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Understanding Tenant Experiences of the Private Rented Sector

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Understanding Tenant Experiences of the Private Rented Sector

Report by Opinion Research Services

Views expressed in this report are those of the researcher and not necessarily those of the Welsh Government

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Glossary of acronyms

Acronym	Full Name / definition
CAB	Citizens Advice Bureau.
CIH	The Chartered Institute of Housing
LHA cap	Local Housing Allowance cap
LHA rates	Local Housing Allowance (LHA) rates are used to calculate Housing Benefit for tenants renting from private landlords
LSVT	Large Scale Voluntary Transfer
PCS	Pembrokeshire Care Society
RLA	The Residential Landlords Association
SRS	Shared Regulatory Services
TDS	Tenancy Deposit Scheme
UC	Universal Credit
WLGA	Welsh Local Government Association

Other useful terminology

Acronym	Full Name / definition
Chartered Institute of Housing (CIH)	The Chartered Institute of Housing (Cymru) are the independent voice of housing and the home of professional standards in Wales. The aims of CIH Cymru are to equip housing professionals with the knowledge, skills and ethical grounding to deliver a safe, secure and affordable home for everyone.
Citizens Advice Bureau (CAB)	The Citizens Advice Bureau is an independent charity that offers a wide range of advice to clients and this advice includes getting support to stay in their homes for clients with physical disabilities and mental health problems, getting repairs done, neighbourhood disputes and anti-social behaviour and debt work involving rent arrears and other debts.
Renting Homes (Wales) Act 2016	The Renting Homes (Amendment) (Wales) Bill will amend the Renting Homes (Wales) Act 2016 (the Act), which has not yet been brought into force. This amending Bill will further enhance the security of tenure provided under the Act by increasing the notice period a landlord is required to give under section 173 (similar to section 21 of the Housing Act 1988) to six months. This notice cannot be issued by a landlord within the first six months of a

	contract, effectively providing twelve months security of tenure for new contracts (providing the contract-holder does not breach their contract).
Rent Smart Wales	Rent Smart Wales is hosted by Cardiff Council. They ensure compliance with legislation in partnership with the 22 Welsh local authorities. The Welsh Ministers designated Cardiff Council as the Licensing Authority for the whole of Wales in 2015. The Rent Smart Wales service must process landlord registrations and grant licences to landlords and agents who need to comply with the Housing (Wales) Act 2014.
Rent assessment committee	A rent assessment committee is a tribunal in England and Wales set up under the Rent Acts whose main task is to assess fair and market rents of properties referred to it. On the formation of the Residential Property Tribunal Service as a result of the Housing Act 2004 the rent assessment committees became part of that body.
Residential Landlords Association (RLA)	The Residential Landlords Association represents over 35,000 landlords in the UK.
Section 8 Notice	A notice used to serve notice on a tenant as set out in the Housing Act 1988. A Section 8 notice needs to show that the tenant has breached the conditions of the tenancy agreement, any term or condition of the tenancy agreement that is seen to have been broken by a tenant constitutes a breach.
Section 21 Notice	A notice used to serve notice on a tenant as set out in the Housing Act 1988. The Section 21 notice can be used to evict tenants when a fixed term tenancy ends. During a tenancy with no fixed end date, known as a 'periodic' tenancy, a landlord can generally give two-months' notice to end a tenancy at any time. Section 21 gives a landlord an automatic right of possession without having to give any grounds (reasons).
Shared Regulatory Services (SRS)	A partnership between Bridgend Council, Cardiff Council and the Vale of Glamorgan Council. It provides information and advice for residents that live in privately-rented accommodation.

Shelter Cymru	Shelter Cymru is an independent charity who provide free, impartial and confidential housing advice to people in housing need, or to those threatened with homelessness and those that are homeless. Shelter Cymru advise around 20,000 people a year and operate across Wales.
Pembrokeshire Care Society (PCS)	An organisation predominantly funded by the Welsh Government through the Homelessness Prevention Grant (part of the Housing Support Grant), which is an advice, guidance and crisis intervention service to assist with housing advice for those who are homeless or at risk of becoming homeless.
Tenancy Support	Assistance, funded via the Welsh Government's Supporting People Programme to help and support vulnerable people to live independently.
Tenancy deposit scheme (TDS)	Landlords or agents must put tenancy deposits in a government-backed tenancy deposit scheme if the home is rented on an assured short hold tenancy that started after 6 April 2007.
Welsh Local Government Association (WLGA)	The Welsh Local Government Association are a representative body that represent the interests of the 22 local authorities across Wales and they do the bulk of their housing work with local authorities in terms of both their landlord role and strategic housing role.

1. Introduction/Background

Background

- 1.1 During 2018-19, 10,737 households were threatened with homelessness in Wales, and a further 11,500 presented as homeless.¹
- 1.2 The Welsh Government (WG) recognises that there are still far too many whose homelessness is not prevented and who are falling through the net. Therefore, as part of its policy for preventing and ending homelessness WG has set out a strategic approach which involves shifting the focus towards long term housing led solutions, and away from the provision of emergency, temporary and hostel services.
- 1.3 In particular, WG is committed to increasing housing supply and choice by building social housing at scale and pace and ensuring that the Private Rented Sector (PRS) is appropriately supported and regulated to ensure it provides good quality, affordable homes.
- 1.4 However, although local authorities have done much to prevent individuals and families from becoming homeless, the demand on their services under the Housing (Wales) Act 2014 is increasing. This has put additional strain on the PRS and resulted in an increase in the numbers and types of people seeking accommodation in the sector. Indeed, in the past, the PRS was seen primarily as providing flexible accommodation, particularly for students and young professionals. However, renting is now increasingly becoming a longer-term proposition for a wider range of people including those in older age, families with children and vulnerable people. Therefore, as part of its preventative approach, WG places importance on working with local authorities, Registered Social Landlords and the PRS to reduce the level of evictions and increase security of tenure for all.
- 1.5 For this reason, some representative bodies, such as Shelter Cymru, have called for the ability for a landlord to evict a tenant by issuing a notice under Section 21 of the Housing Act 1988, giving a minimum notice period of two months to be ended in Wales. Serving of such a

¹ Welsh Homelessness Statistics, [Stats Wales](#).

notice is often referred to as a 'no fault' eviction as it does not require the tenant to have breached their contract and the landlord does not have to give a reason for seeking possession.

- 1.6 The Renting Homes (Amendment) (Wales) Bill will amend the Renting Homes (Wales) Act 2016 (the Act), which has not yet been brought into force. This amending Bill will further enhance the security of tenure provided under the Act by increasing the notice period a landlord is required to give under section 173 (similar to section 21 of the Housing Act 1988) to six months. This notice cannot be issued by a landlord within the first six months of a contract, effectively providing twelve months security of tenure for new contracts (providing the contract-holder does not breach their contract).

Commission

- 1.7 Opinion Research Services (ORS) was commissioned by Welsh Government in September 2019 to undertake qualitative research to explore tenants' experiences of the Private Rented Sector (PRS).
- 1.8 The aim of the research is to understand:
- Why tenants are living in the PRS and what their future accommodation aspirations are;
 - Overall satisfaction with current and previous PRS properties;
 - What tenants consider when finding new accommodation;
 - What processes are involved when moving from one property to another; and
 - Views on tenancy security and possible changes to Section 21.
- 1.9 This involved ORS undertaking:
- In-depth interviews with tenants living in the PRS;
 - In-depth telephone interviews with PRS landlords; and
 - In-depth telephone interviews with key housing stakeholder organisations in Wales.

- 1.10 Recommendations from this work will contribute to Welsh Government's future policy development around the PRS.
- 1.11 It should be noted that this research was undertaken prior to the Covid-19 pandemic and therefore does not take into account changes to the experiences of tenants in the PRS as a result.

2. Methodology

Qualitative interviews

Interviews with PRS tenants

- 2.1 Qualitative in-depth telephone interviews were undertaken with 40 tenants living in PRS accommodation across Wales, which explored the research aims in detail.
- 2.2 Tenant participants were identified and recruited from the National Survey for Wales (NSW), currently run by the Office for National Statistics (ONS) on behalf of the Welsh Government. The study gathers information on many topics including health, schools, sports, arts and culture. Welsh Government provided ORS with the contact details of people who had taken part in the 2018-2019 NSW, stated they were living in the PRS accommodation at the time of the survey and who had agreed to take part in further research on behalf of the Welsh Government.
- 2.3 ORS sought to recruit a broad cross-section of tenants from the four regions of Wales, as well as a range of age groups and household types. A breakdown of demographic information can be found in Table 1.

Table 1: Demographic characteristics of tenant participants

Demographic	No. of participants
Female	18
Male	22
Age 16-34	15
Age 35-54	15
Aged 55 +	10
Single household	10
Living with partner	10
Living with family	7
Single parent household	6
In shared accommodation	7
Mid Wales	7
North Wales	10
South east Wales	11
South west Wales	12

Interviews with key stakeholders

- 2.4 In order to gain strategic insight into the PRS, in-depth telephone interviews were undertaken with key stakeholders and organisations who work across the Welsh housing sector. Representatives from the following organisations took part: Citizen’s Advice Cymru (CAB); Chartered Institute of Housing (CIH) Cymru; Pembrokeshire Care Society (PCS); a Local Authority Housing Strategy Team; Residential Landlords Association (RLA); Rent Smart Wales; Shelter Cymru; Shared Regulatory Services; Welsh Local Government Association (WLGA); and a Shelter Cymru court representative.

Overview of methodology

- 2.5 The interviews took place between November 2019 and January 2020²; each interview lasted around 30 minutes and was undertaken by ORS’ qualitative research team. Interviewees were assured of complete confidentiality and they were free to be as open and as honest as they wished insofar as they would not be named in this report. Names, specific organisations and identifying comments have been removed from the verbatim comments to ensure anonymity.
- 2.6 The in-depth interviews reported here gave PRS tenants and sector stakeholders the opportunity to be involved in the research, although it should be noted that qualitative approaches cannot be certified as statistically representative samples of public and organisational opinion. The outcomes reported in this report are, therefore, examples of the reflections and opinions of a range of people with experience of living in and working with the PRS.
- 2.7 The views expressed by participants may or may not be supported by available evidence; that is, they may or may not be accurate as accounts of the facts. ORS cannot arbitrate on the correctness or otherwise of people’s views when reporting them. This should be borne in mind when

² It should be noted that this research was undertaken prior to the Covid-19 pandemic. Therefore, the findings do not take into account tenant’s experiences of the PRS that may result from the impact of the pandemic.

considering the findings. Where possible any such issues are flagged up in the report.

- 2.8 Verbatim quotations are used throughout, in indented italics, for their vividness in capturing points of view. ORS reports the opinions as given and does not endorse the opinions in question.

3. Findings: Why tenants are living in the PRS and their future accommodation aspirations

Introduction

- 3.1 The in-depth interviews conducted with PRS tenants in Wales and key stakeholders considered a wide range of important issues that are reported fully and structured to address each of the areas of discussion in some detail. The views of interviewees have been merged to give an overall report of findings – but noteworthy differences in views have been drawn out where appropriate.

Reasons for living in the PRS currently

Flexibility and convenience

- 3.2 Around half of tenant participants (22 out of 40) reported to be living in private rented accommodation out of choice. One of the main reasons for choosing the PRS is the flexibility it offers, insofar as tenants can move property and/or location when they wish, without feeling ‘tied down’. This is particularly convenient for those who are unsure of whether they want to stay in the area they are currently living in for the long-term.

‘We originally moved here for my work and we weren’t sure how long we were going to be here.’ (Male, 39, Carmarthenshire, lives with partner, employed)

‘I’m a student from Portugal and once I’ve finished my degree I may not stay in the UK.’ (Female, 21, Swansea, lives with three housemates, student)

‘My family all live in the east so I wanted the flexibility of renting to be able to pick up sticks and leave West Wales at any time I choose. I didn’t want to buy another property in West Wales because the last one took nearly four years to sell. The benefit of renting is the flexibility of giving notice and leaving.’ (Female, 68, Pembrokeshire, lives alone, employed)

Offers independence

- 3.3 Some said that privately renting also allows them the independence of living in their own home whilst considering their future options and/or saving for a deposit or a mortgage. This seemed to particularly be the case among younger tenant participants and students.

