

Scottish Parliament Primate Members Bill (Pauline McNeill, MSP): Proposed Fair Rents
(Scotland) Bill

August 2019

Premise:

A proposal for a Bill to protect private sector tenants by introducing measures to limit rent increases and to increase the availability of information about rent levels.

The Scottish Women's Convention:

The Scottish Women's Convention (SWC) is funded to engage with women throughout Scotland in order that their views might influence public policy. The SWC uses the views of women to respond to a variety of Parliamentary, Governmental and organisational consultation papers at both a Scottish and UK level.

The Scottish Women's Convention engages with women using numerous communication channels including Roadshow events, Thematic Conferences and regional contact groups. This submission provides the views of women and reflects their opinions and experiences in a number of key areas relevant to the issues set out within this proposal relevant to women including access to housing and other issues. As an organisation that gathers women's real contributions, the SWC stresses the need to underpin legislation with catalysts for societal and cultural change that taken together will ensure an approach to equality that eradicates discrimination against women in its many forms.

Rent cap

Which of the following best expresses your view of capping private sector rent increases annually across Scotland at one percentage point above inflation (measured according to the Consumer Price Index (CPI))?

Fully supportive

The rate at which rent increases within the private sector have continued to rise in the past decade has left many women and their families out of pocket.

The private sector has seen an insurmountable rise in women undertaking properties, either as individuals or for themselves and their families. This has led to many landlords exploiting situations. Coupled with the over saturation of the social housing market and lengthy waiting periods by which to obtain affordable property which is accessible and appropriate is a common problem encountered by many women. At present, this is seen as having little to no means of redress.

The background context with which rental prices continue to increase must not be taken for granted. Rise in precarious work, most often for young women living alone, as well as higher costs of living in cities such as Edinburgh where they may be studying has the potential to lead to a rise in exploitative situations whereupon landlords may offer “sex for rent”. Hiking up rates to unaffordable levels for women is a key way in which individuals may be targeted and exploited.

The ongoing roll out of Universal Credit within Scotland has been a major factor for exponential increases in rent arrears. For most tenants, this is a very real fear. Many tenancy contracts within the private sector often come with high charges if rent is not paid on time, even if it is only a day late. This, coupled with the six week waiting period when moving onto Universal Credit, has the very real potential to leave many vulnerable women not just out of pocket, but also struggling to make ends meet and leading to poverty and exploitation.

Rent level appeals

Which of the following best expresses your view of providing that, when tenants appeal their rent, rent officers and the First-tier Tribunal would be able to either lower or maintain the rent but not increase the rent?

Fully supportive

At present, there are a number of reasons why tenants do not appeal rent rates. Whilst there is a very real worry that in doing so, rents may actually increase, many women consulted by the SWC are unaware that there is a route by which to actually appeal rises in private sector rents. There are also worries that this course of redress may be lengthy or costly whilst giving tenants little information or support to navigate the system.

Landlord registration scheme

Which of the following best expresses your view of expanding the landlord registration scheme so that landlords must input the rent that they charge when they register, and update the system when the rent changes?

Fully supportive

This is seen as a sensible way forward to ensure transparency and accountability on behalf of landlords. Additionally, it will allow many women renting within the private sector to compare what their landlords have been charging previously in order to successfully fight against indiscriminate rent rises.

Rent Pressure Zones

Which of the following best expresses your view of tackling the problem of rents rising significantly faster than inflation by making it easier for a local authority to apply to create a Rent Pressure Zone (RPZ)?

Fully supportive

As laid out within the Proposed Member's Bill, applications for Rent Pressure Zones may place extra burdens on Local Authorities (LAs) who are already stretched to capacity. LA's working collaboratively with other local organisations should be one of the first ports of call in designating areas where rent has risen to exorbitant levels due to their local knowledge and first hand experience. Allowing a smooth process which is clear cut and where a case can be made successfully with detailed local knowledge of situations is key.

Financial implications

Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

(a) Government and the public sector

Some increase in cost

Cost increases would mostly come in this area from monitoring and adjudication where tenants may apply to rent officers for appeals to rises in rental prices. Given the beneficial effect this will have on tenants, especially those lower down on the income scale, this is seen as outweighing any additional costs.

(b) Businesses – including landlords

Broadly cost-neutral

Whilst there may be arguments that through means of controlling rental prices, landlords will be losing out on profit, this should not in fact be the case. Appointed rent officers and First Tier Tribunal appeals would be able to measure proposed changes in rent prices against those in the surrounding area and come to an appropriate judgement. Given this knowledge, landlords should face a broadly cost neutral approach, with the Proposed Bill also making provisions for marked rent increases where properties have been significantly updated.

(c) Individuals – including tenants

Some reduction in cost

As outlined above, the most at risk of significant price hikes in rental properties tend to be lower down the income scale, face precarious work and have little money to spare after accounting for rental costs at present. Ensuring a system is in place with appropriate accountability mechanisms to protect tenants is crucial in order for many just to get by.

Equalities

What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, maternity and pregnancy, marriage and civil partnership, race, religion or belief, sex, sexual orientation? Positive

There are a wide variety of different factors that hit women significantly harder than men. Social security, for instance, disproportionately impacts on women. Ongoing welfare cuts and Universal Credit roll out means that many struggle at present to afford their homes every month with eviction a real issue.

This precarious situation as well as rising food bank usage for a number of women and their families, means that poverty is an ongoing threat where many cannot afford to eat let alone have the means by which to cover rent. Failure to legislate on behalf of women given the sheer scale that poverty and austerity have now taken is a failure to account for many of the most vulnerable within society that need support. These women should not have to be given the extra burden of having money which is set aside for necessities such as food and heating going towards additional rent payments.

It is crucial that there are protocols in place which may not only spare a woman from having to give up more of her income, but may also alleviate the very real threat of eviction from a property. Given the high demand for private rental properties as well as large deposits that may be charged by landlords for new tenants, leaving current accommodation is often simply not an option for many, with the potential to force women

to apply as homeless. Scotland has already seen a peak in the number of children residing in temporary accommodation throughout the country for long periods of time. Having some form of framework in place to stop exploitative price hikes may go some way to augmenting this situation.

Conclusion:

Establishing appropriate controls over the way in which the private rental market continues to take a large proportion of women's income is crucial. Failure to put forward such mechanisms not only has the potential to push many women into poverty and possibly homelessness, but also fails to take into account structural gender inequality that women face.

For further information, please contact

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The Scottish Women's Convention engages with women using numerous communication channels including Roadshow events, Thematic Conferences and regional contact groups. This submission paper provides the views of women and reflects their opinions and experiences in a number of key areas relevant to employment and the National Living Wage.

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