

# **IRG Private Rented Sector Report**

## **Executive Summary**

### **1.0 Introduction**

1.1 In recent years the expansion of the private rented sector has emerged as a major national issue. The purpose of this paper is to broadly outline the experience of the private rented sector in Tameside for residents with protected characteristics in order to provide context and contribute to further discussions. Particular emphasis will be given to the impact of housing conditions within the sector, and the capacity within the local authority to understand and address inequalities.

### **2.0 Context**

2.1 This report sits within an existing body of work that has been carried out by a number of council services to understand the local private rented sector. Examples of this work include the Poverty Truth Commission and Anti-Poverty Strategy, Tameside Housing Strategy 2021-26, and a number of reports and briefings delivered the Council's Scrutiny and Overview Panels.

2.2 In recent years, new legislation and guidance at both national and GM levels has been proposed to modernise and reform existing laws and practices. Two of the most significant examples for Tameside are the national Renters (Reform) Bill and the GM "A New Deal for Renters" strategy document.

### **3.0 Key Findings**

#### **3.1 Equalities**

- White households in Tameside are less likely to be in private rented sector accommodation compared to other ethnic groups.
- The private rented sector contains a greater proportion of households where no people in that household have English as a main language.
- A third of households in the private rented sector had at least 1 person who identified as deprived in the health and disability dimension.
- There are a higher proportion of younger residents (aged 0-34) presenting as disabled in private rented sector accommodation compared to other tenure types.

#### **3.2 Conditions**

There are concerns that, at the lower end of the private rented sector market, poor quality standards are having a significant impact on the mental and physical wellbeing of residents, exacerbated by the cost of living crisis which has seen a sustained increase in rent levels in the private rented sector. Some of the issues include excess cold or heat, damp and mould, poor air quality, accidents and other physical risks, overcrowding and lack of space, insecurity and mental health.

### **4.0 DJS Research Findings**

4.1 Tameside Council contracted DJS Research to carry out a survey of residents living in the private rented sector in Tameside. Key findings from their work include:

- Over half (53%) of tenants in Tameside are satisfied with living in the private rented sector overall, though only 16% are 'very satisfied'.

- 6 in 10 tenants are satisfied with how their property is managed overall, with over a quarter (27%) saying they are dissatisfied. Furthermore, 3 in 10 (28%) say they are dissatisfied with the property condition.
- Over 4 in 5 (85%) tenants surveyed in Tameside have experienced a problem in their property in the last year, with over half (54%) saying they have experienced damp or mould. Of those who have experienced a problem, just half (51%) are satisfied with the resolution of the problem.
- 6 in 10 (59%) tenants have had a problem or disagreement with their landlord or letting agent. The most common problems experienced are poor or slow communication (45%), unexpectedly high rent increases (21%) or rudeness or aggression (20%).
- When asked for their main reasons for privately renting, most (84%) tenants do so not out of choice, as they either cannot afford a deposit/mortgage on a house or cannot access social/council housing.
- 6 in 10 (59%) tenants surveyed from Tameside reported it is not easy to find a rental property.
- 4 in 5 (80%) tenants say landlord accreditation would make a difference to their likelihood to rent.
- Over half (52%) of respondents said that they had repaired an issue in their property themselves at least once in the past 5 years, with a further 3 in 10 (30%) saying that they had arranged and paid for repairs themselves. Only 13% escalated the issue to the local authority.

5.0 Local authorities are the lead organisations for enforcement of the private rented sector in their areas, and the passing of legislation such as the Renters (Reform) Bill is likely to only increase the scope of their responsibilities. At present, the main obstacles for effective monitoring and enforcement of the local private rented sector are a lack of meaningful performance indicators, capacity and resourcing limitations within services and a poor level of knowledge of the local private rented sector.