'I am here out of choice and convenience. It's cheaper than buying a house at the minute. It allows me to save money while I consider my options because I don't know what I want to do, and I don't know where I would buy a house.' (Female, 26, Cardiff, lives with one housemate, employed)

'When we decided to rent my girlfriend was in university and I had just left my parents' house; it was too soon to get a mortgage.' (Male, 30, Neath Port Talbot, lives with partner, employed)

'As a student it's easier, especially as I don't have the money to buy.' (Male, 20, Cardiff, lives with partner, student)

'It's nice renting. It has allowed us to know what we really don't want and what we do... It's flexible but it suits us until we are financially stable.' (Male, 29, Swansea, lives with partner, employed)

'I was previously living at home, but here I have the freedom to make the house look the way I want it to.' (Male, 23, Monmouthshire, lives with partner, employed)

Requires less responsibility

- 3.4 Another reported benefit is that there is much less responsibility attached to privately renting, because the landlord is required to pay for and manage any maintenance or repairs.

'Somebody else takes care of maintenance and there is flexibility.' (Female, 39, Powys, lives alone, unemployed)

'Not having to worry about when things go wrong; having the landlord come out to do things.' (Male, 48, Denbighshire, lives with family, employed)

'If we do have problems the landlord is responsible for repairs.' (Male, 23, Monmouthshire, lives with partner, employed)

Enables tenants to afford to live in their preferred area

- 3.5 Others - particularly young professionals - felt that renting privately allows them to live in their location of choice, which for most is close to work, friends and transport links to other areas.

'It's [living in the PRS] mainly out of choice. My parents live pretty rurally but I work in Cardiff, so it's [their PRS property] closer to work, friends, and easy to commute to Swansea for uni. It is also good to have independence.' (Female, 26, Cardiff, lives with two housemates, employed part-time)

'It's cost effective, convenient and I can commute easily.' (Male, 27, Swansea, lives with three housemates, employed)

Struggles with getting on the property ladder

- 3.6 However, a reasonable proportion of tenant participants said they would ideally prefer to be in owner-occupied accommodation but have struggled to get on to the property ladder due to not being able to afford a deposit and/or secure a mortgage. This has particularly affected tenant participants under the age of 40, those with insecure employment and parents of young children.

'I initially went into private renting because I wanted to leave home and go to work and live with friends. But now it's difficult to save money and get on the property ladder with a young family. In the past there were 100% mortgages – which we tried but had no credit history as we never borrowed money, so could not get a mortgage.' (Male, 36, Cardiff, lives with family, employed)

'Unfortunately, the business we were going to sell wasn't sellable so financially everything went wrong. We were originally only supposed to be in rented accommodation for two months...' (Female, 62, Pembrokeshire, lives with partner, self-employed)

'I've always lived in rented accommodation even when living with my parents in Norway, so it is what I am used to. But buying is very expensive and I don't have the financial security to borrow.' (Female, 29, Ceredigion, lives with partner, employed part-time)

'Temporary contracts and low pay means PRS is the only option. Even with a steady income, it's not enough to save for deposits. I have no job security to guarantee a mortgage.' (Female, 42, Swansea, lives with their child (minor), employed part-time)

Life events

- 3.7 Others - particularly older tenants - discussed specific life events which have led to them living in the PRS, such as a relationship break-up or job loss. A few of these tenant participants have considered social housing as an option in the past but found the waiting lists were too long and criteria too strict to be accepted. Indeed, a stakeholder from WLGA identified older people who live in the PRS as being more vulnerable than younger tenants. Furthermore, a CIH representative expressed concern that the PRS has not been developed to house people with very complicated disabilities or chronic conditions that are more likely to affect older tenants.

'I had two houses before renting, but due to splitting up with partners I entered the rental sector.' (Male, 48, Denbighshire, lives with family, employed full-time)

'We were made homeless and we needed somewhere quick to move into. This [current property] came up right away, so we took it until my divorce and final settlement comes through. Social housing would have been cheaper, but the wait was too long. The council paid my deposit and first month's rent because we left with nothing - no money, no furnishings' (Female, 32, Denbighshire, lives with their two children (minors), employed part-time)

'When my husband was made redundant and decided to go back to university, we sold the house with the thought of buying again when he

got the job he wanted. We then separated and I just kept renting. I can't really get a deposit ready at this point to buy.' (Female, 56, Bridgend, lives alone, employed)

'I'm here due to personal circumstances; a marital split. The result of the divorce settlement didn't leave me with enough money to buy again for a while.' (Male, 59, Swansea, lives alone, employed part-time)

'I got pregnant and went into a council house for a bit...fine and affordable but I went through domestic violence and had to move out. I felt a desire to leave the property and start again elsewhere. I had to get what I could.' (Female, 43, Swansea, single parent, employed part-time)

Social housing is too expensive and stock is too low

3.8 Others also reported that they would ideally prefer to live in social housing, but claimed it is too expensive and reasoned that there are cheaper options available in the PRS. These claims were particularly made by participating tenants living in North Wales, who are over age of 40, living alone, single parents and/or on benefits.

3.9 A Shelter Cymru stakeholder also shared their concern that a growing number of tenants are '*too poor*' for social housing because they have historic arrears, resulting in them '*effectively being condemned to the PRS.*' Moreover, they argued that there is not enough social housing being built to cope with the demand, causing people to move into the PRS.

'I have been offered a nice council house, but I wouldn't be able to cover the costs (£86 a week).' (Male, 47, Wrexham, unemployed, lives with three housemates)

'The longer we go without building sufficient social housing, the harder the pressure gets in terms of demand, and this is where you feel it really - around the PRS.' (Shelter Cymru stakeholder)

'We were made homeless and we needed somewhere quick to move into. This (current property) came up right away, so we took it until my

divorce and final settlement comes through. Social housing would have been cheaper, but the wait was too long.' (Female, 32, Rhyl, lives with their two children (minors), employed part-time)

'I had to leave my home due to a marital split and tried to get council housing, but it was urgent that I got out and getting a council property was too difficult.' (Male, 49, Flintshire, lives alone, employed)

Other reasons for choosing to live in the PRS

- 3.10 An older participant explained that they remain living in the PRS because they live alone and has no family to pass inheritance to. Another decided to sell their owner-occupied house and downsize to a rental accommodation, which they described as being more manageable in the interim whilst they plan to buy a smaller property.

Changes in demand for PRS properties

- 3.11 Participating stakeholders believe that the PRS has increased in size in recent years, whilst the social rented sector has not grown at the same rate. They explained that anecdotal evidence suggests this has resulted in not only a higher number of people considering the PRS as an option to access affordable housing, but also a wider demographic, such as: older people; families; benefit claimants; immigrants; and those who have complex needs such as mental health issues. Most felt that these changes, are, to a large extent, due to the aforementioned issues with the availability and affordability of social housing. However, it is worth highlighting that the data collected for the National Survey for Wales (NSW) 2018-19³ does not present such largescale changes. Although the results indicated an increase in the number of people with limiting long term illness living in the PRS (30% in 2018-19; 23% in 2012-13), there have not been any significant changes among other demographics.

'There are certainly a much greater proportion of families and older people accessing the PRS than traditionally would have been the case. If you think about younger people in need of flexibility and the need to

³ [National Survey for Wales, 2018-2019. Welsh Government.](#)

move around - that kind of stuff. It's still there but there is a greater proportion of people seeking more permanent solutions in the private rented sector in my view.' (WLGA stakeholder)

'Because of the pressures on social housing now, a lot of clients are ending up in the PRS – so the issues faced in social housing are spreading out with the tenants.' (CAB stakeholder)

'I started working in the early 1990s, the size and importance of the sector has expanded out of all recognition since then. The private rented sector was half the size of the public sector at the time and now roles have reversed. The private rented sector is now double the size of the public rented sector in Cardiff. It has probably gone from 13,000 units up to 34-35,000 units.' (SRS Wales stakeholder)

Future housing aspirations

Becoming an owner occupier

- 3.12 The majority of younger tenant participants (under the age of 30) plan to continue renting privately for the immediate future, although their long-term aspirations are to become homeowners. It was reasoned that owning a property is preferable because it provides an increased sense of security, and that money is paid towards one's own bricks and mortar rather than a landlord. However, whether these aspirations are deemed to be attainable seems to largely depend on circumstances surrounding employment and finances, and the ability to save enough money for a deposit.

'I would love to buy the place I currently rent. I want security and to feel settled.' (Female, 41, Carmarthenshire, lives with child (minor), employed part-time)

'The intention is to leave PRS and buy my own home when the divorce comes through.' (Female, 32, Denbighshire, lives with two children (minors), employed part-time)

'I want to buy: staying in the PRS is dead money and spending without benefit.' (Female, 24, Rhondda Cynon Taf, lives with partner, employed part-time)

'Buying would give me a more settled feeling. It's your own, so there isn't anyone there to say you can't do something, so you can make it your own. There's also safety with it; you hear people being kicked out because the landlord has decided to sell. You're also saving money. If you add up the money people spend on rent they could buy.' (Female, 26, Cardiff, lives with two housemates, part-time student)

'The aspiration is to move somewhere else once my girlfriend is on a permanent contract and then look to buy in a few years' time.' (Male, 29, Swansea, living with partner, employed)

'I've never had the capital to go down the mortgage route, it didn't suit my lifestyle until I had my son...I'm more interested in purchasing since becoming a mum, but still not in strong enough financial position. I've only recently got a steady contracted job, so maybe sometime in the future...' (Female, 43, Swansea, lives with their child (minor), employed part-time)

Uncertainty about housing ambitions

- 3.13 However, although others said that they have thought about buying a property or moving to social housing in the future, ultimately, they remain undecided and are considering staying in the PRS.

'When you're renting you always feel like you're wasting money, but you could be paying a mortgage off forever. Generally, I'm not sure and still trying to figure out if buying is worth it. I've moved around quite a lot in my life, so it hasn't been feasible to be in one set place. It suits me at the moment to just stay in Private Rent Sector.' (Male, 30, Swansea, lives with four housemates, employed)

'It's possible that we may be able to buy. We made a conscious decision to spend our money on experiences with our young family, as a house is just bricks and mortar.' (Male, 36, Cardiff, lives with family, employed)

'I might look at social housing but am quite happy where I am. It's a ground floor flat, so it will be okay as I get older.' (Male, 60, Anglesey, lives alone, semi-retired)

Moving to social housing

- 3.14 A small number of tenant participants (5 out of 40)- mainly those who are older and live alone, or single parents - expressed interest in moving to social housing because it is deemed to have the benefits of renting privately, but with more security.

'I would consider social housing if things don't work out with buying... There are some good schemes in social rented sector.' (Female, 41, Carmarthenshire, lives with child (minor), employed part-time)

'I would prefer to get council accommodation. Finding suitable rented accommodation is not easy. I'm currently in a three-bed semi on my own which is not needed. Something smaller in a housing association would suit my needs.' (Male, 79, Monmouthshire, lives on own, retired)

'I have seen there are new housing association houses that might be nice because there is pressure being a private tenant as to how long it will last. I wouldn't be able to afford to buy a house.' (Female, 54, Powys, lives alone, on sick leave)

Remaining in the PRS

- 3.15 On the other hand, a few others were confident that they will remain in the PRS. Some reasoned it will suit them long-term due to the affordability and flexibility, while others felt they have no choice but to stay in the sector and have given up on their aspirations of owner-occupation or moving to social housing.

'A private rental will be a long-term thing. I can't see my situation changing.' (Male, 49, Denbighshire, lives alone, employed)

'I would like to buy but I'm pretty sure I'm too old now. I haven't looked at social or council rentals.' (Female, 56, Bridgend, lives alone, employed)

'I will continue renting in the PRS unless my health deteriorates and have to go into a home or social care.' (Male, 65, Welshpool, lives alone, employed part-time)

4. Findings: Views on moving process in the PRS

- 4.1 When asked about their views on moving properties within the PRS, tenant participants discussed what they look for when trying to find new accommodation, what the process entails, their personal experiences, and what they consider to be the most difficult aspects of moving.

Important factors when finding a new property

- 4.1 Most participating tenants identified a range of factors which are important to them when considering a property in the PRS, which has been summarised below.

A 'good', responsive landlord

- 4.2 Having a private landlord who is trustworthy, friendly and *'hands on'* was deemed important to a large proportion of tenants. Specifically, tenant participants look for someone who they can contact and communicate with directly on a regular basis and takes pride in managing their property. Indeed, a landlord who lives in reasonably close proximity and wants to build a relationship with tenants was considered ideal.

