlord's accreditation would not have been foremost on their minds as they viewed properties. In a sellers' market, landlords held all the cards.

Officers were supportive of accreditation but believed that without compulsion it just would not work. Achieving the sea change needed in the management of Hackney's PRS would just not happen without something akin to licensing – a compulsory system which registers all properties and their landlords.

Landlord representatives, in particular, were keen to extol the virtues of accreditation as a way of guiding landlords and tenants alike to a better understanding of their rights and responsibilities. Ideally, the accreditation agency should have some enforcement arm in what could become a self-regulatory framework. Incentives would certainly help boost membership of accreditation schemes. Local authorities could reduce some of their charges, say, on pest control, parking, bulk refuse collection and similar services, to encourage landlords to sign up to accreditation schemes.

One landlord was very positive about a recent course he had attended that was run by Hackney's accreditation scheme. He also commented that the disc provided by the agency for members of the scheme provided 'gold plated' guidance and advice. Another landlord believed that having accreditation made it easier for him to secure local authority nominees for his properties.

There was a counter view from one landlord who thought that accreditation might be useful for the accidental/amateur landlord. However, for the law-abiding landlord who was familiar with the legislation and rules regarding private letting, accreditation was meaningless. This

person said that the National Landlord Association offered all the advice that was needed.

5.2.4 Anti-social behaviour and the PRS in Hackney

Advice agencies knew that, at the time we were gathering evidence, in order to introduce selective licensing Hackney Council has to provide robust evidence of a link between ASB and the management of the PRS. However we were told that the level of ASB in the borough was not exceptional; 'nothing out of the ordinary' was the expression used. In any case, the clients they dealt with were less interested in ASB issues than with other concerns.

Elected representatives in particular considered that the Council was very successful at dealing with ASB. For that reason it did not feature as a major concern for residents whether they were PRS tenants, social housing tenants or owner occupiers.

We were told that noise nuisance was generally well managed, and fly tipping was also dealt with effectively. House parties in parts of the PRS generated noise complaints but these were dealt with on a case by case basis and perpetrators of this type of nuisance might move on from their accommodation quite frequently. Action might be taken against offenders but the renters might move on and the cycle would start all over again.

House parties in flats in Council-owned leasehold blocks generated the most complaints according to the councillors we interviewed. Some long-standing council tenants seemed to complain the most about the disturbance from parties on estates. Perhaps it is unsurprising that councillors get involved in complaints of this kind given Hackney's responsibility over the estates that the borough owns and manages.

Landlords and their representatives believed there was no link between the private rented sector and anti-social behaviour. Even if there were, they thought that landlords should not be expected to deal with the problem but it was a matter for the local authority or the police. One landlord we spoke to contended that persistent ASB was not a problem in Hackney because if it were the market for the PRS would not be so buoyant.

None the less, 41% of 'other' respondents to the online survey said that rubbish or litter outside properties was a problem and more than one in three (36%) renters who shared a property said that other tenants caused a nuisance. It should be recognised that this study was not designed to provide detailed, statistically valid data on any link between the PRS and anti-social behaviour so no conclusion may be drawn from this apparently conflicting evidence. Further work would be needed to determine any link between the PRS and anti-social behaviour.

Note: the General Approval effective from 1 April 2015 extends the criteria beyond ASB and low demand.)

5.2.5 Licensing the PRS in Hackney

The Hackney Labour Mayoral and local election manifesto for the 2014 local elections committed the new Council to examine the potential for discretionary licensing of the PRS

in the borough and this study has explored the views of different interest groups.

Elected representatives that we spoke to were uniformly supportive of *selective* licensing of the PRS. They also wanted to see the scheme applied across the whole borough. It would be arbitrary, they argued, for licensing to apply in some parts of the borough but not in others. Landlords and renters, in particular, would find it confusing. A borough-wide scheme would also be more financially viable as the fees raised would be higher than if a scheme was confined to just one or two small areas. Licensing was seen as part of the armoury that the Council could use to tackle poor housing conditions and bad management practices in Hackney's PRS. Housing was a top concern for people in Hackney – in terms of its affordability, security and condition as well.

Licensing would give the Council a better handle on landlords with rented property in the borough. The addresses of licence holders would be collected under the scheme and licensing would help with enforcement and tracking issues that arise in the PRS locally. A scheme could also target licensed landlords with advice and training offers and remind landlords of their responsibilities. Certainly the Council is keen to have more oversight of PRS properties on local authority estates; there are up to 4,000 leaseholders who own flats on Hackney's Council estates and it is estimated that up to half of these are absentee landlords.

Council officers were interested in what conditions could be applied to licensed properties. They thought that ideally, landlords should ensure that their properties meet the Decent Homes standard that applies in the social housing sector and the Council should also explore the possibility of stipulating longer tenancies for renters. They emphasised that effective enforcement is critical to the success of any licensing scheme in Hackney and there was some concern that landlords securing licences might achieve a level of immunity if there was no inspection at all to confirm licence conditions were being upheld. References were made to what was described to us as Newham's overly robust approach to enforcement which could target vulnerable tenants as well as 'rogue' landlords; although it was also acknowledged that Newham's approach had improved landlord behaviour.

Amongst our respondents there was a concern that rigid enforcement of PRS licensing conditions could increase levels of homelessness though the eviction of renters from unlicensed properties.

Advice agencies were generally supportive of PRS licensing in Hackney and borough-wide licensing was preferred, primarily because fees from large numbers of landlords would finance a reasonable level of management. They emphasised though that resources should be made available to ensure compliance.