## 6.0 **Recommendations**

The recommendations developed as a result of the evidence in this report are as follows:

- Deliver on existing Council work streams on improving the private rented sector, including the recommendations in the Housing and Poverty Strategies, and reviewing and updating the council's Private Sector Housing Strategy (PSHS), with an emphasis on enforcement and disrepair.
- Work with the Greater Manchester Combined Authority and other GM local authorities to roll out the trial and implementation of the Good Landlord Charter, A New Deal for Renters and associated measures in Tameside.
- Conduct fact finding exercises within Tameside to gain a better understanding of the local private rented sector, including who landlords are, which properties they own, the demographics of tenants, and whether essential safety checks are being carried out.
- Investigate possibilities to increase resourcing to Housing Services to facilitate inspections and enforcement action.
- Improve communication and signposting mechanisms between the Council, relevant partners and private rented sector tenants to ensure that they are aware of their rights and know who to ask for support if they experience issues.

## **IRG Private Rented Sector Report**

### **Full Report**

#### **1.0 Introduction**

1.1 In recent years the state of the private rented sector, particularly its growth as a proportion of total housing stock, the rising cost of rents, and poor standards of repair and maintenance, has emerged as a major national issue. The purpose of this paper is to broadly outline the current state of the private rented sector in Tameside in order to provide context and contribute to further discussions. Particular emphasis will be given to the impact on residents with protected characteristics, and the capacity within the local authority to understand and address inequalities within the sector.

1.2 Data from the 2021 Census shows that 17.5% of residents in Tameside now rent privately, up from 13.2% in 2011. This is a 4.3% increase, greater than the North West increase of 3.9% and the England increase of 3.6%. However, the private rented sector in Tameside remains smaller as a whole compared to 19.2% of households in the North West and 20.5% in England.

#### **2.0 Existing Council Work in Regards to Private Rented Sector**

2.1 A number of council services, including Housing, Scrutiny and Policy, have put together research and other pieces of work in regards to the state of the private rented sector in Tameside. The following is not intended to provide an exhaustive overview, but to place this report within the context of these existing work streams.

#### **2.2 Poverty Truth Commission and Anti-Poverty Strategy**

The Tameside Poverty Truth Commission has raised awareness of the lived experience of tenants at the lower end of the private rented sector. A key finding of their final report, which was released on November 2022, is that the Council should review and update its private sector housing strategy, with input from people with lived experience of poverty.

In addition, the Council's Anti-Poverty Strategy, which was agreed at Cabinet and is overseen by the Health and Wellbeing Board, contains a number of complimentary actions around improvement of the local Private Rented Sector in addition to further committing to delivering the recommendations of the Poverty Truth Commission.

#### **2.2 Housing Strategy 2021-26**

The Tameside Housing Strategy 2021-26 found that most private rented properties within the borough were houses, primarily in lower value terraced stock, and that they tended to be smaller with a limited offer for families. Private rented sector properties are also distributed unevenly across the borough; for example, at the time of the 2017 Household Survey it was estimated that the private rented sector accommodated around 14.2% of households in Tameside. However, the private rented sector at the same time made up 58% of all housing in the Castle Hall area of Dukinfield/Stalybridge, and 55% in the area of St. Peters.

Priorities for improving the private rented sector identified in the Tameside Housing Strategy 2021-26 are as follows:

<b>Key Action</b>	<b>Desired Outcome</b>
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Explore the evidence to support selective licensing and its potential to drive up standard in problem areas.	A robust evidence base to enable an informed decision on the progression of selective licencing for any area in the borough.
Work with and promote GM Good Landlord Scheme and Ethical Letting Agency 'Let Us'.	Improved quality, management and security of tenure in the Private Rented Sector.
Place Based intervention with Area Lead Registered Providers in the PRS .	Improved quality of management and stock, better neighbourhood management and decreased empty properties.
Empowering tenants and the advocates of vulnerable tenants, informing and engaging.	Tenants and advocates are better placed to deal with or report issues increasing the quality of stock and minimising negative health impacts.

A significant bottleneck on action to date has been identified as a lack of resourcing in the Housing Service. As staff in the area tend to be running statutory services only on minimum numbers, there is currently little scope for additional project work.