'Finding a landlord that is trustworthy... having the landlord live in close distance of the house. I've had experiences before where the landlord wasn't even in the same country and it was a nightmare.' (Female, 24, Rhondda Cynon Taf, part-time employment, lives with partner)

'I would want a bit more of a hands-on landlord that stops by on a semi-regular basis.' (Male, 30, Swansea, works full-time, lives with partner)

'Having a good landlord is important; someone who is preferably not absent. My landlord used to live here, so he cares about it. It makes a big difference.' (Female, 41, Swansea, part-time employment, lives with child)

'I'm happy to pay a bit extra (within budget) to have a property of a good standard and size with a receptive landlord.' (Female, 29, Ceredigion, part-time employment, lives with partner)

Location and cost

- 4.3 Location of a property was also identified as a key factor. Specifically, being close to amenities was particularly important for those who rely on public transport, while there was a general preference for easy access to local shops, work and universities.
- 4.4 Moreover, tenant participants with children reported having a strong preference for living in a location which is suited to families i.e. crime-free, non-student areas, nearby to schools, etc. Those who do not have shared custody of their children due to a relationship break-up stated that living somewhere close by so that their children can easily visit them is important.
- 4.5 There were also comments relating to affordability, with most tenants considering the cost of rent being a main driver behind whether they would consider a property.

Quality and size of the property

- 4.6 Tenant participants would also expect the property to be in good condition and well looked after, while those with families are particularly concerned with finding a suitably sized property for their household.

'I was looking for something that was decent and well looked after.'

(Female, 74, Anglesey, Retired, Lives Alone)

'My wife was starting a childminding business and the family is growing, so a larger living space was the priority.' (Male, 36, Cardiff, full-time employment, lives with partner and children)

'Size is important. I have seven grandchildren that want to visit, so I need to be able to fit them.' (Female, 56, Bridgend, employed full-time, lives alone)

Finding a suitable property

- 4.7 In terms of how easy or difficult it was for participating tenants to find a suitable PRS property based on their key criteria, experiences varied.

A quick, easy process

- 4.8 Some (12 out of 40) described a relatively quick and stress-free process, which involved finding their most recent property online without having to spend too much time searching and arranging a viewing. The majority of these tenant participants said that they only viewed one property before agreeing to the tenancy.

'It was very easy. We found the property on the first day of looking, viewed it a few days later and took it.' (Male, 40, Merthyr Tydfil, lives with partner, employed full-time)

'It wasn't massively difficult with options like Rightmove to find places' (Female, 23, Swansea, lives with partner, employed full-time)

Issues with property availability

- 4.1 Others heard about their property through word of mouth or knowing family friends who were looking for tenants. However, it was felt that the apparent increase in the number of landlords who are using informal methods is resulting in a lack of availability of properties being officially advertised. Moreover, some argued that there is a general lack of choice and availability in their area. Indeed, some of the tenants who managed to secure the right property described themselves as 'lucky' because they do not consider it particularly easy to do so.

'It's possible that a lot of landlords have gone undercover due to the new legislation and there's a bit less of this type of property available. But I think they are just renting out by word of mouth... around here there's no other real options.' (Female, 62, Pembrokeshire, lives with partner, self-employed)

'I had been looking for a while before I found my current property. My dad's friend wanted to rent out which I found out about through word of mouth. Before that I was looking through an agency and online, which

was taking a while.' (Female, 24, Rhondda Cynon Taf, lives with partner, employed part-time)

Affordable housing which also meets other key criteria

- 4.2 However, one of the main issues that tenants encountered was around finding a property which was both affordable *and* met other key criteria such as desired location, size and quality. This led to some tenant participants either '*settling*' for a property which did not meet all of their specifications or having to wait longer than they anticipated to find and secure the right property.

'If you are looking for average properties it is difficult; it depends on luck. Sometimes it may take months.' (Male, 50, Wrexham, lives with adult child and minor grandchildren, full-time employment)

'It took six weeks and was quite difficult - I was quite lucky as I found this through word of mouth. There is not a lot of private rentals here and they are quite expensive. One property agent was charging £400 just to do the paperwork.' (Male, 60, Anglesey, lives alone, semi-retired)

'It took me a while to find this place. I needed to get a bigger place for my daughter, I didn't have any space in the last place. And I still wanted to be close enough to my parents...I did look at a few places, but it took me a few months.' (Female, 41, Carmarthenshire, lives with child, employed part-time)

'I kept finding badly kept properties for cheap or well-kept properties for more than what I thought was the value of it.' (Male, 30, Swansea, employed full-time, lives with four housemates)

'I would pay more to move into a property on my own (rather than living in an HMO) but I don't think I could find anywhere. I wouldn't be able to get a deposit...If you are poor and trying to sort yourself out you are not really something society is going to worry about because you are getting by in their eyes.' (Male, 47, Wrexham, lives with four housemates, unemployed)

'I was on a tight budget and we just settled for something that really wasn't suitable for us with a terrible landlord who used to come every week and shout at me.' (Female, 43, Swansea, lives with one child, employed part-time)

- 4.3 Moreover, tenants who live alone reported facing particular struggles with finding a property which was suitable for one person and within their price range. Several key stakeholders also identified the apparent lack of appropriate housing stock for single tenants as an issue.

'It was quite difficult. In my spare time, I went online as well as visiting estate agents. My supervisor gave me a day off to have a full day of looking. It took three months to find this property. I wasn't surprised that it took that long – there aren't a lot of spacious properties around here for a single person. The property was affordable but at the upper end of my budget and I took it because my health was suffering where I was.' (Male, 65, Powys, lives alone, semi-retired)

'Single accommodation isn't well advertised. A lot of places are two or three bedrooms.' (Male, 64, Powys, lives alone, unemployed)

'I have PTSD, I was told I couldn't get a council place, I looked for a private property every day on Rightmove. It took three months to find one. Some places I found were considered unsustainable by the British Legion for their financial support. I had several knock-backs before I found something.' (Male, 49, Flintshire, lives alone, employed full-time)

- 4.4 Stakeholders also discussed the barriers that people on benefits face when trying to secure a property within the PRS which is within their price range. They felt that many of these issues stem from the freeze on LHA rates, welfare reform (including Universal Credit) and rent prices steadily increasing.

'Another issue for those who privately rent and are on benefits is the local housing allowance that sets the rate of the housing benefit and all the elements of UC that people can actually get. It's meant to be based on a median market value...some people manage to find properties

within that price range, but it depends. Even within a city like Swansea there are areas people struggle to move to because of the prices.' (CAB stakeholder)

'In terms of the affordability of PRS properties, it has been massively impacted by the freeze on local housing allowance rates. The UK government made noises, late last year or earlier this year about lifting the freeze and bringing it back in line with inflation. There's now been a bit of a turn back on that again, with more uncertainty about how that is going to work. We just did a report the other day around the local housing allowance and crisis and how it's a situation for most people where the cap to make sure that 30% of the homes in your area are affordable for you. But in some parts of Wales that's actually like 2% or 0%, just because of the way that rentals have shifted away from the rate benefit that you can achieve. For many people the situation is that housing is unaffordable, where even social housing is unaffordable.' (CIH stakeholder)

- 4.5 A few tenants said that the only way they managed to secure a deposit for their property was to make a family member or employer the rent guarantor.

'I needed to have a guarantor. My boss became the guarantor and agreed with work that the rent would be taken from my wages.' (Male, 49, Flint, lives alone, employed full-time).

- 4.6 Furthermore, a stakeholder from PCS (Pembrokeshire Care Society) felt that affording a deposit is a key issue for tenants in the PRS, and that without their organisation's bond certificate scheme⁴ there would be a much greater homelessness problem. However, concern was expressed that the maximum bond certificate they can provide is for £250 (due to funding guidelines not being uplifted), despite most landlords asking for a deposit averaging between £300 and £350. They also reported that some landlords are refusing to accept bond certificates, and that there have

⁴ PCS' bond certificate scheme helps to assist single adults into the PRS by providing them with a (maximum) £250 bond guarantee. This scheme works jointly with the housing department and the local authority so that the relevant customers between the two services can be navigated and accessed.

been cases where properties have been empty for some time because no one has been able to afford a cash deposit.

Barriers to accessing the PRS for benefit claimants

- 4.7 Despite benefit claimants reportedly showing more interest in living in the PRS, key stakeholders expressed concern that PRS landlords are refusing tenancies to this demographic. Specifically, they argued that the five-week wait for the first UC payment exacerbates financial issues for tenants, which makes landlords wary. It was also felt that the negative media attention has put landlords off more generally. There was uncertainty as to what exactly happens to benefit claimants who are refused PRS tenancies, but one stakeholder suspected that they either *'sit on the social housing waiting list for a while'* or find another private tenancy which does not completely meet their needs. Indeed, they concluded that *'it does restrict people, leaves them with less choice about where they live.'*
- 4.8 PCS – an organisation which helps to house people from the homeless sector - reported that most of the landlords they work with are willing to house vulnerable tenants (i.e. single tenants who have come from the homelessness sector). However, they explained that some have been discouraged after encountering negative experiences related to rent arrears, whilst others are no longer able to work with this client group because of their insurance costs being too high (due to being associated with a homeless charity).
- 4.9 Moreover, some stakeholders, felt that many PRS landlords are currently in a position where they can *'pick and choose'* their tenants due to the high demand, and ultimately consider people who are in permanent, well paid employment to be *'the safer bet.'* However, a local authority Housing Strategy Team member reasoned that about half of the PRS landlords registered in their local authority only let one property, which *'creates a protective feeling over who they are going to put in it'*. This was supported by the RLA, who said their figures show around three quarters of landlords only own one property. Both stakeholders argued that landlords are becoming increasingly risk averse regarding the types of

people they house because they feel they 'do not have anyone to fight their corner', unlike tenants who can access support and advice from Shelter Cymru or the council's services.

Fast moving pace of the PRS

- 4.10 Another barrier encountered by a number of tenant participants was the competitiveness of the PRS insofar as properties they were interested in were receiving a high volume of applications. For some, this resulted in missing out on properties, while others said that they felt 'rushed' into making a decision because of the level of interest, or even decided to take the property without seeing it in person so as not to miss out.

'It was pretty difficult because of the area. The place I am now in was only advertised for a week and had 10-15 applicants. I only got it because I was ready to move in immediately.' (Female, 31, Denbighshire, lives with two children (minors), employed part-time)

'The house we live in, at the time we got it, my girlfriend was studying abroad, she found it on the internet and told me to go with her mum to go look at it...I did feel a bit of pressure from the agent - he kept telling us that he had someone else coming later that day to look at it.' (Male, 30, Swansea, lives with partner, employed full-time)

'It was quite rushed... I saw it and put a deposit down on the same day. The issue with properties in Cardiff is that they move quite quickly and can be gone before you are able to confirm.' (Female, 26, Cardiff, lives with one housemate, employed full-time)

'It took a little while and we had to jump as soon as it came available. A lot of people were interested and so we took a virtual tour and took it without seeing it. Market was such that you had to jump on it.' (Male, 36, Cardiff, lives with partner and children, full-time employment)

- 4.11 Additional difficulties with finding the right property mentioned by a few tenant participants (4 out of 40) included:

- Younger tenants and students being less desirable than older tenants;

- Trying to arrange property viewings around full-time employment; and
- The lack of options for people with pets.

Deposits

4.12 Although the tenant fee ban was thought to have been a positive development by both tenants and key stakeholders⁵, the financial burden of moving was still identified as the most challenging aspect of the moving process. Specifically, affording the deposit was considered to be particularly difficult; it was explained that in the majority of cases, tenants are required to pay the deposit for their new property before they have the bond from their previous property back. Although some tenants explained that they had savings and therefore found the costs manageable when they moved, a large proportion had to rely on family to support them, credit cards or taking out short-term loans, which they paid back after getting their original deposits back. A few others used guarantors.

'It can really set you back financially and that can be stressful. Especially when trying to find deposits and stuff. Over a grand in costs which is something that I wouldn't easily have access to, and I would have to look at borrowing that money from somewhere, which means putting myself into debt to just move house. I could use my credit card, there could be an extra cost in interest.' (Male, 30, Swansea, lives with three housemates, employed full-time)

'...Especially if you find a place half-way through a month and you have to pay two months plus a bond. It's a substantial amount of money to find whilst you are hoping you will get your bond back when you leave your current accommodation. The cost can be extortionate at times...we've had to lean on family members at times to help with that process.' (Male, 36, Cardiff, lives with family, employed full-time)

⁵ The ban came into force on 1 September 2019.