The agencies liked Newham's licensing scheme as it gave renters the opportunity to report poor landlords to the local authority and, as every property needed a licence, Newham could follow up cases whether landlords were licensed or not. Renters were less likely to suffer harassment as a consequence because landlords would not want their licences revoked or to face a fine. Rent Repayment Orders had also been used in Newham where landlords had failed to licence their properties with the Council. The advice agencies argued that licensing would give more protection to tenants and force landlords to take a

more professional approach to their business. Landlords would come under greater scrutiny which they considered was no bad thing.

The renters' focus group supported the introduction of PRS licensing in Hackney. We were told that the conditions under which properties are let under a licensing scheme were important and that landlords must be expected to deliver a decent service and to maintain their properties in good condition. Ultimately, though, enforcement is critical; licensing should not just become an income generator for the local authority but the licence fee should be used to help administer and also enforce conditions in the PRS. There was an interesting aside about the operation of the Newham scheme. One of the renters told us: 'we do not want to see the sort of system they have in Newham where licensing has resulted in the arrest of illegal migrants'.

A common complaint from landlords and their representatives was that licensing was simply a money-making exercise for Councils especially if it were borough-wide. Targeted licensing on a few streets with identified problems might be justified. Licensing does not in any case give local authorities any more powers to deal with 'rogue' landlords or tackle poor housing conditions. The links between ASB and the management of the PRS were also judged to be spurious. One landlord representative told us: 'ASB is not caused by the property but by the tenant. The landlord can't take out a private prosecution of the tenant for ASB because they can't gain access to gather the evidence'.

Landlords argued that licensing would not root out the 'rogue' landlords in Hackney. 'They will always remain under the radar and beyond the law,' one claimed. Licensing is not necessarily about enforcement, nor about improving standards.

Although there was a general view that any licence fee would be passed on to tenants in their rents, one landlord told us that he would not be able to pass on his higher costs as his tenants were already struggling to pay their rents.

One landlord representative suggested that Hackney should set up a voluntary scheme in a small area where support is offered to landlords to improve their properties and deliver better services. If it can be shown that some landlords had not co-operated with such an initiative then a licensing scheme might be necessary. This might have reduced/nil fees for those landlords that had co-operated with the initial programme of improvements.

We heard too from some landlords that where licensing had been introduced relations between Councils and private landlords had not necessarily improved and in some cases they had worsened.

The discussions we had with various interest groups centred on licensing as a whole. There was no distinction, in the main, between selective or additional licensing. Certainly the advice agencies and renters were concerned that all properties should be licensed, including smaller HMOs because this was where a lot of poor practices had been identified. However we heard a counter view that additional licensing might not fit with Hackney's housing stock because most properties were three stories or more. Most HMOs would be covered by the existing mandatory scheme. Furthermore, gentrification had seen a number of HMOs converted into family homes and taken out of the PRS altogether.

5.2.6 Council support for the PRS in Hackney

During our work we invited ideas on how Hackney could support the PRS in the borough and a number of suggestions were made. Many of the ideas and observations from both tenants and landlords reflected initiatives we were aware that the Council is currently exploring.

One suggestion was that the PRS should be at the heart of the Council's housing strategy, given its importance to the borough.

Many ideas addressed training and information issues, including:

- Have an active training programme for both landlords and tenants:
 - Target training for landlords on health and safety issues, disrepair, tenancy law, energy efficiency, etc
 - Target tenant training on when repairs should be reported; when to open windows to get rid of moisture from cooking/showers; how to keep energy bills down; handling instruments for boilers
 - Provide incentives to encourage attendance at these events (including free distribution of guidance to both landlords and renters).
- Enhance the Council website to provide more online guidance and support for landlords and renters active in the local PRS
- Develop induction packs for renters when they first move into a property advising them of their rights and responsibilities when renting a property
- Consider:
 - Engagement specifically with young people, who are most likely to live in the PRS, to give advice on tenants' rights, benefits, etc
 - Promote the Social Lettings Agency's role and function
 - An annual event to promote the PRS in the borough
 - Produce relevant briefings for both renters and landlords in Hackney's PRS.

Some initiatives would require additional resources. These included:

- Employ/fund staff to help vulnerable groups maintain their tenancies; the staff could act as a link between the renter and his/her landlord in the event of disputes, etc
- Provide more resources for rent deposit schemes and rent guarantee schemes to help renters access the PRS
- Better fund the PRS enforcement function
- Better fund the Housing Options team.

Other people wanted a single point of contact to resolve problems. A suggestion was made that there should be one point of contact for landlords who need to liaise with Council Departments about issues such as HB or pest control. There could even be a dedicated phone line for landlords seeking to secure advice from the local authority on PRS issues.

A number of suggestions were aimed at giving the Council more control over landlords and/or lettings agencies:

- Check the support landlords are providing where they are securing enhanced rates for 'supporting people' type services
- Produce a list of landlords that would be published giving the names of property owners and how to contact them
- Ensure accreditation is mandatory when lets are made to local authority nominees
- Ensure local lettings agencies:
 - Behave responsibly and work within the law
 - Check agents are signed up to the statutory redress scheme
 - Publish details about their fees/charging framework.
- Develop its Social Lettings Agency to offer
 - A service to find 'good'/approved tenants for landlords
 - A 'Gold Standard' accreditation for landlords delivering service to a certain (high) standard.