### 2.3 Scrutiny and Overview Panel Reports

A number of reports with relevance to the private rented sector and related issues such as homelessness have been presented to the Council's Scrutiny and Overview Panels. Examples of these in recent years include:

#### **"More Home Truths – Lessons Learned from the Homelessness Reduction Act" – presented 1 August 2023**

Published by the Local Government and Social Care Ombudsman (LGSCO) in March 2023, this report highlighted significant learning and areas of improvement from complaints that had been received by the LGSCO since the introduction of the Homelessness Reduction Act in 2017. Improvements to the council's Homelessness services considered as a result of the findings of the report included an increased focus on prevention work to deliver improved outcomes at reduced costs, and the implementation of a service review to address capacity gaps and explore the potential for additional posts around Homelessness Prevention.

#### **Desktop Review on Homelessness and Housing – presented 27 September 2021**

This short report aimed to provide a range of points for consideration regarding the emerging national picture and growing concerns highlighted for the accessibility of quality housing and risks of homelessness. Based on available publically accessible research, the report concluded that risk factors to homelessness included:

- Leaving home for the first time or leaving care.
- Being pregnant with nowhere to stay when the baby is born.
- Struggling to live on benefits or low income.
- Being from abroad without recourse to public funds.
- Being an asylum seeker or refugee.
- Leaving prison.

In regards to the private rented sector, the report also identified the following areas with relevance from an inequalities perspective:

- Households with three or more children were more than twice as likely (21%) to worry about being evicted compared to households without children (9%). The proportion of children growing up in private rented accommodation has also risen from 16% to 22% in the past 10 years.
- Renters from ethnic minority backgrounds are almost twice as likely to be worried about eviction compared to white renters (18% vs 10%).
- Households with an annual income below £25,000 are three times more likely to be worried about paying rent (25%) and are more likely to already be behind with household bills and rent payments compared to households on higher incomes.

Note that since this report was published in 2021 prior to the cost of living crisis and the lifting of Covid-19 measures such as the moratorium on evictions, it is likely that the situation in regards to these issues has deteriorated further since.

### **Scrutiny Interim Report – Improving Quality and Standards in the private Rented Sector – released 18 November 2019**

This report was developed for the Place and External Relations Scrutiny Panel in order to review methods to improve quality and standards within Tameside’s private rented sector. As a result of research, a number of presenting issues emerged with regards to the Council’s ability to engage with private landlords and a need to address consistency of quality and standards across all properties made available for private rent. Particularly emphasis was given to the lower end of the market, and ensuring Tameside’s most vulnerable residents living in areas of higher deprivation could still access suitable accommodation.

The final recommendations in the report were:

- That the Council may benefit from targeted work undertaken across areas with the highest proportion of privately rented properties, to gain views and insight from tenants and landlords to inform scale and size of presenting issues on quality of accommodation in the PRS.
- That the Council seeks to review the range and utilisation of enforcement and non-statutory measures to improve quality in the PRS, as part of the considerations being given to the development of a selective licensing scheme.
- That should circumstances arise, based on a need to review evidence (Recommendations 1 & 2), the Executive considers options and benefits of the Council introducing a selective licensing scheme in designated areas of the borough. To reflect on the ‘Independent Review of the Use and Effectiveness of Selective Licensing’, and possible need for a comprehensive evidence appraisal, feasibility study and impact assessment to be undertaken.
- That the Executive fully involve Scrutiny in development stages and consultation to inform a future approach to improving quality and standards in the PRS. Scrutiny to now undertake further detailed work in this area

## **3.0 Equalities Composition of the Private Rented Sector in Tameside**

- 3.1 According to data from the 2021 Census, the percentages of tenure types in Greater Manchester local authorities and England are as follows. While the private rented sector in Tameside is smaller than the England and Greater Manchester averages,

the housing mix as a whole (owned, social rented, private rented) is broadly similar to neighbouring local authority areas such as Oldham, Bolton and Rochdale.