'Another hassle for people a lot of the time – especially if they are on a low income and have tenancy insecurity – is the cost of moving because they need to find money from somewhere.' (CAB stakeholder)

- 4.13 An additional complication for some tenants was that their full deposit from their previous property was not given back and landlords were accused of charging inflated prices for minor wear and tear. For example, one tenant explained that they had argued with their landlord about *'the costs of things like a small stain on the carpet'*, for which they were charged around £100, despite it being *"a spot the size of a 50p piece."* A few tenants did not feel comfortable disputing the amount of money taken off them, whilst some others said they gave up and accepted losing their money because they wanted to draw a line under it. Moreover, a key stakeholder said that if tenants raise a dispute via the Tenancy Deposit Scheme(TDS⁶), a resolution can take a while to be decided, whilst in the meantime they are required to pay a deposit on a new property. Others reported that their deposits had not been put into the TDS, which made it more difficult to get them back and gave landlords more discretion over how much money would be returned to them.

'In our first PRS property we had a contract where certain things weren't delivered. I wanted to leave only to find my deposit hadn't been protected and I didn't get it back (£1200). Had to go into my overdraft to move and had to settle for a substandard place with mould because of the loss of money.' (Male, 20, Cardiff, lives with partner, student)

'It's not people not knowing their rights, its landlords bullying students. It's not a small thing, it's a massive thing. I've had issues with landlords withholding my deposit, even though contract states all repairs will be done by the landlord, and at the point of moving have been sent emails highlighting things that were broken at the property prior to my occupation.' (Male, 20, Cardiff, lives with partner, student)

'When we left our property, they held our deposit and made up stupid reasons to keep it. It was harder to get it back because we didn't have

⁶ If the deposit is protected by TDS, the dispute can be referred to them and resolved by an impartial adjudicator, who decides how much should be awarded to each party based on the evidence.

any protection on it. We lost quite a lot of money which we were hoping to use for another property... It's more about the money usually; it's made moving difficult because they try to get as much money as they can from us. My previous property was through an agency. It had a really untidy garden and I asked the landlord in writing to sort it and although he did something, it wasn't to my standards. When we left the landlord wanted to hold our deposit if we didn't do something about the garden. I was so frustrated at the end of it that I just paid for the garden and got out.' (Female, 24, Rhondda Cynon Taf, lives with partner, employed part-time)

- 4.14 That said, there were also positive comments, with some tenants describing how quickly and easily they got their deposits back, which they said made the moving process much more straightforward.

"Our deposit was in the deposit protection scheme - so we just went online and had the money back within two days.' (Male, 40, Merthyr Tydfil, lives with partner, employed full-time)

'In the past giving and getting back deposits has always been super straightforward.' (Male, 43, Carmarthenshire, lives with partner, full-time employment)

Additional costs

- 4.15 Another concern for tenants is the extra costs associated with moving, including: admin fees (which were abolished in Wales in September 2019), removal van hire, furnishing new properties, paying first month's rent upfront and taking time off of work to move. It was explained by participating tenants that these costs quickly begin to add up, with many tenants quoting moving costs ranging from £1,400 up to £2,500.

'My new place was unfurnished, so I was lucky that furnishings were donated by family and friends. I had to buy a fridge, microwave and washing machine.' (Female, 31, Denbighshire, lives with two children, employed part-time)

'The other thing was the cost of getting the van to move all of my things. I would estimate the cost of moving was probably about £200 for the van

plus the £600 deposit. Usually I have to save or borrow that kind of money.' (Female, 56, Bridgend, lives alone, employed)

Timeframes of moving

- 4.16 The moving process also takes up a lot of time, which – according to tenant participants - can take anywhere from a few weeks to six months or more to complete. Some said that, in their experience, this is due to the time it takes to find a property, complete all the paperwork and undergo financial checks.

"It takes a lot of time. You have a lot of paperwork to complete like changing address on everything." (Male, 31, Conwy, lives with partner, self-employed)

'We think it would take us two to three months to find a place and get the credit checks done. We would then give a months' notice and use that time to get bills etc. sorted out and pack everything up to move.' (Female, 29, Ceredigion, lives with partner, part-time employment)

- 4.17 However, others said that the process can be particularly time consuming for those who do not have their own transportation and have to rent a van or rely on friends and family to help them. Indeed, some said that it would take them several weeks to move into their new property. Moreover, working full time, looking after young families, and generally leading busy lives were identified as factors which can slow down moving timeframes.

Finalising / setting up new utility accounts

- 4.18 Finalising and/or setting up new utility and broadband accounts is an additional source of frustration related to the moving process. Tenants reported issues such as:
- Settling final utility bills and closing the accounts, which can take months and lots of 'back and forth' between the tenant, landlord and utility company;
 - Being put on incorrect tariffs by the landlord when tenants moved in, which was difficult to sort out; and
 - Delays with setting up a broadband account with a new provider.

'The main problem is squaring bills as there is always something that will still remain unresolved until after the move is complete.' (Female, 29, Aberystwyth, part-time employment, lives with partner)

'When we moved in it took us about six to seven months to get all of the bills sorted. Our tariffs were set up at a business rate and we had to switch it over to residential. But the landlord didn't do anything to help us switch them over. He hadn't set anything up with the suppliers as a residential property when they converted it from a pub – and when I called up to set up the house utilities they didn't know anything about our property because it was still on their system as a business.' (Male, 30, Swansea, lives with partner, employed full-time)

'The most frustrating thing for me moving was changing internet providers, mainly that they couldn't move me in the time frame that was promised.' (Male, 43, Carmarthenshire, lives with partner, full-time employment)

5. Findings: Experiences of living in the private-rented sector

Positive experiences of living in the PRS

A proactive, communicative landlord and a good quality property

5.1 Around half of tenants said they are satisfied with their current PRS accommodation. When asked why, some simply said they have not encountered any issues, whereas others praised their landlord for:

- Keeping the property well maintained;
- Dealing with any issues quickly and effectively;
- Being open and willing to having necessary modifications made to the property; and
- Maintaining an honest and open relationship with their tenant(s).

'I'm very satisfied. There have been a few minor problems in the last year which are being rectified. It's well maintained. Every six months the agent inspects it and asks if there is anything wrong. The back fence had a couple of panels missing which I pointed it out and they were replaced. The boiler is inspected regularly and whilst it works, they will be replacing it. The owner lives in Scotland – I deal directly with the estate agent. I also had a safety handrail put into the shower which was acceptable to the landlord.' (Male, 65, Powys, lives alone, semi-retired)

'It's just perfect. It was immaculate when I moved in. The landlord was happy for me to remove some of the furnished things that I wanted to replace with my own. I've had a few small issues over the three years: leaky tap, shower, alarm not working and window not closing properly. The letting agents are efficient and prompt in resolving any issues.' (Male, 59, Swansea, lives alone, employed part-time)

'The landlord is awesome; any issues are sorted quickly. The landlord is always honest with us and give us plenty of time to get access to fix things. She is also amenable to change internet providers if we feel it is necessary.' (Female, 21, Swansea, lives with four housemates, full-time student)

5.2 Moreover, one tenant said that although there are media reports about ‘bad’ landlords, this does not reflect their experience. Specifically, they described feeling very secure and satisfied with their tenancy.

‘You hear horror stories in the media about how landlords do nothing, and things fall apart and if they [tenants] make a fuss they are evicted. I have had no major issues or concerns over the three years. Soon after agreeing the property the letting agent asked me and the landlord our intentions with the property and I indicated, if permitted, would probably be here for around five years and there was no problem with the landlord on that. Initially, I had two six-month contracts and ever since a rolling one-year contract.’ (Male, 59, Swansea, lives alone, semi-retired)

5.3 Although a number of tenants praised their letting agency for being proactive and efficient, others claimed that landlords who rent their property directly are more invested in maintaining it and dealing with issues. They also argued that their rent is cheaper due to the landlord not having to pay a fee to the letting agents.

5.4 Moreover, a stakeholder from CIH argued that there are a lot of PRS landlords who go ‘above and beyond’ with their tenancy management, but do not necessarily get the same level of coverage or recognition compared to the good work undertaken in social housing. However, they also acknowledged that the PRS is much more diverse than the social sector, and that there are other landlords who simply collect the rent and show little interest in tenancy sustainability.

‘Lots of PRS landlords will do things like pre-tenancy checks, speaking with tenants on a one to one basis getting to know people and deciding what might come up that might complicate the tenancy. However, others may operate on a more transactional process.’ (CIH stakeholder)

Feeling comfortable with reporting issues

5.5 Around half of participating tenants feel comfortable with reporting any problems with the property to their landlord because they are quick to respond and are proactive in getting repairs undertaken. It was felt that letting agencies are particularly quick to respond to maintenance

requests and were deemed more 'responsible' and 'professional' by some tenants. The quality of the repair companies that agencies used were also commended.

'The current agent is quite responsive if anything goes wrong. The dishwasher was recently repaired, and we had a new oven. There was a washing machine leak last year and that was fixed promptly. The agents have been brilliant. We are good tenants and it's a good relationship. I feel really comfortable and wouldn't worry about reporting issues.' (Male, 36, Cardiff, lives with family, employed full-time)

'Any problem and I just have to pick up the phone. When I switched the heating on for the winter, the pump in the attic didn't start and within 24 hours a plumber came to fix it.' (Male, 65, Welshpool, lives alone, semi-retired)

'The people they use to do any repairs are great. I even asked if they could put me on a water meter and they did.' (Male, 59, Swansea, lives alone, employed part-time)

- 5.6 Those who feel at ease with reporting issues also said that their landlord is easy to contact about such things. Specifically, landlords and letting agents who have an online, text or phone app service in place were considered to be particularly helpful for tenants who are shy or nervous to raise concerns. The importance of having a trusting, two-way relationship between tenant and landlord was also reiterated, which enables tenants to feel confident and comfortable with making contact.

'They are great. Any issues we have had so far, I have been able to text.' (Female, 24, Rhondda Cynon Taf, lives with husband, part-time student)

'It's alright because it's online. If I had to call them I would be more nervous about it because I don't like being confrontational.' (Female, 26, Cardiff, lives with housemate, employed full-time)

'My estate agents have an app where you can submit problems which is effective and they get back to you quickly.' (Female, 26, Cardiff, lives with one housemate, employed full-time)

Willingness to reduce rent

- 5.7 A few tenants also praised their landlord for agreeing to negotiate and ultimately reduce the original cost of their rent to make it more affordable.

'My landlord is a family friend who is super understanding when we asked him to bring the price down to something that was affordable for us.' (Female, 24, Rhondda Cynon Taf, lives with partner, employed part-time)

Initiatives, policies and good practice which are increasing PRS standards

- 5.8 A stakeholder from the WLGA reported that there is a lot of ongoing work being undertaken by local authorities to professionalise the sector through Rent Smart Wales under part 1 of the Housing (Wales) Act 2014. They also discussed new initiatives which aim to provide landlords with better access to a wider range of support, which has received positive feedback from landlords who have engaged. It was also highlighted that landlord forums are now being run in every local authority, which was not happening ten years ago. The stakeholder explained that these programmes of work all have the aim of improving PRS properties and tenancies.

'There is a lot of activity on the part of organisations including local authorities to support the legislation to support landlords to give them access to a wide range of support and advice in order to make their jobs easier to deliver a professional service that ultimately benefits tenants at the end of the day by professionalising that service, making landlords and agents more informed and delivering a better service to tenants and hopefully improving property conditions along the way.' (WLGA stakeholder)

- 5.9 Moreover, the CIH reported that it is doing a lot of work to improve professionalism and professional PRS standards. In particular, the stakeholder argued that all PRS landlords should hold *'some kind of qualifications'* to reflect their ability to do the job, although there is little opportunity for this at present. Therefore, they would like to see a growth in standardisation of quality across the Welsh PRS through the provision

of training and professional development for all types of private landlords (from those who own property, to those who own a portfolio of properties, to letting agencies). They suggested this could possibly be implemented through Rent Smart Wales.

Main issues and concerns about living in the PRS

Maintenance and repair issues

- 5.10 However, around two thirds of participating tenants reported being dissatisfied or unhappy with at least one aspect of their current or previous tenancies. The biggest issue by far was around the condition and maintenance of the property, such as safety checks not being regularly undertaken, central heating not working, overgrown gardens, plumbing issues and condensation and mould. This suggests a mixed picture with regards to how maintenance and repair issues are dealt with across the Welsh PRS.