Service-related ideas included:

- Act to control the boom in conversions of properties into smaller and smaller units (by landlords maximising their income under HB rules)
- Look at revising how rent is paid direct to landlords – HB pays out every four weeks while landlords face monthly bills
- Not wait until an applicant is physically homeless (following a Section 21 Notice) before offering housing/housing advice
- Offer an enhanced, more responsive pest control service.

6 Conclusions and recommendations

This stakeholder engagement and listening exercise has built on Hackney Council's knowledge and understanding of the private rented sector in the borough but has also had the effect of raising awareness of the Council's services and commitment to improving conditions for renters and landlords alike. Many of the people we spoke to in the course of

the project said how much they appreciated being given the opportunity to talk about their experiences and express an opinion. The online survey is likely to have brought some people to the private sector housing area of the Council's website for the first time, while the focus groups provided an opportunity to give out information on Council services to the PRS and, latterly, the '10 steps to better private renting' leaflets.

We were asked to look particularly at two issues, the potential for additional and/or selective licensing and the development of a wider, refreshed offer for Hackney's PRS.

6.1 Additional licensing

Additional licensing schemes for smaller HMOs may be introduced (after consultation) if there are concerns about the management and/or property conditions of such properties. Although most buildings in Hackney are three storeys and above, there is still a significant proportion of two storey terraced houses. Local authorities do not have to prove ASB or low demand when introducing additional licensing and to protect renters living in these properties, additional licensing would help Hackney enforce licence conditions the Council could set for such properties.

A local authority can also use planning legislation to better regulate the PRS in its area; under Article 4 Directions, a local authority can require planning consent to convert single family dwellings into HMOs. It is apparent that some single family dwellings in Hackney have been converted into small units where there is significant noise nuisance because there is little or no sound insulation. Living conditions can also be seriously impaired given the restricted size of converted properties. Evidence from our study suggests the conversion of dwellings into ever smaller units has detrimentally affected the living conditions of some people living in such properties but a stakeholder engagement exercise is not designed to produce a statistically valid evidence base.

We recommend that the Council considers whether there is sufficient evidence to support the introduction of an additional licensing scheme for smaller HMOs and the use of Article 4 Directions. Both measures would require a specific, robust quantitative evidence base before a recommendation could be made by Council officers to introduce a scheme.

6.2 Selective licensing

Our study revealed considerable support for the idea of selective licensing amongst elected officials, advice agencies and renters themselves. Although we heard about the poor condition of some PRS stock, the unresponsive and sometimes criminal behaviour of PRS landlords and the impact of inwards migration on Hackney's PRS, we did not find sufficient evidence in the course of our study that would suggest the Council should pursue selective licensing under the current legislative framework.

We designed our study and gathered the evidence in the context of the requirements of the Housing Act 2004; specifically, we looked for evidence of links between 'significant' and 'persistent' anti-social behaviour and the poor management of the borough's PRS. Low demand is not a feature of Hackney's housing market so that criterion for introducing selective licensing does not apply. Overall we found some evidence of anti-social

behaviour in the PRS which the Council might wish to explore further.

The General Consent, which came into effect on 1 April 2015 and introduced new rules for selective licensing schemes, was introduced too late for us to explore the implications for Hackney Council in this study. The country is currently preparing for a general election on 7 May and considerable attention is being paid to the private rented sector. It is, therefore, possible that the incoming government will change or develop policy on licensing or other measures designed to give local authorities more control over their PRS. Compulsory registration of landlords might be introduced, for example, and the licensing of the PRS by local authorities could become less onerous and subject to fewer conditions.

We recommend that the Council waits until the outcome of the general election is known and then revisits the need for selective licensing in the borough. Should the Council consider that a scheme would be a useful tool to improve conditions in Hackney's PRS, then it may need to establish a substantial, quantitative evidence base in accordance with the applicable criteria.

6.3 *Developing Hackney Council's PRS offer*

The over-riding issues in Hackney are not anti-social behaviour, or even disrepair, but the shortage of properties to house all the people who want to live in the borough and the insecurity felt by renters.

High demand means high property prices, high rents and a high degree of tolerance of poor conditions; people desperate for somewhere to live will take whatever they can. At the same time, the prospect of financial returns far better than any other form of investment attracts small-scale amateur or accidental landlords who might have little understanding of their responsibilities and little or no property management experience. For these reasons, voluntary accreditation schemes, although valued by some, are highly unlikely to embrace sufficient landlords to have a significant impact on standards.

The government has recently (March 2015) legislated to tackle revenge evictions but this will need enforcement and there is little to stop landlords refusing to renew a lease, either to remove a troublesome tenant or in order to start a new tenancy at a higher rent.

We recognise and commend the Council's focus on strengthening the private rented sector in Hackney and its aim of supporting landlords, agents and renters to achieve consistently good standards of accommodation and management. As a result of our study, and in addition to the conclusions above relating to additional and selective licensing schemes, we make the following **recommendations** to the Council for developing its services and support to the private rented sector in the borough:

- 1 Progress the Social Lettings Agency as quickly as possible. By giving landlords some assurance, it is likely to bring more properties into the reach of people on low incomes and the scheme will give the Council some control over property and management standards in the sector.
- 2 Experiment with offering training, advice and guidance to landlords and tenants; just

as some landlords are inexperienced, so too are many tenants. Our study indicated that landlords might need training on topics such as landlord and tenant law and health and safety. Tenants could benefit from a greater understanding of topics such as landlord and tenant law, energy saving and condensation prevention.