Area	Owned	Social Rented	Private Rented
Manchester	37%	29%	32%
Salford	47%	25%	27%
<b>Greater Manchester</b>	<b>58%</b>	<b>21%</b>	<b>21%</b>
<b>England</b>	<b>61%</b>	<b>17%</b>	<b>20%</b>
Bolton	62%	20%	18%
Bury	67%	15%	18%
Oldham	60%	21%	18%
Rochdale	60%	21%	18%
<b>Tameside</b>	<b>61%</b>	<b>21%</b>	<b>18%</b>
Wigan	66%	17%	16%
Trafford	69%	15%	15%
Stockport	71%	13%	14%

- 3.2 The following table, derived from data from the Census 2021, shows the total proportion of the population in private rented sector accommodation, followed by the percentage of individuals who identified as a particular ethnic group who live in private rented sector accommodation, in Tameside, Greater Manchester and England.

White households in Tameside are less likely to be in private rented sector accommodation compared to other ethnic groups. This is roughly in the line with the Greater Manchester and England averages. With the exception of Black, Black British, Black Welsh, Caribbean or African households, all other ethnic groups are slightly less represented in the private rented sector compared to the Greater Manchester and England averages. This may be explained by the smaller size of the private rented sector as a whole in Tameside.

% of residents who identify as a particular ethnic group who live in private rented sector accommodation	Tameside	Greater Manchester	England
<b>Asian, Asian British or Asian Welsh</b>	23.7%	29.1%	28.4%
<b>Black, Black British, Black Welsh, Caribbean or African</b>	31.7%	31.2%	27.2%
<b>Mixed or Multiple ethnic groups</b>	28.5%	34.6%	33.2%
<b>White</b>	16.6%	18.5%	19.0%
<b>Other ethnic group</b>	33.5%	44.4%	40.5%

In addition, cross-referencing language and tenure data by households in the Census 2021 shows that the private rented sector contains a greater proportion of households where no people in that household have English as a main language. This is significant as not having English as a main language is likely to make residents more vulnerable in terms of being unable to access relevant information about their tenancy rights and responsibilities, or support from the local authority or other organisations if required (*Note: In this data, "Other private rented" typically refers to arrangements such as renting from an employer*).

Tenure Type	% of households where no people have English as a main language
Owned: Owns outright	1.7%
Owned: Owns with a mortgage or loan or shared ownership	1.5%
Social rented: Rents from council or Local Authority	4.8%
Social rented: Other social rented	3.4%
Private rented: Private landlord or letting agency	6.9%
Private rented: Other private rented or lives rent free	8.1%

3.3 Cross-referencing tenure data in Tameside from the 2021 Census with households deprived in the health and disability dimension (defined as people who assessed their day-to-day activities as limited by long-term physical or mental health conditions or illness) showed that a third of households in the private rented sector had at least 1 person who identified as deprived in the health and disability dimension.

Tenure	Households	Households with at least 1 person deprived in the health and disability dimension	Percentage
Owned: Owns outright	30,363	12,110	39.9%
Owned: Owns with a mortgage or loan or shared ownership	30,478	7,349	24.1%
Rented: Social rented	21,125	11,475	54.3%
Private rented or lives rent free	17,563	5,959	33.9%
<b>Total</b>	<b>99,529</b>	<b>36,893</b>	<b>37.1%</b>

While this is a lower proportion than those who own their property outright or rent socially, it should still be considered a significant figure. Further data shows that, after taking into account age – a significant risk factor for disability – there are a higher proportion of younger residents (aged 0-34) presenting as disabled in private rented sector accommodation compared to other tenure types.

#### **Residents disabled under the Equality Act by Age and Tenure**

	Aged 15 years and under	Aged 16 to 24 years	Aged 25 to 34 years	Aged 35 to 49 years	Aged 50 to 64 years	Aged 65 years and over
<b>Owned: Owns outright</b>	1.16%	2.45%	3.45%	5.65%	23.37%	63.93%
<b>Owned: Owns with</b>	11.33%	8.78%	11.61%	26.62%	30.99%	10.68%

<b>a mortgage or loan or shared ownership</b>						
<b>Social rented: Rents from council or Local Authority</b>	7.76%	7.50%	10.81%	18.77%	30.85%	24.31%
<b>Social rented: Other social rented</b>	8.00%	7.52%	10.89%	20.76%	27.05%	25.78%
<b>Private rented: Private landlord or letting agency</b>	13.02%	9.03%	18.94%	25.31%	21.81%	11.88%
<b>Private rented: Other private rented or lives rent free</b>	7.32%	6.74%	14.17%	21.49%	16.38%	33.91%