'The biggest issue is maintenance. Properties can be quite run down.'
(Female, 54, Powys, lives alone, on sick leave)

'It had mould in one room, and we were just told to move furniture.'
(Male, 31, Conwy, lives with partner, self-employed)

'My PRS property didn't have proper insulation. There was mould in the house. I started to look at moving after five years of living there as the condition of the property was affecting my health.' (Male, 55, Abergavenny, lives alone, on sick leave)

'There were issues. There were marks on the wall that the landlord had promised to paint but didn't. The garden was overgrown and the house needed a total clean as the previous tenant had cats and didn't clean - nor did the landlord. There was mould in one bedroom that was never dealt with. I took the property because I wanted the location, it met my budget and I needed to move out of my dad's quickly. The tenant who came in after me had to leave after two months because the mould in the bedroom made her very ill.' (Male, 40, Merthyr Tydfil, lives with partner, employed full-time)

'The last property I was in unsafe... The toilet roof collapsed on my head and I slipped down steps three times because of water running down the wall.' (Male, 65, Welshpool, lives alone, employed part-time)

'When I moved in there was not heating, so they gave me two oil heaters. I know electric heaters, are expensive' (Male, 64, Llandrindod Wells, lives alone, unemployed)

- 5.11 Of these tenant participants, a large proportion reported that their landlord is not proactive in fixing the problems. It was reported that some landlords insist on doing the repairs themselves rather than using professionals, resulting in 'cowboy' jobs, or in other cases the work simply is not undertaken at all. Others felt that repairs do not get dealt with because their landlord does not live locally and has no relationship with their tenants. However, most believe that the landlord simply does not care about managing their property.
- 5.12 A few tenant participants (3 out of 40) said that the letting agents are to blame for not dealing with repairs, because having 'a middle man' between the tenant and the landlord complicates matters and can cause a breakdown in communication. However, others argued that tenants who use letting agents seem to have more official processes and 'tighter' contracts in place which makes it easier for tenants to raise issues.
- 5.13 Landlords' lack of proactivity has caused tenant participants to have to wait for unacceptably long periods of time (i.e. more than a few weeks) for problems to be fixed or arranging and paying for repairs themselves. Others reported feeling 'awkward' about continually raising issues, which they said continue to fall on deaf ears and has resulted in them giving up on reporting them altogether – despite concerns that the property has become unsafe or is affecting their health. Indeed, tenant participants reported being made to feel that repairs are their responsibility, rather than their landlord's.

'Our toilet was not flushing properly - eventually we had to get our own plumber and pay for it. There was an issue with damp, which the landlord agreed to fix, and the only way it got fixed was through my mother, who

was the guarantor, and called them and then they made the repair.'

(Male, 23, Monmouthshire, lives with partner, employed full-time)

'Maintenance issues in the past have been the main concern. Particularly dealing directly with a landlord/landlady and if they don't have the money. When I was younger and living with friends the agencies would tell us it was our problem.' (Male, 36, Cardiff, lives with family, employed full-time)

'To be completely honest the landlord has been useless. Issues are not being addressed and they keep on piling up. I just gave up on reporting them. It just becomes a hassle to get anything done. Everyone in the house is complaining about things and he keeps on saying that he's going to fix things and then he doesn't, and I feel like I have to keep chasing and chasing things up. My job should just be reporting the issue and it should be dealt with.' (Male, 30, Swansea, lives with four housemates, employed full-time)

'I have had many issues around maintenance, particularly with absent landlords, who either refused to do the work or agents couldn't get in touch with them. Landlords deny responsibility for things like damp and there are no options for compensation.' (Female, 23, Swansea, lives with partner, employed full-time)

- 5.14 Most tenant participants felt uncertain as to whether their landlord is breaking certain regulations by not ensuring maintenance issues are addressed, while some were concerned that their rent will increase if they keep *'rocking the boat'*. Indeed, there were no reports of seeking support through services such as Rent Smart Wales. Another participant explained that they have only recently realised that it is within their rights to complain to the council about certain problems, whereas in the past they felt they simply had to accept it if the landlord refused to do anything.

'I'm unsure if my property has adequate safety certifications etc. I'm also not sure if it's something I can complain to regulators about. I kind of feel like I'm walking a tightrope... I like my lifestyle as it is, it's safe and better than other places I've lived in... There is a niggling worry that, if I call him in to do all these things, my rent takes a big hike! I don't want to have to

pack up everything and all the upheaval.' (Female, 43, Carmarthenshire, single parent, employed part-time)

General condition and quality of properties

- 5.15 A stakeholder from Shelter Cymru explained that a large proportion of PRS tenants are using their organisation's services, both the advice line and face to face 'surgeries', to report bad property conditions⁷. They explained that although councils are aware of the issues, their environmental health departments are struggling to provide resource to follow-up on enforcement notices and therefore the issues are not being addressed. CAB also identified getting maintenance issues dealt with as a key issue facing PRS tenants. Moreover, although the participating WLGA representative believes that property conditions within the PRS are generally improving, they reasoned there is '*a way to go*' in terms of legislation around minimum standards. They felt that a key factor which is missing is a '*voice*' for PRS tenants which can be heard by policy makers and regulators.

'I think there is always a need for more support. If there were more resources in local authorities for example, there would be a more proactive approach to property inspections around the housing health and safety rating system and responding to complaints in a fuller way.'

(WLGA stakeholder)

- 5.16 Another stakeholder from SRS Wales agreed that property standards are generally improving but felt that conditions '*at the lowest end of the scale*' are deteriorating. Specifically, they felt that '*bad*' or '*rogue*' landlords are increasing within the PRS, resulting in vulnerable tenants being exploited. Moreover, they explained that their environmental health team are issuing more prohibition orders than '*ever before*', and housing conversions (where landlords are taking houses, splitting them up into

⁷ Over a three-month period (December 2019 – February 2020), Shelter Cymru provided support to 176 PRS tenants whereby property disrepair was the primary presenting problem, suggesting an annual figure of around 700 people seeking advice for these issues. However, Shelter Cymru has caveated these figures, insofar as they are based on the recording of the 'primary problem.' It was explained that property disrepair issues are also a factor in many other cases (such as when the tenant is threatened with homelessness) and as such, the number of disrepair cases it deals with are in fact higher than the data suggests

multiple units for accommodation) without any regard for planning, building regulation or fire safety is becoming a particular problem. A local authority housing solutions team member agreed that *'a lot of house shares are created under the radar.'*

'We shut a property recently in the Roath area that had been converted into nine flats where the fire service and ourselves agreed it was a death trap because the landlord hadn't followed building control process correctly and had done a cowboy job. If a fire had occurred people would have been killed so we had to shut this down. There is a disregard for the rules and tenants are being put at risk without question.' (SRS Wales Stakeholder)

- 5.17 Shelter Cymru suggested that a bespoke service could be funded and developed across Wales, whereby tenants are supported to pursue their own legal cases against the landlord with regards to property disrepair, whilst also being protected against eviction. They reasoned that this would alleviate pressure on the local authorities and increase overall property standards within the Wales' PRS.
- 5.18 On the other hand, a stakeholder from Rent Smart Wales discussed the organisation's current work on developing agent audit processes and procedures, which aims to grade and rate the quality of letting agents on important factors, such as whether gas safety inspections have been undertaken. They explained that the hope is to implement a system very similar to the food hygiene rating scheme, whereby customers (i.e. the tenants) will help drive up standards within the PRS, resulting in less need for enforcement strategies.

Lack of freedom to make changes to properties

- 5.19 There was also frustration that some landlords do not allow their tenants to modify or make improvements to the property – even at the tenants' own time and expense. It was felt that not being able to do so is a constant reminder to tenants that the property is not theirs, which makes them feel unsettled.

'We have had some quite poor experiences with landlords and estate agents. It feels like you are being told what you can and cannot do and there is no freedom in that - there's always an awareness that is not your home.' (Female, 23, Swansea, lives with partner, employed full-time)

'If you are renting for a long time, there is a difficulty in making the place you own. In a furnished flat, we have to make do with what is there even if it is not to our taste because the landlord doesn't have storage for us to buy our own.' (Female, 29, Ceredigion, lives with partner, employed part-time)

Cost and affordability

- 5.20 Another key area of concern and dissatisfaction amongst tenant participants was the cost of rent and utility bills. This seemed to be a particular issue for those tenant participants on benefits, who described themselves as struggling to make ends meet. Indeed, some key stakeholders (4 out of 10) said that average rent prices across Wales have been steadily increasing over recent years – in both urban and rural areas - resulting in PRS properties becoming unaffordable and inaccessible. Moreover, they identified benefit claimants and single parents as being particularly vulnerable because they are affected by welfare reform and the LHA cap. Indeed, Shelter Cymru said that rent arrears and poverty are becoming a major issue within the PRS and that they are seeing an increase in Section 8⁸ notices being issued as a result.

'We see huge amounts of rent arrears and poverty in the PRS that means that people can't really afford... Rent arrears is a huge problem, but it's not because we've got a load of lazy tenants who just don't want to pay their rent, that's the wrong way to characterise it; it's people who are in poverty living in the PRS.' (Shelter Cymru stakeholder)

'People on housing benefits would be affected by things like the local housing allowance cap... it's a very complicated problem but ultimately it

⁸ A [Section 8](#) notice can be used to evict tenants who have an assured shorthold tenancy if the tenants have broken the terms of the tenancy.

means that people don't have enough money with the housing benefits to pay their rent. So, they make up the short fall in other ways, and actually if that's the case for you you're more likely to be impacted and need to use things like food banks, have to make choices between heating, eating and paying rent, kind of stuff. All of the really horrible things that we kind of hear about.' (CIH stakeholder)

- 5.21 A few tenant participants explained that due to their financial situation, they have been forced to live in cheap PRS accommodation which is in a poor state of repair. Another tenant participant discussed their current situation of living in a bedsit, where they have been left to pay the utility bills themselves because the other tenants have left the property without paying their share.

'The price is an issue; it's expensive - social housing would be a lot cheaper. I get no more financial support being in a private rental compared with social housing, so I need to fund the shortfall. I definitely couldn't afford it if the rent increased above what is now.' (Female, 41, Denbighshire, lives with partner and two children, employed part-time)

'Housing benefits only cover a fraction of the cost of rent in the private rental sector. The rest has to be taken from my disability benefits which is for food, clothing and living.' (Male, 55, Monmouthshire, lives alone, unemployed)

- 5.22 Some tenant participants who are struggling to afford the rent in the PRS sector have, out of desperation, found themselves in properties without written contracts or tenancy agreements through word of mouth. This has led to rents being increased with no warning and the fear of being evicted without a formal notice period.

'I got lucky and found the last two properties through word of mouth, but as an informal tenant and I'm still without adequate security – there is no formal agreement. I had an informal agreement for the landlord to charge a full rent value, but I would claim housing benefit and the landlord would drop the rent if circumstances changed. I was then made redundant, but landlord didn't drop the rent to reflect change of circumstances, so I had

to leave because I could no longer afford it.' (Female, 43, Swansea, single parent, employed part-time)

5.23 Shelter Cymru also identified disproportionate rent increases as a key challenge in the PRS currently. They explained that attempting to challenge these increases via a rent assessment committee (a part of Residential Property Tribunal Wales which resolves disputes about rent) is, in their opinion, often not helpful for tenants and that in some cases there is a risk of the rent increasing as a result of going through the process. They suggested that following a model used in Ireland, which Scotland is also in the process of implementing, whereby local authorities are given the power to regulate rent in specific geographical areas could be a positive step forward.

5.24 The Shelter Cymru stakeholder also discussed their concerns about PRS landlords who *'do not operate in any legal framework'*, and *'lure'* in vulnerable tenants struggling with poverty. They said that these types of landlords are more likely to make criminal threats (such as physical violence) when rent payments are missed. They felt this is particularly an issue among new migrants who are unlikely to challenge or report illegal landlords.

'There is a sub private rented sector that no one ever hears about because the landlords don't operate in any legal framework. The people that they are housing are new migrants from Eastern Europe, for example, who don't know anywhere else to go and if you don't pay the rent – it's not that they are not going to carry out any legal action - they are going to come around with a baseball bat. This illegal private rented sector which just seems to operate completely independently of all of the laws and things that we bring in. I think that's terrible but realistically it's very hard because what can you do? The tenants are never going to seek enforcement or anything.' (Shelter Cymru stakeholder)

Concerns about tenancy security

5.25 A small proportion respondents (3 out of 40) said that the main concern they have about living in the PRS is the landlord deciding to sell the

property and asking them to leave, whilst others felt vulnerable due to being on a rolling or 'informal' contract.