- 3 Continue to lobby the government for legislation on longer-term tenancies and encourage Hackney landlords to offer more secure terms.
- 4 Review the PRS information provided by the Council and work with agencies (e.g. Generation Rent, DIGS, LCAP, CAB, Shelter) to put together an induction pack for new tenants. Make the pack available online as well as through lettings agents, SLA landlords and advice and support agencies.
- 5 Provide a single, named point of contact and perhaps a dedicated phone line, for landlords to seek advice from the Housing Service.
- 6 Review the procedure for providing money in the rent deposit scheme and find ways to release the money more quickly to people needing to secure a home
- 7 Increase the level of funding allocated to enforcement work, particularly with respect to the level of the staff resource undertaking enforcement work with landlords and supporting tenants.

6.4 Acknowledgements

Finally, the HQN team would like to thank the Steering Group for their guidance and particularly Chris Smith for his practical assistance. We are appreciative of the time given to us by Meg Hillier, MP for Hackney South and Shoreditch, Councillor Philip Glanville, Cabinet Member for Hackney Housing, Councillor Clayeon McKenzie, Chair of the Living in Hackney Scrutiny Commission Council, Officers, landlords and their representatives, advice and support agencies and renters. We also thank all the people who completed the survey and those who agreed to give us their stories for the case studies in this report.

Appendix A: Steering Group Membership

During the course of the study the HQN team liaised extensively with Chris Smith, Senior Strategy Officer, Housing and Enabling who set up the focus groups and interviews with interested parties. He also assisted us by coordinating the work of Council officers involved in promoting the study, designing the online survey, etc. Chris was a member of the Council's Steering Group that oversaw the management of the project. Other members of the Steering Group included:

- Nigel Minto, Head of Housing Policy and Strategy
- Mitzie Myrie, Operations Manager, Benefits and Housing Needs
- James Willsher, Regeneration Communications Manager
- Eduardo Araujo, Communications & Consultation, Housing and Regeneration
- Barbara Spencer-Devonish, Team Manager, Private Sector Housing
- Mark Billings, Head of Housing Needs
- Kevin Thompson, Head of Private Sector Housing.

Appendix B: Questionnaires

PRS tenants

Improving the private rented sector in Hackney [questionnaire for PRS tenants]

The Council is currently reviewing the services we offer to tenants and landlords in the private rented sector. As part of our review, we are considering whether a discretionary licensing scheme might improve standards in the private rented sector in Hackney. We therefore want to hear your views about the Borough's private rented sector and how it might be improved.

Initially we are looking to gather information about the private rented sector in Hackney. Our survey is seeking views about how private rented properties are managed in the Borough. This follows the Living in Hackney Scrutiny Commission investigation which reviewed the management of privately let accommodation in 2013/14.

HQN has been appointed as an independent consultancy to carry out stakeholder engagement, looking at how the increase of private rented properties is affecting the wider local community. We are seeking the views of private tenants, local landlords, residents and local businesses on how best to support and improve management of privately rented properties in the Borough.

All information you give us is confidential and will only be used under the strict controls of the Data Protection Act 1998.

This is an information gathering exercise that may lead to the development of a strategy for the future of Hackney's private rented sector. Any future proposals to introduce a discretionary licensing scheme, if this is supported by the evidence, will be subject to formal consultation carried out by the Council.

Section A: About you

1. How long have you lived in your current home?

- a. Less than 6 months
- b. 6 months to less than 1 year
- c. 1 year to less than 2 years
- d. 2 years to less than 5 years
- e. more than 5 years

2. What is your full post code? (We do not want your full address but it would be helpful to know which part of the borough you live in)

Section B: About your accommodation

4. What type of property do you live in?

(Tick all that apply)

- a. House or bungalow
- b. Flat, maisonette or apartment
- c. Purpose built block of flats or tenement
- d. In part of a converted or shared house (including bedsit)
- e. In a commercial building (e.g. over a shop, in a hotel or office block)
- f. Other (please specify)

5. Is your household's accommodation self-contained? (This means that all the rooms, including the kitchen, bathroom and toilet, are behind a door that only your household can use.)

- a. Yes, all the rooms are behind a door that only my household can use
- b. No, we share a room or rooms with other households
- c. Don't know

6. How would you rate the quality/condition of the property?

- a. Excellent (nothing needs doing)
- b. Good (only minor problems)
- c. Fair (some problems, but not too many)
- d. Poor (quite a lot of problems)
- e. Very poor (a lot of major problems)
- f. Don't know/would rather not say

Section C: About your experience

7. Do you experience any issues with your current accommodation?

No [go to Q8]

Yes [go to 7.1]

To what extent do you agree or disagree with the following statements

7.1 Property is in a poor state of repair

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

7.2 Repairs are not done when needed

- a. Strongly agree
- b. Agree

- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

7.3 My landlord or agent enters my home with no notice

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

7.4 My landlord or agent uses threatening behaviour/language

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

7.5 Too many people have to share basic facilities (such as bathroom/toilet/kitchen)

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

7.6 The home is not big enough

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

7.7 The other tenants in the property cause a nuisance (e.g. excessive noise)

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree
- f. No other tenants in the property

7.8 The other tenants in the property use threatening behaviour/language

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree

- d. Disagree
- e. Strongly disagree
- f. No other tenants in the property

7.9 I feel safe in my home

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

If you wish to expand on any of your answers or highlight any other problems please do so here:

