



HB 27

National Assembly for Wales

Communities, Equality and Local Government Committee

Housing (Wales) Bill: Stage 1

Response from: Tenant Participation Advisory Service

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TPAS Cymru works to improve the lives of social housing tenants in both housing and community matters, by promoting effective participation of tenants with their landlords and with other partners in issues that affect them. TPAS Cymru also works to lobby for an adequate supply of decent affordable housing for rent and purchase available, to ensure that people are able to live in the communities that they choose.

Tenant Participation Advisory Service (TPAS) Cymru has supported social housing tenants and landlords in Wales for over 20 years and we have a strong track record in developing effective participation through training, support, practical projects and policy development.

We have an extensive knowledge of social housing with a focus on issues from the tenant perspective and for tenants' benefit.

Our essential Wales-wide role is to be a resource hub of information and expertise delivering at a range of levels

- **Locally:** developing best practice at landlord, tenant group and project level through practical advice, support, training and project work
- **Across Wales:** improving the quality of tenant participation through disseminating and promoting good practice;
- **At Government level:** contributing to policy change by informing about policy developments and issues, channelling the experience and needs of tenants and landlords to policy makers, and working with partner organisations to influence policy.

## **1 Introduction**

TPAS Cymru has played a full role in the co-production of the Housing (Wales) Bill and is overwhelmingly in favour of the principles on which it is based and the provisions of the Bill. We have provided below some additional comment on each section of the Bill, including any views on potential barriers and unintended consequences.

## **2 A compulsory registration and licensing scheme for all private rented sector landlords and letting and management agents.**

TPAS Cymru supports registration and licensing of private rented sector landlords and agents, which we believe will lead to improvement in quality of accommodation and management services. The private rented sector is very varied and while there are responsible, effective landlords and agents there is also poor quality of accommodation and practice. The location of private rented homes, the identity of landlords and tenants, and the basis of renting are in many cases unknown. With the power balance very much in favour of landlords, there is a strong need for registration and regulation to protect the interests and well being of tenants.

The duty on local authorities to register rented properties only extends to recording information provided by landlords to register. There is a risk that the introduction of registration and licensing will encompass larger and more responsible landlords but will by-pass the more informal part of the sector where problems are more likely to lie. Thought should be given to other means through which local authorities can identify rented properties and landlords, and a more pro-active approach, or the purpose of the provision would be undermined.

Training requirements for landlords and agents are welcomed in helping to professionalise the sector and improve the culture. It is not clear whether once off training will suffice for licensing or whether continuing training is envisaged.

TPAS Cymru welcomes the drive to standardise terms and standards for tenants whether in the council, housing association or private rented sectors. This will be taken further through the proposals for the Renting Homes Bill.

## **3 Reform of homelessness law, including placing a stronger duty on local authorities to prevent homelessness and allowing them to use suitable accommodation in the private sector.**

TPAS Cymru welcomes the emphasis on prevention of homelessness, in particular the requirement for co-operation between Social Services and Housing Depts. Use of the private rented sector to discharge the duty on homelessness is acceptable alongside the registration, licensing and training provision to ensure quality of private rented accommodation.

## **4 Duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified.**

There is a weakness in the requirements for assessment of need for Gypsy and Traveller provision in that no distinction is drawn between different types of

Travellers. New Age Travellers are a distinctive group who do not mix with traditional Gypsies and Travellers, and there is often animosity from traditional Gypsies and Travellers the New Age group. Aggregating the 2 groups needs for sites will not be successful and assessments need to recognise the distinction.

## **5 Standards for local authorities on rents, service charges and quality of accommodation**

TPAS Cymru welcomes the proposals to set rents against a transparent and fair framework, and similarly to require transparency and justification about service charges. Service charges have been contentious with tenants and leaseholders for a long time, and the lack of explanation and justification has been a large part of the dissatisfaction.

The Bill's proposals introduce a different set of requirements for local authority landlords from those for housing associations. The Regulation Framework and other provision covers housing associations for similar issues but in less detail, introducing difference rather than standardisation of terms and practice for the two sectors.

## **6 Reform the Housing Revenue Account Subsidy system**

TPAS Cymru welcomes this change which will provide greater flexibility and opportunity in the financing of local authority housing.

## **7 The provision of housing by Co-operative Housing Associations**

Provision for a specific tenancy for mutual housing associations is an important step in making co-operative housing more available. It clears the difficulty of trying to apply standard tenancy legislation to mutual organisations which does not fit readily.

## **8 The power for local authorities to charge more than the standard rate of council tax on homes empty for over a year**

TPAS Cymru welcomes the proposal to enable local authorities to charge higher than standard rate of council tax on empty homes. Reasons for homes standing empty are very varied and resolving issues to bring them back into use is often difficult. The empty homes initiative is making only slow progress against the number of empty homes. Penalising owners of empty homes is an essential tool to bring homes back into use, while being sensitive to justified difficulties in some cases.

We would support the ability to charge more than 50% above standard rate if local authorities determine this is needed to bring action by owners with homes that are empty without good reason.