'I suppose my main concern would be if they sold and I would have to leave. That's the major concern. But we do have a tenancy agreement and I have paid a bond with protection. But I still worry' (Female, 56, Bridgend, lives alone, full-time employment)

Location

- 5.26 Although around three quarters of tenant participants are satisfied with the location in which they live, a few have experienced anti-social behaviour issues in their local area.

'Where we live isn't the greatest place to live. We don't have a garden which isn't great over the summer and there's a lot of drunks and druggies that kind of wander into our outside areas.' (Male, 29, Swansea, living with partner, employed)

'I like the flat, however the area is a little rough; my partner's car has been vandalised.' (Male, 23, Monmouthshire, lives with partner, employed full-time)

6. Findings: Views and experiences of no-fault evictions

Experiences of 'no-fault evictions'

6.1 Six tenant participants (out of 40) reported that they have experienced a no-fault eviction whilst living in the PRS. The exact reasons as to why the landlord decided to issue a no-fault notice varied, and included:

- Wishing to sell the property;
- Needing to move back into the property themselves; and
- Changing the requirements so that the property is for students only.

'The previous property I was living in, they wanted to make it all for students, so they gave me a month or two to leave.' (Male, 27, Swansea, lives with three housemates, employed full-time)

'Our landlady died and the family gave us notice that they were going to do the house up and sell.' (Female, 29, Ceredigion, lives with partner, employed part-time)

'Our landlord lived overseas and had become ill, so needed to move back to the property we were staying in to get NHS treatment' (Female, 35, Swansea, lives with family, employed part-time)

6.2 Tenant participants described the experience as *'disappointing'*, *'unsettling'*, *'worrying'* and *'inconvenient.'* Indeed, nearly all participants said they wish they had been given more than two months' notice and that finding a property within the time frame was stressful. Two tenant participants did not manage to secure new accommodation within the eight weeks and were forced to stay with friends and pay to put their belongings in storage. Another two described themselves as *'lucky'* because they heard about suitable properties available to rent through family friends. The remaining two tenant participants moved into a new property through a formal search, but one said that they ended up *'settling'* for somewhere they did not really want, and the other explained that their landlord gave them three months' notice, which made a big difference.

'It was unsettling because I had at least six more months of the year. I tried to find a place on the same street and there weren't many places available. I did end up settling for another place. I wish I'd had more time.' (Male, 27, Swansea, lives with three housemates, employed full-time)

'It has happened to me and it's unpleasant. I've had to gatecrash friends and put furniture in storage. You sometimes compromise on the next property to find something quickly so as not to inconvenience friends who are putting you up temporarily.' (Male, 50, Wrexham, lives with child & grandchildren, full-time employment)

'It was very stressful. It came totally out of the blue, having lived in the property for 6 years. Our rent hadn't increased in that time, so we had a massive shock when we saw how much it would cost us to find somewhere in the same area. We just couldn't afford it. In the end we rented from a friend informally because the rent was cheap, but it wasn't in the type of property we wanted.' (Female, 34, Swansea, lives with partner, employed full-time)

'It was really bad timing. It happened at a time where we were planning a wedding...We had invitations meant to be coming back to our house, we had things coming to our house on the wedding day. So, we had to change a lot of stuff. But also, we didn't have a huge amount of time to be thinking about moving to somewhere else and we didn't really want to move into another rented property because we were planning to buy a house. So we decided let's just try and buy a house which was really stressful...The problem is that buying a house doesn't go as smoothly as it should do, and we were hoping it would be done in the two months that we had but it wasn't. So, we technically didn't have an official place to live. We were lucky enough to have friends who would let us stay and we were there longer than we thought, almost two months [longer]. It was really inconvenient. We could have rented temporarily but it would have been so inconvenient moving and then moving again and the same thing could have happened in the next place.' (Female, 35, Swansea, lives with family, employed part-time)

6.3 Going through a no-fault eviction has also changed tenant participants' views on renting privately. Although most have remained in the PRS, they said they now feel less secure than they did before.

'But being on your own is much easier; if I had a family it would be completely different. Since then [the no-fault eviction] my views have changed on the PRS. It makes me think that you can't really stay in one place; there's a lack of security and that you constantly keep on top of your contract and make sure that everything is taken care of.' (Male, 27, Swansea, lives with three housemates, employed full-time)

'If I had stayed in the PRS rather than buy a property, the experience probably would have put me off. I'd probably balance it off with the advantages of renting if we didn't want to be tied down to anywhere then it might be that we would think that renting would be best. But it definitely would make me think twice about doing it because it is less secure and you are not in control.' (Female, 35, Swansea, lives with family, employed part-time)

6.4 Some key stakeholders, such as CAB, said that they do not witness many issues associated with Section 21⁹ notices in the PRS within their remit. However, Shelter Cymru reported that support relating to Section 21 notices is something that comes up a lot in their casework and that the proportion of tenants affected by it has increased slightly in recent years.

6.5 However, there was general agreement among several stakeholders that *'revenge eviction'* is an issue within the PRS, whereby the landlord issues a Section 21 notice to tenants for complaining about poor property conditions. It was also argued that no-fault evictions tend to *'disguise'* underlying issues such as poverty.

6.6 A court representative from Shelter Cymru went on to explain that a lot of tenants fail to attend court when they are listed for a possession hearing. They suggested this may be linked to court closures, resulting in tenants struggling to access their nearest court due to the expense of travel and

⁹ Currently, a [Section 21](#) notice can be used to tenants to evict them from the property with two months' notice.

having to rely on public transport. This is a particular problem because, according to the stakeholder, quite often the Section 21 notice will not be valid due to the landlord not complying with the deposit protection rules, or the licensing/registration being incorrect (both of which invalidate a Section 21 notice). However, they explained that there is a greater chance of the judge picking up on these breaches and dismissing the notice (which would have to be re-issued, thus giving the tenant more time to move) if the tenant is in court to provide information. They also said that other tenants are often discouraged from starting a court case to dismiss a Section 21 notice from the offset, because if they lose, they will not only have to move out within two months, but also pay for the court costs, which the stakeholder believes the landlord should cover.

'I think where some frustration as well comes in with the Section 21 mandatory procedure, is that if everything is in order they then get stuck with the court costs as well. I think there has been some talk of "Hang on a minute, if it's mandatory, why can't the landlord have to pay those costs?" Fair enough if it's a Section 8 and the grounds been proven and there has been a breach of the tenancy. I think that doesn't help and sort of builds the fear either around "I don't want to go to court, I don't want to have these costs for no reason"'. (Shelter Cymru stakeholder)

Views on the current notice period for 'no-fault evictions'

- 6.7 When all tenant participants were asked about their views on the current two months minimum notice period for no-fault notices, the majority felt that it is not long enough – the reasons for which are outlined below.

Financial pressures

- 6.8 The most common issue identified with the current process for Section 21 evictions was the financial strain on tenant participants. Specifically, it was felt that two months is not enough time to gather sufficient funds to move to a new property, especially if the tenant wants to find a property that is ideally suited to their needs. Many said that they would have to resort to taking out a loan, borrowing money or using their credit card to be able to move to a new property within two months.

'There is no way you can save up that amount of money and live at the same time within your means. You don't have surplus for things like that. The majority of people haven't got savings and are on benefits.' (Female, 48, Vale of Glamorgan, lives alone, student)

'If someone was to tell me that I have two months to get my life together and move it would be really challenging. Two months would be difficult to sort money out and find somewhere to live.' (Male, 28, Monmouthshire, lives with partner, employed full-time)

'Colleagues and friends have faced these issues and they have struggled – one is living with his aunty at the moment because he cannot afford to find a place.' (Male, 51, Gwynedd, lives with partner, employed full-time)

6.9 Indeed, it was argued that their original deposit would not be paid back to them before having to put down another one for a new property, and that the cost of moving belongings, taking time off work and buying new furnishings would cause further financial hardship.

'I would panic if that happened. It's not just the cost of finding a new deposit [before getting this one back] and rent in advance, it would also be the two months' rent to pay here and the additional costs of moving - it would be impossible to do. If I had to, I would have to get it on a credit card/borrow.' (Female, 32, Denbighshire, lives with two children, employed part-time)

'The deposit would be the main issue, because it depends like some places could ask for an admin fee, and some places were asking for a deposit and a full month's rent.' (Male, 30, Swansea, lives with three housemates, employed full-time)

6.10 Moreover, Shelter Cymru explained that they work with tenants to find alternative accommodation, such as rehousing or making homeless applications - but finds that the *'quick nature of the timeframe'* can make the process difficult and pressured.

Finding a suitable property

6.11 A key stakeholder argued that only having two months' notice is stressful and that many tenants struggle to find a new property. Specifically, it was argued that the timeframe does not represent the current housing market, which has a lack of affordable, suitable housing.

6.12 It was also argued by stakeholders that having to move properties within two months is particularly '*difficult*' and '*disruptive*' for families with children. Indeed, it was reasoned that additional factors would need to be considered, such as finding new accommodation that is big enough and near to local schools, as well as the disruptive nature of the upheaval for children, especially if the moving period clashes with exams. Furthermore, both stakeholders and tenants felt that the current notice period would put further pressure on parents – especially single parents – who lead busy lives and already have to juggle different priorities.

'It's a busy working life as a single mum that's the main factor- when would I have time to look about and sort it all out? I walk my dog and my son is 9 and I work; I've got a pretty hectic life. Now I'm a mum I also have to find something suitable near the school, it's not so easy.'

(Female, 43, Swansea, single parent, employed part-time)

'The stress is leaving a place that's ok and going into the unknown, especially with a little one. The stress of viewings and making the decision' (Female, 41, Carmarthenshire, single parent, employed part-time)

'There were a few people that said the eviction notice came just at the point that their kids were doing exams, it affected their exam results, there was one kid lost out on going to medical school because he was working to raise money to support the family instead of studying.' (Shelter Cymru stakeholder)

'We sometimes will hear from clients, "look my child is only 12 and they have already lived in five houses and been in two schools, I can't do it to them again, I need some security, I want to settle down, I want a home"'. (Shelter Cymru stakeholder)

Consequences of low-income for benefit claimant tenants

- 6.13 A stakeholder from CAB felt that whether or not two months is a sufficient notice period largely depends on individual circumstances. They argued that although those who are in full-time work and have savings may not find it too difficult, tenants claiming benefits or in low paid work face many more barriers with accessing PRS properties. For example, they explained that many landlords and letting agencies exclude people based on credit checks, which these types of tenants are more likely to fail.

Tenancy security

- 6.14 Several key stakeholders reported that tenancy insecurity is a key issue within the PRS and that knowing they could be issued a notice to leave the property within two months – despite being a good tenant – is very unsettling for tenants. It was claimed that some tenants are so put off with their experiences within the PRS that they seek social housing, which offers more security. Moreover, some tenant participants felt that the current two months' notice period for no-fault evictions makes them feel worried and vulnerable.

'I think that is the biggest issue that we see in our casework is that when tenants get a Section 21 notice, it's kind of like 'What? All I've got is two months and for no reason'. I think it feels very insecure and if you are trying to make roots or settle down or get your kids into school, you don't want the thought of being able to move with two months' notice hanging over your head.' (Shelter Cymru stakeholder)

'I think that everybody appreciates that having notice and having to leave their home is very traumatic and having gone through that a lot of people are very keen to have social housing because it has been a very distressing time in their life and the prospect of it happening again is just awful.' (Housing Strategy Team, Conwy County Borough Council stakeholder)

- 6.15 However, other tenant participants explained that they have a good relationship with their landlord, and strongly believe they would be given more than the minimum notice period if they were asked to leave.

Moreover, stakeholders from the RLA, CIH and a Housing Solutions Team member pointed out that according to recent research in England, 90% of tenancies are ended by the tenants, not the landlord¹⁰, and argued that more could be done to increase a sense of security in the PRS by focussing on these statistics.

Views on changing the current notice period for ‘no-fault evictions’ (Section 21)

Extending the minimum notice period to six months would be beneficial to PRS tenants

6.16 All tenant participants agreed that the notice period under Section 21 should be increased, but opinion around to what extent varied. Around half of participants (20 out of 40) agreed that increasing the minimum notice period to six-months would have the following benefits:

- Increase sense of security and ‘*peace of mind*’;
- Allow tenants to save for a deposit and other costs associated with moving; and
- Allow more time for tenants to find a new property which fulfils their key criteria. It was felt this is particularly important for families with children.