8. Is anyone in your household in receipt of local housing allowance (Housing Benefit)?

- a. Yes
- b. No
- c. Don't know/would rather not say

9. Do you have a written tenancy agreement?

- a. Yes
- b. No
- c. Don't know/would rather not say

10. If you have problems with your tenancy or your home, are you likely to seek help or advice from any of these?

- a. My landlord or agent Very likely / quite likely / not at all likely
- b. Hackney Council housing office Very likely / quite likely / not at all likely
- c. My local councillor or MP Very likely / quite likely / not at all likely
- d. Neighbours and or friends Very likely / quite likely / not at all likely
- e. Housing advice agency (Shelter, Citizens Advice Bureau or other) Very likely / quite likely / not at all likely
- f. Don't know/would rather not say
- g. Other (please specify)

Section C: Your views on licensing private landlords in Hackney

11. Private Rented Sector Licensing schemes

At present, Hackney Council operates a legally-required licensing scheme for larger properties which are split into accommodation for a number of households; called Houses in Multiple Occupation or HMOs. This involves carrying out checks of landlords to ensure that they are 'fit and proper persons', taking into account any previous convictions or histories of poor property management. The Council also checks whether the property being let is suitable for the number of people living there and whether it meets particular health and safety standards. Landlords are charged a fee for each of their properties which is licensed.

Some London Boroughs have introduced licensing schemes for other types of privately rented accommodation in their areas to help combat problems with anti-social behaviour. As one of the options for tackling poor management, Hackney Council is looking into whether there are any grounds for doing this in the borough. If there is evidence to support such a scheme, this could mean that more (or even all) landlords renting out properties in Hackney would in future have to apply for a licence. The Council would like to know your views on this.

Please note that any future proposals to introduce a discretionary licensing scheme, if this is supported by evidence, would be subject to formal consultation carried out by the Council.

Should other private rented properties in Hackney be licensed, as well as those covered by the legally-required scheme mentioned above?

- a. Yes, I would support more private rented properties being licensed
- b. No, I am against the idea
- c. I need more information before deciding
- d. I have no opinion

Please tell us more about your views on this.

Leaving aside licensing schemes, do you think that are there any other measures that could help improve management standards in privately rented properties?

Please tell us more about your views on this.

When completed this survey form should be returned to Roger Jarman, HQN, Rockingham House, St Maurice's Road, York YO31 7JA.....

You can complete this survey online at consultation.hackney.gov.uk

If you would like more information about this project please contact:

Sue Farrant, HQN, sue.farrant@hqnetwork.co.uk, 01904 557150

OR

Chris Smith, Senior Strategy Officer, Housing Strategy & Enabling, Hackney Council,
chris.smith@hackney.gov.uk, 020 8356 7980

Thank you very much for your help.

Equalities monitoring

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Age: what is your age group?

Under 16 16-17 18-24 25-34
35-44 45-54 55-64 65-84
85+

Caring responsibilities: A carer is someone who spends a significant proportion of their time providing unpaid support to a family member, partner or friend who is ill, frail disabled or has mental health or substance misuse problems.

Do you regularly provide unpaid support caring for someone?

Yes No

Disability: Do you consider yourself to be disabled?

Yes No

Under the Equality Act you are disabled if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

Ethnicity: Are you...

Asian or Asian British White or White British
Black or Black British Mixed background

Other ethnic group

Other, please state if you wish _____

Gender: Male Female

If you prefer to use your own term please provide this here: _____

Is your gender identity different to the sex you were assumed to be at birth?

Yes it's different No it's the same

Religion or belief: Are you or do you have...

Atheist/no religious belief	<input type="checkbox"/>	Buddhist	<input type="checkbox"/>	Charedi	<input type="checkbox"/>
Christian	<input type="checkbox"/>	Hindu	<input type="checkbox"/>	Jewish	<input type="checkbox"/>
Muslim	<input type="checkbox"/>	Secular beliefs	<input type="checkbox"/>	Sikh	<input type="checkbox"/>

Other please state if you wish _____

Sexual orientation: Are you...

Bisexual Gay man
Lesbian or Gay woman Heterosexual

Other please state if you wish _____

Improving the private rented sector in Hackney [questionnaire for private landlords/agents]

The Council is currently reviewing the services we offer to tenants and landlords in the private rented sector. As part of our review, we are considering whether a discretionary licensing scheme might improve standards in the private rented sector in Hackney. We therefore want to hear your views about the Borough's private rented sector and how it might be improved.

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Section A: About you and your properties

1. How many separate properties in Hackney do you rent out?

- a. 1 property
- b. 2-5 properties
- c. 5-10 properties
- d. 11-20 properties
- e. 21-50 properties
- f. 51 or more properties

2. Are any of these Houses in Multiple Occupation (HMOs)?

In an HMO some of the facilities are shared by people who are not in the same household. It is usually one of the following:

- A house split into bedsits
- A house or flatshare where each tenant has their own tenancy agreement
- Students living in shared accommodation

- a. No
- b. Yes

If yes, please state how many HMOs you have in Hackney

3. Do you employ an agent to manage your property(ies)?

- a. Yes, an agent manages my property (or at least one of my properties) on my behalf
- b. No, I manage my property(ies) directly
- d. I am an agent managing properties on behalf of owners (please complete the questionnaire as if you owned the properties you manage)
- c. I have another management arrangement (please specify)

4. Thinking about the rent you receive from your tenant(s), do you find:

- a. Tenants are finding it much more difficult to pay the rent and arrears are increasing significantly as a result
- b. Tenants are finding some difficulty paying their rent and arrears are increasing a little
- c. Tenants continue to pay their rental in full and arrears have not been increasing

If you wish to expand on your answer, please do so here:

5. How confident are you that you are fully informed about all your duties and responsibilities as a landlord (for example, tenancy management and electrical and gas safety)?

- a. Fully informed about all my responsibilities and duties as a landlord
- b. Well informed but might have some gaps
- c. Unsure if I am fully informed
- d. Not well informed
- e. I am not informed at all about my responsibilities and duties as a landlord

6. What types of information would be useful to you in carrying out your responsibilities as a landlord? [please tick all that apply]

- a Landlord and tenant law
- b Health & safety requirements
- c Housing Benefit
- d Management responsibilities
- e Who I need to contact regarding Council services
- f Other [please specify below]

Section B: Letting to Council nominees

7. Do you let any accommodation to Hackney Council nominees?

- a. Yes (go to Q 8)
- b. No (go to Q12)

8. Do you let accommodation to:

- a. The Council's Social Lettings Agency
- b. Adult Social Care (Social Services)
- c. Other, please specify
- d. Don't know

9. When dealing with the Council about their nominees to your accommodation, do you find the Council is:

- a. Very responsive
- b. Fairly responsive
- c. Fairly unresponsive
- d. Very unresponsive
- e. It depends on who I speak to

10. Do you have a named officer at the Council who deals with all your enquiries about the accommodation let to their nominees?

- a. Yes
- b. No
- c. Don't know

11. Do you have any issues with the Council regarding their nominees to your accommodation?

Yes

No [go to question 14]

What are those issues?

- a. They take a long time to respond to day to day issues
- b. Poor quality of responses on issues raised
- c. Poor communication
- d. Resolving Housing Benefit payments for tenants
- e. Other (please specify)

If you wish to expand on your answer, please do so here:

12. In the future, are you likely to:

- a. Continue letting about the same number of your properties to Council nominees
- b. Reduce the number of properties you let to Council nominees
- c. Increase the number of properties you let to Council nominees
- d. Stop letting to Council nominees altogether
- e. Other

If you wish to expand on your answer, please do so here:

13. What more could the Council do to encourage you to increase the number of properties you let to Council nominees?

Please provide any ideas here:

Section C: Your views on measures to improve the private rented sector in Hackney

14. Are you aware that the Council provides a range of initiatives intended to support landlords in carrying out their responsibilities, for example access to the London Landlords Accreditation Scheme and a regular Hackney Landlords' Forum?

- a. I am aware and make use of these
- b. I am aware but do not need
- c. I was not aware

15. The Council is considering how it could support landlords to manage their properties more effectively. Would you be interested in any of the support below? (Please tick all that interest you)

- a. Written guidance on landlord duties and responsibilities
- b. Workshops run or organised by the Council on landlord duties and responsibilities
- c. More information about joining the Council's existing landlord accreditation scheme
- d. Discounts on goods and services that could be negotiated by the Council
- e. Other (please specify)

If you wish to expand on your answer, please do so here:

16. Since 1 October 2014, lettings agents must, by law, be members of a redress scheme to which tenants and landlords can lodge complaints about the service they receive from their lettings agent. Do you think the redress scheme will be effective in improving standards in the private rented sector?

- a. Yes, a lot
- b. Yes, a bit
- c. Not significantly

- d. No change at all
- e. I need more information before deciding
- f. Don't know

If you wish to expand on your answer, please do so here:

17. Private Rented Sector Licensing schemes

The Council already operates a legally-required licensing scheme for larger properties which are split into accommodation for a number of households; called Houses in Multiple Occupation or HMOs. This involves carrying out checks of landlords to ensure that they are 'fit proper persons', taking into account any previous convictions or histories of poor property management. The Council also checks whether the property being let is suitable for the number of people living there and whether it meets particular health and safety standards. Landlords are charged a fee for each of their properties which is licensed.

Some London Boroughs have introduced licensing schemes for other types of privately rented accommodation in their areas to help combat problems with anti-social behaviour. As one of the options for tackling poor management, Hackney Council is looking into whether there are any grounds for doing this in the borough. If there is evidence to support such a scheme, this could mean that more (or even all) landlords renting out properties in Hackney would in future have to apply for a licence. The Council would like to know your views on this.

Please note that any future proposals to introduce a discretionary licensing scheme, if this is supported by evidence, would be subject to formal consultation carried out by the Council.

Do you think it would be a good idea to have a licensing scheme for more properties in Hackney's private rented sector?

- a. Yes, I would support more private rented properties being licensed
- b. No, I am against the idea
- c. I need more information before deciding
- d. I have no opinion

Please tell us more about your views on this.

Leaving aside licensing schemes, do you think that are there any other measures that could help improve management standards in privately rented properties?

Please tell us more about your views on this.

When completed this survey form should be returned to Roger Jarman, HQN, Rockingham House, St Maurice's Road, York YO31 7JA.....

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If you would like more information about this project please contact:

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Chris Smith, Senior Strategy Officer, Housing Strategy & Enabling, Hackney Council, chris.smith@hackney.gov.uk, 020 8356 7980

Thank you very much for your help

Equalities monitoring

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Age: what is your age group?

Under 16 16-17 18-24 25-34
35-44 45-54 55-64 65-84
85+

Caring responsibilities: A carer is someone who spends a significant proportion of their time providing unpaid support to a family member, partner or friend who is ill, frail disabled or has mental health or substance misuse problems.