‘The main thing for me is to have a long tenancy; we all want to feel secure. Two months isn’t really giving you that much security, I think six is much better, much less stressful.’ (Female, 41, Swansea, single parent, employed part-time)

‘I was thinking that a minimum three months would be ideal so, but six months sounds better. It can take a while to find somewhere else, especially for people with families.’ (Female, 29, Ceredigion, lives with partner, part-time employment)

‘It would be more reasonable to increase it to six months. It gives time to find a suitable place, save for a deposit, and continue with work and have a life’. (Male, 50, Wrexham, lives with child and grandchildren, full-time employment)

¹⁰ [English Housing Survey, Private Rented Sector 2016/17](#)

'I think Welsh Government got a different type of tenant in mind in the sense that they are thinking about families. If you are a family moving into an area with a good school, the last thing you want is to have to move out at two months' notice. Because you're not necessarily going to be able to find somewhere else within the same neighbourhood, within the catchment for the school etc within a short period of time. So, it's trying to find something that works for the family and, also works for individuals or couples who want more flexibility about how quickly they move out.' (Rent Smart Wales stakeholder)

- 6.17 WLGA and Shelter Cymru stakeholders said they are also supportive of this proposed legislative change because they believe it will give tenants greater security and reduce pressure on homelessness services provided by local authorities.

'Our position is that we support that [increasing the minimum notice period to six months] as a direction of travel. Anything that gives greater security to tenants in the PRS – from a local authority perspective - we see that reducing pressure in relation to homelessness services that local authorities provide but also just simply giving people greater certainty around the decision making that they can undertake in relation to the wider investment in terms of their lives around work and education and all the other opportunities.' (WLGA stakeholder)

'Obviously Shelter Cymru campaigned to abolish Section 21 but I think we are in support of the proposed changes because at least with these changes, you're guaranteed that in the first six months you can't be given notice and you've got a much longer period to either work with your landlord to resolve any issues or find something different in a way that people just don't have now because you could literally move in, something may change and then you might only be in a property for four or five months.' (Shelter Cymru stakeholder)

Caution around extending the minimum notice period to six months

- 6.18 However, the other half of tenant participants (20 out of 40) thought that although a longer notice period is necessary, six months is too long. It was reasoned that it is important to consider the landlord's rights as well;

for example, they could have a very good reason for issuing a no-fault eviction (such as financial or health issues) and waiting such a long period of time could be especially problematic for those who do not own many properties. Several key stakeholders supported this view and emphasised the importance *at 'looking at it from both sides.'*

- 6.19 On the other hand, some tenant participants were concerned that extending the notice period to six months may results in landlords *'creating'* problems or using *'tactics'* in order to force tenants out of the property sooner. Others argued that it is unlikely that tenants would make use of the extra time available to them. There was also concern – among tenant participants and stakeholders - that it could make the PRS less attractive for landlords, resulting in even less properties being available for tenants.

'From a landlord's perspective it seems like a lot of time waiting. I think it might be better to go with something halfway - maybe around four months. I could see tenants, when they have six months, putting things off until the last minute as well - it may be too much time.' (Male, 43, Carmarthenshire, lives with partner, full-time employment)

'There is the potential issue that landlords may place more scrutiny on the tenants, and some may pull out of the rental market altogether. I have experienced this when I was living in Norway; more rights were given to tenants and it became harder to find suitable properties as a result. So, it has to be balanced. Licencing has meant fewer properties where I am and rents have gone sky high.' (Female, 29, Carmarthenshire, lives with partner, part-time employment)

'Having six months would have been brilliant because we could have stayed in our house until the new house was ready. But at the same time, with six months, I can see how that could be problematic for a lot of landlords. In our case the reason our landlords asked for notice was because they were abroad and needed to come back to use the NHS because he had an accident.' (Female, 35, Swansea, lives with family, employed part-time)

'I would be very concerned about meddling with conditions in the area around security of tenure in case it discourages certain landlords from renting their properties. There may be incidental landlords around, perhaps those who have inherited a property or are moving for a while who will rent a property for 6 months etc. but know they will get it back quite quickly. This will discourage some of this and perhaps bring about a reduction in properties available on the market.' (SRS Wales stakeholder)

'Six months possibly is too long because tenants are more than likely to ignore it for the first three months. Too much time lulls you into a false sense of security.' (Rent Smart Wales stakeholder)

- 6.20 CAB and Shelter Cymru stakeholders also raised the point that currently, it is the two months' notice period that kick starts the council's homelessness assistance services for individuals deemed to be vulnerable. They said they expect reassurances that if the notice period is extended, homelessness legislation will be adjusted accordingly.

'I guess that what we are worried about is tenants who have been issued a Section 21 will go to the local authority and they say; "well you don't meet the definition of threatened with homelessness, go away and come back in four months" and if there is rent arrears or anything going on in that time then it's going to get a lot worse isn't it.' (Shelter Cymru stakeholder)

Alternative suggestions

- 6.21 Therefore, it was suggested by some tenant participants and stakeholders that a compromise should be sought which gives the tenant more time to move out but is also *'fairer'* on the landlord. Most tenant participants were in agreement that a minimum three or four-month notice period would be preferential.

'We've been campaigning to end no fault evictions, but there are the types of situations where you could effectively compromise ... because the landlord does own the bricks and mortar, they ought to have rights,

and sometimes they might need to raise capital and there shouldn't be any impediment to that.' (Shelter Cymru stakeholder)

'Maybe there should be a midway mark of three months. I can also see it from the point of view of the landlord and six months is quite a long time.'

(Female, 26, Cardiff, lives with two housemates, part-time employment)

'I think six months is probably too long; a happy medium would be three to four months. This would appease the owner and give the tenant time to find what they want. Six months is too long for the landlord as they too can have pressures, be they financial, health or others.'

(Female, 68, Pembrokeshire, lives alone, employed full-time)

- 6.22 Others were in favour of a flexible timeframe that catered to tenants and landlords needs when moving home. The distinction between rural areas and metropolitan areas in terms of the amount of time needed to move was also highlighted. Specifically, it was noted by tenant participants that although a six month notice period may be more appropriate for rural areas, this would be less necessary in more metropolitan areas because there are more properties available.

'Rather than a blanket six months - maybe look at the type of landlord before applying the rule.' (Male, 55, Monmouthshire, lives alone, unemployed)

'Would welcome the move to a notice period of six months for landlords to reclaim the property and, also flexibility to negotiate if the landlord can assist the tenant to leave sooner.' (Male, 36, Cardiff, lives with family, employed full-time)

'In an area that is really rural you would definitely need those six months, whereas if you were in Cardiff or something, you're more likely going to find something somewhere around those two to three months.' (Female, 62, Pembrokeshire, lives with partner, self-employed)

- 6.23 A stakeholder suggested that a similar model to what is currently used in France should instead be implemented to protect tenants from being served a Section 21 notice as a *'revenge eviction'* (for complaining about poor property conditions). They explained that under this regulation, the

tenancy is *'frozen'* if the property is deemed not up to standard and action is taken by the local authority; therefore, the tenant will not be liable to pay rent until the necessary repairs/changes to the property are made.

7. Findings: Supporting PRS tenants

Available support

- 7.1 A main theme running through the research is that PRS tenants are unsure of their rights and are not reaching out for external help. However, there seemingly is support available, and participating key stakeholders discussed the range of different services available to PRS tenants across Wales, which is summarised below.
- 7.2 Shelter Cymru currently offers a telephone advice line, face to face surgeries in local communities and an email service. For complex cases, they have a dedicated legal team (which is legal aid funded). The legal team also undertakes a lot of partnership work with CAB - who often refer more complex cases to them - and housing options teams. A Shelter court representative said that they try to help tenants avoid going to court. They rationalised that if a valid notice is served (for example, being told to leave the property due to rent arrears), then going to court simply accrues costs, thus putting further financial pressure on tenants whilst they are trying to find and afford a new place to live.
- 7.3 CAB Swansea currently has local area co-ordinators who are contact points for specific areas and sectors, such as housing. It also has a *'third sector broker'* in post, whose job it is to put customers in touch with the voluntary organisations who can support them in their specific circumstances.
- 7.4 Pembrokeshire Care Society (PCS) also described the range of support they provide to PRS tenants, including the previously mentioned bond certificate scheme. It also has a tenancy support scheme in place, which is funded through the Supporting People Programme (provided by Welsh Government, via local authorities, which offers housing-related tenancy support to help vulnerable people to live as independently as possible)¹¹. The PCS representative explained that they aim to empower tenants to sustain a long-term tenancy in the PRS, rather than attempt to *'do everything'* on their behalf. They work closely with the local authority's

¹¹ [Supporting People Programme Information](#)

housing department, which they described as an ‘*excellent*’ relationship in terms of the data sharing protocol and tenant engagement.

- 7.5 Rent Smart Wales receive service requests from PRS tenants about a range of issues, some which are either dealt with directly, such as questions around landlord registration. Others – mainly related to property conditions - are referred to external organisations and services such as Shelter, local authorities, CAB and trading standards.
- 7.6 In addition, it was reported that PRS tenants can also seek support from services and organisations such as Women’s Aid, university welfare services and tenancy support units.

Gaps in the provision of advice support and protection

- 7.7 However, stakeholders reported that the increasing focus on better protecting PRS tenants (which is in part being driven by Welsh Government) against the backdrop of austerity and cuts is putting significant pressure on local government, who are struggling to cope. They explained that in turn, this is resulting in a lack of access and availability of support and advice services for PRS tenants. It was reasoned by stakeholders that in order to undertake the work required to adequately support tenants, Welsh Government needs to recognise and help address the demand versus resourcing issues within statutory housing services.

‘There are constant interventions for the PRS, which I partly welcome as it is good to see the area of my work at the forefront, but Welsh Government do not understand what is happening on the ground... The size of the team has been cut in half. I think they would be shocked if they knew how small the team was and how much we manage to do with the resources we have. It is not sustainable... The importance grows all the time, the agenda grows all the time. We have just been given a new set of responsibilities relating to fees legislation and have not had a button in terms of additional resource to deal with this.’ (SRS Wales stakeholder)

'At the moment, we are firefighting, and I think there does need to be more advice available and that legal aid cuts that we saw a few years ago have taken out of scope so much important work that needs doing, and needs to be reinstated.' (Shelter Cymru stakeholder)

- 7.8 Stakeholders from WLGA and CIH reasoned that it is easier to connect tenants to the right services when landlords have a database of information to access support for their tenants and regularly make contact, which they felt is easier to do in social housing than the PRS. Indeed, they argued that currently, PRS landlords are unsure of how to access support for vulnerable tenants and that referral pathways are not necessarily clear nor obvious. It was felt that this makes it very difficult to implement '*no evictions into homelessness*' approaches in the PRS, which several key stakeholders would like to see happen.

'In the private rented sector, I hear landlords all the time say it's difficult to know who to approach in order to get support for vulnerable tenants and knowing how to do that ... knowing first of all that there is support out there but then who to talk to in order to access that support for your tenants must be very difficult.' (WLGA stakeholder)

- 7.9 It was suggested that specialised and standardised training needs to be provided for PRS landlords, via Rent Smart Wales, around issues which may affect their tenants such as mental health, domestic abuse etc. It was stressed that there is not an expectation for landlords to be responsible for their tenants, or to adopt the role of a support worker, but to encourage conversations between landlords and tenants around well-being and individual's need to be able to live independently at the start of a new tenancy.