Do you regularly provide unpaid support caring for someone?

Yes No

Disability: Do you consider yourself to be disabled?

Yes No

Under the Equality Act you are disabled if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

Ethnicity: Are you...

- Asian or Asian British
- White or White British
- Black or Black British
- Mixed background
- Other ethnic group

Other, please state if you wish _____

Gender: Male Female

If you prefer to use your own term please provide this here: _____

Is your gender identity different to the sex you were assumed to be at birth?

Yes it's different No it's the same

Religion or belief: Are you or do you have...

- | | | |
|--|--|----------------------------------|
| Atheist/no religious belief <input type="checkbox"/> | Buddhist <input type="checkbox"/> | Charedi <input type="checkbox"/> |
| Christian <input type="checkbox"/> | Hindu <input type="checkbox"/> | Jewish <input type="checkbox"/> |
| Muslim <input type="checkbox"/> | Secular beliefs <input type="checkbox"/> | Sikh <input type="checkbox"/> |

Other please state if you wish _____

Sexual orientation: Are you...

- Bisexual
 - Gay man
 - Lesbian or Gay woman
 - Heterosexual
- Other please state if you wish _____

Improving the private rented sector in Hackney [questionnaire for other residents and business]

The Council is currently reviewing the services we offer to tenants and landlords in the private rented sector. As part of our review, we are considering whether a discretionary licensing scheme might improve standards in the private rented sector in Hackney. We therefore want to hear your views about the Borough's private rented sector and how it might be improved.

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Section A: About you and where you live or run a business

1. In which of these ways do you occupy your home in Hackney?

- a. Own my home
- b. Pay part rent and part mortgage (shared ownership)
- c. Rent it from Hackney Council or from a housing association
- d. Live with family or friends rent-free
- e. not applicable, I run a business in Hackney

2. How long have you been living in your current home?

- a. Less than 6 months
- b. 6 months to less than 1 year
- c. 1 year to less than 2 years
- d. 2 years to less than 5 years
- e. more than 5 years
- f. not applicable, I run a business in Hackney

3. What is the full post code of your home, or of your business in Hackney? (We do not want your full address but it would be helpful to know which part

1

of the Borough you live in)

Section B: Your experience of neighbours in private rented accommodation

4. If there is privately rented accommodation near where you live or run a business, do you experience any issues with tenants or their visitors?

No [go to Question 7]

Yes [go to Question 5]

5. Do you experience any of these problems from privately rented properties near you?

5.1 Noise nuisance in or immediately outside the property

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

5.2 Rubbish/litter outside the property

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

5.3 The upkeep of the property's outside space

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

5.4 Too many people living in or visiting the property regularly

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree

- d. Disagree
- e. Strongly disagree

5.5 Tenants or visitors to the property causing a disturbance to other residents and/or neighbours

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

5.6 Threatening behaviour or language from occupants and/or visitors

- a. Strongly agree
- b. Agree
- c. Neither agree nor disagree
- d. Disagree
- e. Strongly disagree

If you wish to

Section C: Your views on licensing private landlords in Hackney

6. Private Rented Sector Licensing schemes

At present, Hackney Council operates a legally-required licensing scheme for larger properties which are split into accommodation for a number of households; called Houses in Multiple Occupation or HMOs. This involves carrying out checks of landlords to ensure that they are 'fit and proper', taking into account any previous convictions or histories of poor property management. The Council also checks whether the property being let is suitable for the number of people living there and whether it meets particular health and safety standards. Landlords are charged a fee for each of their properties which is licensed.

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Please note that any future proposals to introduce a discretionary licensing scheme, if this is supported by evidence, would be subject to formal consultation carried out by the Council.

Do you think it would be a good idea to have a licensing scheme for more properties in Hackney's private rented sector?

- a. Yes, I would support more private rented properties being licensed
- b. No, I am against the idea
- c. I need more information before deciding
- d. I have no opinion

Leaving aside licensing schemes, do you think that are there any other measures that could help improve management standards in privately

Please tell us more about your views on

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Age: what is your age group?

- | | | | | | | | |
|----------|--------------------------|-------|--------------------------|-------|--------------------------|-------|--------------------------|
| Under 16 | <input type="checkbox"/> | 16-17 | <input type="checkbox"/> | 18-24 | <input type="checkbox"/> | 25-34 | <input type="checkbox"/> |
| 35-44 | <input type="checkbox"/> | 45-54 | <input type="checkbox"/> | 55-64 | <input type="checkbox"/> | 65-84 | <input type="checkbox"/> |
| 85+ | <input type="checkbox"/> | | | | | | |

Caring responsibilities: A carer is someone who spends a significant proportion of their time providing unpaid support to a family member, partner or friend who is ill, frail disabled or has mental health or substance misuse problems.

Do you regularly provide unpaid support caring for someone?

Yes No

Disability: Do you consider yourself to be disabled?

Yes No

Under the Equality Act you are disabled if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

Ethnicity: Are you...

- Asian or Asian British
- White or White British
- Black or Black British
- Mixed background
- Other ethnic group

Other, please state if you wish _____

Gender: Male Female

If you prefer to use your own term please provide this here: _____

Is your gender identity different to the sex you were assumed to be at birth?

Yes it's different No it's the same

Religion or belief: Are you or do you have...