'We had a young woman who spoke at one of our launch events and she had been bipolar for most of her life, had three children and had been in temporary accommodation with her three young kids, having just left her PRS home after the landlord wanted to up and sell, but if that had happened in the social sector that individual would have been hooked up with better support services, that kind of stuff.' (CIH stakeholder)

'People have very little in terms of qualifications. And we feel like everyone should have some kind of qualifications to give people certainty about their ability to do the job. The thing with the PRS there aren't any links to personally develop. And the regulation kind of falls into the hands of Rent Smart Wales. We would like to see a bit of a growth in a level of consistency whether you are a private landlord with your own company or a letting agency, but a standardization of quality across all levels.' (CIH stakeholder)

'If we are recognising and accepting the much greater role and significance of the private rented sector in providing people with housing then we've got to follow that through with the support that people need.' (WLGA stakeholder)

Lack of awareness of what is available

- 7.10 Stakeholders from CAB and Rent Smart Wales argued that although there is support available for PRS tenants, not enough people know it is there or how to access it, and a lot of tenants would not think to look on local authority websites. It also became clear from the interviews with tenants that there is a lot of uncertainty around their rights in terms of asking for specific repairs, rent and notice periods.
- 7.11 It was suggested by stakeholders that going forward, perhaps PRS landlords should be obligated to provide contact information of housing advice and support services in copies of tenancy agreements provided to tenants. Positively, a Rent Smart Wales representative discussed a directory of support services for PRS landlords and tenants their organisation has been commissioned to develop by Welsh Government. They discussed the importance of having a strong marketing campaign around it when it is launched so that there is awareness of its existence amongst PRS tenants.
- 7.12 It was also recommended by stakeholders that landlords should be required to take the time to go through tenancy agreements thoroughly with tenants, so that they better understand their rights. However, it was

acknowledged that this may be difficult to enforce and require a lot of training.

- 7.13 Overall, stakeholders, felt that there generally needs to be more awareness raising, information and advice for both tenants and landlords in terms of how vulnerabilities such as mental health problems can affect PRS tenancies.

8. Conclusions

- 8.1 Around half of tenant participants are living in the PRS through choice. However, the other half live in this type of accommodation due to circumstances, such as a relationship breakdown, job loss, struggling to get on the property ladder, or not being able to find suitable social housing.
- 8.2 Key stakeholders described a changing PRS over recent years, which has not only seen a general growth, but also an increase in the number of 'non-traditional' demographics of people choosing to live in this type of accommodation. It was argued that these changes are, in part, due to the size of the social sector failing to increase at the same rate as the PRS which is becoming increasingly expensive. It may also be appropriate to consider the wider context such as population growth, the amount of affordable housing and austerity. This has resulted in less availability for tenants characterised as 'vulnerable' and who would usually live in this type of housing, such as; benefit claimants; immigrants; those with complex needs such as mental health problems; older people; single tenants; and single parents.
- 8.3 Moreover, these types of tenants – reported in this piece of research - find it more difficult to save up for a deposit and find a suitable property within their price range – not only because they are more likely to be on low incomes – but also due to disproportionate PRS rent increases and financial issues arising from the LHA cap and Universal Credit. According to key stakeholders this is causing an increase in rent arrears, the issuing of Section 8 notices and risk of homelessness. Moreover, it was highlighted that some PRS landlords are reluctant to take on benefit claimants, and/or accept deposits via bond schemes or other guarantors.
- 8.4 Tenants' future housing plans tended to be very mixed, and largely dependent on demographics. Generally, most younger tenants' long-term housing aspirations are to become owner-occupiers, although there was concern about being able to save up enough money for a deposit. On the other hand, those who are older, living alone or single parents are more

likely to express interest in moving to the social sector, because it would provide them with more security than the PRS. However, considering the apparent lack of access to social housing and rising house prices, more people may be forced to remain in the PRS for longer than they intend or wish.

- 8.5 How easy it was for tenants to find a suitable PRS property also varied. Some found the process relatively stress-free because they were able to find and secure a suitable property quickly and easily online. However, fewer PRS properties are, according to participants, being officially advertised, with a growing number of landlords instead relying on filling their properties through word of mouth, leading to a lack of choice and availability. There was also concern about the increasing demand and competitiveness of the PRS, which is causing tenants to miss out on properties of their choice or 'settling' for a lesser property.
- 8.6 Once a property has been found, putting down a deposit to secure it was reported as the biggest issue, especially as it needed to be paid before the deposit from the previous property was given back. Some tenants have also experienced issues with their landlord withholding hundreds of pounds for small or petty reasons. Tenants who struggle to afford the deposit usually have to borrow money from family, take out short-term loans or use their credit cards to pay for it. Overall, moving is considered costly, especially when factoring in van/lorry hire, spending money on furnishings and taking time off work.
- 8.7 Positively, around half of participating tenants described being satisfied with living in the PRS. Most said that this is due to their landlord keeping the property well maintained, being '*hands on*' and building a trusting relationship with them. Importantly, although some tenants have experienced issues with their property, they explained that they are comfortable with reporting them and content with the fact that their landlord deals with them quickly and effectively. Moreover, online, text or phone app services used by some letting agencies for tenants to report repairs are particularly popular for those who are shy or worried about raising concerns.

- 8.8 However, around two thirds of participating tenants reported experiencing issues with their properties, which their landlord has not been proactive about repairing or rectifying. These problems range from low level issues, such as overgrown gardens to those which are more serious, such as compulsory safety checks not being undertaken, mould which is causing illness and not having access to central heating. Many tenant participants seemed uncertain about whether their landlord is breaking the tenancy agreement by not dealing effectively with maintaining their property and uncertain as to whether they have grounds to challenge them about it.
- 8.9 A key stakeholder indicated that the differences in experiences among tenants may be reflective of the PRS being more diverse and less regulated compared with the social sector, insofar as there are some landlords who will go over and beyond with their tenancy management, and those who simply want to collect rent and others who are 'illegal landlords.' Rent Smart Wales are in the process of trying to improve standards within the PRS by developing a grading, customer-driven system, whereby letting agents are rated based on the quality of their properties, processes and procedures.
- 8.10 A recurring theme throughout the research was around the perceived lack of security in the PRS, which is why some tenants aspire to become owner occupiers or move into social housing. The current two-month minimum notice period for Section 21 notices has created insecurity, stress and added pressure to existing mental health issues for those tenant participants who have been affected by it. It has also resulted in some tenants settling for a new property that did not quite meet their needs or staying with friends whilst they carried on their search. Ultimately, two months is not considered to be enough time; this was thought to be especially for families with children, who must consider additional factors such as remaining close by to schools and how the upheaval may impact on exam revision. Also, it was argued that some people simply cannot afford the costs involved in moving (which may lead to them into debt or even homelessness).

- 8.11 Increasing the two-month notice period was widely welcomed, however, opinion as to whether it should be extended to six months was split. Around two thirds of tenant participants and some key stakeholders reasoned that a suitable ‘trade off’ is required, such as a minimum three or four month notice period, which they felt would be fair on both the tenant and landlord – especially as some landlords may have genuine reasons as to why they want their property back. It was also argued that a six-month notice period could result in tenants putting off looking for a new property until last three months anyway. Another suggestion was to have a ‘flexible’ eviction notice that would suit the tenant and the landlord equally. A six-month notice period was regarded as more necessary for tenants living in rural areas than for those living in metropolitan areas (as there are fewer properties available in the former).
- 8.12 It was also argued that there is support available for tenants, but most do not know it exists or how to access it and that more robust advertising campaigns are needed to raise awareness. It was also suggested that landlords should include an index of support services in tenancy agreements and take the time to talk through tenants’ rights.
- 8.13 However, local government services, such as environmental health departments, are reported by stakeholders as struggling to cope with the increasing demand of tenants seeking help for issues relating to property conditions. It was claimed this is mainly due to lack of staffing and resourcing and that Welsh Government needs to acknowledge this. In addition, landlords are reported by stakeholders to be unaware of how to access help for their tenants, and that more training is needed around factors which can affect tenancies such as mental health.

Annex A: Interview guide for tenants

ABOUT YOU

1. How long have you been living in private-rented housing?
2. How many PRS properties have you lived in? If more than one: How long have you lived in your current property?
3. Why are you living in private-rented housing?
4. Thinking about your aspirations for the future, given the choice would you remain in private-rented housing, or move to owner-occupied accommodation or the social rented sector?
5. Do you feel you will be able to accomplish these aspirations?

EXPERIENCES OF THE PRS

6. What are the most important factors you consider (or have considered in the past) when trying to find new accommodation within the private-rented sector and why?
7. How easy or difficult was it to find suitable private-rented sector housing?
8. How satisfied are you with your current private-rented housing? Why?
9. What are the main benefits of renting privately?
10. What are the main issues and concerns you face as a private-rented sector tenant?
11. Do you feel comfortable complaining about or reporting any issues regarding your property? Why?

MOVING FROM ONE PROPERTY TO ANOTHER

12. Thinking about the process of moving from one property to another, can you tell me about the main tasks you need to undertake?
13. How long did these tasks take?
14. Are there any tasks which caused you particular difficulty? How so, and what impacts did this have on the moving process?
15. What are your views on the costs involved in moving from one PRS property to another?

EVICCTIONS / BEING ASKED TO LEAVE THE PROPERTY

16. Have you been evicted or asked to leave your PRS property in the last three years?
 - If YES, probe for why this happened e.g. no fault, rent arrears, ASB etc. and when. If NO – GO TO Q23

17. If been evicted/asked to leave: how was the process dealt with? Do you think you were treated fairly?
18. If been evicted/asked to leave: can you tell me about how this impacted on you?
19. If experienced 'no fault eviction': Were you given a notice period of 2 months, or longer?
20. If experienced 'no fault eviction': What type of new property did you move to?
 - Prompt for: the private sector, social housing or moving to owner-occupied
21. If experienced 'no fault eviction': What difficulties, if any, did you experience as a result of having to move out and find a new suitable property in this timeframe?
22. If experienced 'no fault eviction': Has this experience impacted on how you feel about renting privately? How so?
 - Prompt: Has it caused a feeling of lack of security, put them off staying in PRS long-term etc.

Currently, landlords are required to give a minimum 2-month notice period to leave the property.

23. If never been evicted due to no-fault: Were you aware of this? How does this make you feel and why?
 - Probe whether this worries them, causes a feeling of lack of security, puts them off staying in PRS long-term, or whether it makes no difference to them at all
24. Welsh Government have recently undertaken a consultation on increasing the no-fault minimum notice period from 2 months to 6 months. What are your thoughts on this and why?
 - Prompt: Do you think this is a good idea?
 - If they think it is a good idea: Why is 6 months' notice preferable to 2 months? What difference would it make to you and other PRS tenants? How so?

OVERALL THOUGHTS

25. Overall, how would you summarise your experience of being a private-rented sector tenant?
26. Any other comments?

Annex B: Interview guide for key stakeholders

ABOUT YOU AND YOUR ORGANISATION

1. Can you tell me a bit about you and your organisation, as well as whether it works with tenants or PRS landlords, or both?

CURRENT PRS LANDSCAPE AND PRACTICES

2. In your view, how was the private rented sector changed in recent years and what have been consequences of these changes?

ISSUES FACING TENANTS

3. What do you think are the main issues/concerns facing PRS tenants and why?
4. If not already discussed, to what extent do you think tenancy security is a concern among PRS tenants? Why do you say that?
5. Are there any particular demographic sub-groups of PRS tenants who are more vulnerable to facing issues with their tenancy?

MOVING FROM ONE PROPERTY TO ANOTHER

6. How easy or difficult is it for tenants to move from one PRS property to another? What are the main issues they may face in doing so? Why do you say this?
7. What are the impacts on tenants who encounter difficulties with the moving process?

NO FAULT EVICTIONS

8. In terms of 'no fault evictions' (Section 21), from your perspective:
 - a. Has your organisation seen an increased demand for support for issues associated with no fault evictions in the PRS?
 - b. Is Section 21 being used appropriately in the PRS?
 - c. What are your views on the current requirement to give tenant a minimum 2-month notice period to leave the property?
 - d. On the whole, are tenants being given a notice period of 2 months - or longer? Does it make a difference to tenants if they are given longer than 2 months? How so?
 - e. What are the main impacts on tenants who are evicted due to no fault?

APPROACHES TO SUPPORTING TENANTS

9. How easy/difficult is it to work with and engage with PRS tenants/landlords to mitigate the issues you have previously mentioned?
10. Which other services and organisations do you work with to help PRS tenants/landlords?
11. How are PRS landlords approaching issues faced by tenants and their tenancies?
 - Are the way issues are handled appropriate or not? Ask for specific examples
 - Are landlords attempting to promote sustainable tenancies?

12. What else needs to be done to better improve the support provided to PRS tenants?

VIEWS ON PROPOSED POLICY CHANGES

13. Do you think that current regulation adequately protects PRS tenants? Why do you say this?

14. Welsh Government have recently undertaken a consultation on increasing the no-fault minimum notice period from 2 months to 6 months. What are your thoughts on this and why?

Final comments

15. Overall, what main factors do you think could improve the experiences of PRS tenants?

16. Any other comments?