- | | | |
|--|--|----------------------------------|
| Atheist/no religious belief <input type="checkbox"/> | Buddhist <input type="checkbox"/> | Charedi <input type="checkbox"/> |
| Christian <input type="checkbox"/> | Hindu <input type="checkbox"/> | Jewish <input type="checkbox"/> |
| Muslim <input type="checkbox"/> | Secular beliefs <input type="checkbox"/> | Sikh <input type="checkbox"/> |

Other please state if you wish _____

Sexual orientation: Are you...

Bisexual Gay man

Lesbian or Gay woman Heterosexual

Other please state if you wish _____

Appendix C: Focus Group and interview topic guides

Topic guide for preliminary focus group with landlords/agents, 9 December 2014

- 1 Welcome and introductions
- 2 The purpose of this focus group:
 - Council keen to support PRS in borough
 - Hackney's current PRS 'offer'
 - Reviewing how best to safeguard landlords and tenants
 - Additional/selective PRS licensing is one possible route, but not the only one
 - Improving Hackney's wider PRS 'offer'
 - The issues that the Council cannot currently address and the lobbying priorities
 - Council wants to hear views of stakeholders
 - Outline of the project to be conducted by HQN
 - Emphasise no decision has been made, this is an information gathering exercise.
- 3 What additional and selective PRS licensing would mean:
 - Outline of conditions
 - Impact on landlords/agents and tenants
 - The experience of other councils, including costs.
- 4 Your experience as landlord/agent in Hackney borough:
 - Do you face any particular issues or problems? (Probe: anti-social behaviour, breach of tenancy, arrears, voids)
 - Do you let to tenants on HB? (Probe: reasons for /for not; payment issues)
 - Do you let to people on Council's homeless register (Probe: reasons for/for not; any issues)
 - Do you belong to an accreditation scheme? (Probe: pros and cons, what would encourage you to join?)
- 5 What more do you think the Council could do to help PRS landlords and agents in the borough?
- 6 Do you think a licensing scheme, as outlined earlier, could be of benefit to you? (Probe: issues to be considered)
- 7 What do you think are the priorities for the Council's lobbying strategy?
- 8 Is there anything else you would like to raise this evening?
- 9 Summary of what happens next, thanks for coming, close of session.

Topic guide for renters focus groups, February 2015

- 1 Welcome and introductions
- 2 The purpose of this focus group:
 - Council keen to support PRS in borough
 - Hackney's current PRS 'offer'
 - Reviewing how best to safeguard landlords and tenants
 - Additional/selective PRS licensing is one possible route, but not the only one
 - Improving the Council's wider PRS 'offer'
 - The issues that the Council cannot currently address and the lobbying priorities
 - Council wants to hear views of stakeholders
 - Outline of the project to be conducted by HQN
 - Emphasise no decision has been made, this is an information gathering exercise.
- 3 Your experience as a renter in Hackney borough:
 - Do you face any particular issues or problems? (Probe: affordability, stock condition, landlord behaviour, security of tenure, anti-social behaviour by neighbours and/or other tenants)
 - Does your landlord belong to an accreditation scheme? (Probe: if yes, do you think that makes a difference to your tenancy and how it is managed by your landlord?)
 - Do you know about the redress scheme and the Ombudsman?
- 4 What more do you think the Council and its partners (eg, Shelter, CAB) could do to help PRS renters in the borough?
- 5 What additional and selective PRS licensing would mean:
 - Outline of conditions
 - Impact on landlords/agents and tenants
 - The experience of other councils, including costs.
- 6 Do you think a licensing scheme, as outlined earlier, could be of benefit to you? (Probe: reasons, what conditions they would like to see included, impact of fee on rent)
- 7 What do you think should be the priorities for the Council's lobbying strategy?
- 8 Is there anything else you would like to raise?
- 9 Summary of what happens next, encourage completion of online survey, thanks for coming, close of session.

Topic guide for preliminary focus group with advice agencies

- 1 Welcome and introductions
- 2 The purpose of this focus group:
 - Council keen to support PRS in borough
 - Hackney's current PRS 'offer'
 - Reviewing how best to safeguard landlords and tenants
 - Additional/selective PRS licensing is one possible route, but not the only one
 - Improving Hackney's wider PRS 'offer'
 - The issues that the Council cannot currently address and the lobbying priorities
 - Council wants to hear views of stakeholders
 - Outline of the project to be conducted by HQN
 - Emphasise no decision has been made, this is an information gathering exercise.
- 3 What additional and selective PRS licensing would mean:
 - Outline of conditions
 - Impact on landlords/agents and tenants
 - The experience of other councils, including costs.
- 4 Your experience as advice giving agency in Hackney borough:
 - What are the main issues people bring to you? (Probe: suitability of available accommodation, stock condition, rent levels, debt, benefits, landlord behaviour, anti-social behaviour)
 - Is there a shortage of landlords willing to take tenants on HB? (Probe: reasons for/for not; payment issues)
 - What about letting to people on Council's homeless register (Probe: reasons for/for not; any issues)
 - Are existing landlord accreditation schemes effective? (Probe: pros and cons).
- 5 What more do you think the Council and its partners (eg Shelter, CAB) could do to help PRS tenants in the borough?
- 6 Do you think a licensing scheme, as outlined earlier, could be of benefit to tenants? (Probe: issues to be considered)
- 7 What do you think are the priorities for the Council's lobbying strategy?
- 8 Is there anything else you would like to raise this evening?
- 9 Summary of what happens next, thanks for coming, close of session.

HQN provides high-quality advice, tailored support and training to housing associations, councils, ALMOs and other housing providers.

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