#### **4.0 Implications of Poor Quality in the Private Rented Sector**

- 4.1 There are concerns that, at the lower end of the private rented sector market nationally, poor quality standards are having a significant impact on the mental and physical wellbeing of residents, exacerbated by the cost of living crisis which has seen a sustained increase in rent levels in the private rented sector. There is a strong case to be made that poor quality private rented housing has implications for a number of the Council's priority areas, including population health, community safety and homelessness.
- 4.2 The independent Marmot Review, commissioned by the government and published in 2010, concluded that housing is a "social determinant of health", meaning it can affect physical and mental health inequalities throughout the life course. Some of the issues include:
- **Excess Cold:** Public Health England guidance recommends home temperatures of at least 18 degrees, although it recognises that vulnerable groups may benefit from higher temperatures. Cold conditions can affect respiratory and cardiovascular functioning, affect the immune system and worsen arthritis symptoms. In extreme cases, it can also directly contribute to excess winter deaths.



- **Damp and Mould:** Damp can encourage dust mites and mould growth, and there is evidence that it is also associated with asthma, respiratory issues and eczema, particularly in young people. There is also a link with anxiety, depression and social isolation.
- **Excess Heat and Poor Air Quality:** Insulation intended to prevent cold and damp can also be linked to health risks. When insulation is added to existing housing, ventilation needs to be provided to prevent overexposure to indoor pollutants (such as mould and second-hand tobacco smoke) which have been shown to negatively affect health. Housing with poor insulation and high ventilation can lead to harmful pollutants from outside the home mixing with those indoors. Homes with inappropriately fitted insulation are also at greater risk of overheating in hot weather.
- **Accidents and other Physical Risks:** Conditions in the home can affect the likelihood of accidents happening, with falls downstairs and from windows or balconies carrying the highest risk of serious injury. Young children are also particularly vulnerable to electrical hazards, such as faulty appliances. Rental contracts that prohibit home alterations can make it harder for renters to put safety modifications in place. Other physical risks highlighted include asbestos, inappropriate lighting and noise levels, and inability to maintain hygiene and food safety.
- **Overcrowding and Lack of Space:** Research by Shelter has shown that most families living in overcrowded homes said their living conditions affected their mental health, stress, privacy and sleep quality. Concerns about children's physical health (especially respiratory issues), as well as their ability to play and study, were frequently raised. Other issues with overcrowding and lack of space include increased vulnerability to accidents, infectious diseases, condensation and mould.
- **Insecurity:** Tenancies in the private rented sector are far more insecure than owner-occupied, mortgaged or socially-rented housing. There is strong evidence to suggest that frequent moves are bad for children's social, emotional and educational outcomes, and can also worsen mental health conditions particularly when access to informal community support is reduced.
- **Mental Health:** Housing problems and mental health are frequently linked, with each being a cause and consequence of the other. Poor mental health can make it harder to cope with housing problems, while having issues with where you live can negatively impact mental health. Surveying of GPs by Shelter has shown that, where housing was seen as the sole cause, the most commonly cited mental health conditions were anxiety and depression.

#### 4.3 **Poverty Truth Commission Case Study: Diana**

Diana provided her story to the Tameside Poverty Truth Commission in November 2021. A 48-year old woman, Diana moved to Germany from Kenya following a serious family breakdown. After 20 years in Germany, she moved to the UK in 2004 to operate a business which later failed. She has two young children from a former relationship that began after she arrived in the country.

Over the course of her time in the country, Diana and her children have had to move frequently between rented properties. In 2011, after being unsuccessful in accessing social housing, she moved into her current property in Droylsden as she was expecting another baby and required a larger living space than her current one-bedroom flat. Diana had encountered issues with finding a property to rent while in

receipt of benefits and was initially surprised that the landlord had accepted her application.

Within two weeks of commencing the tenancy Diana had noticed serious issues with the property. There was significant mould growth to the extent that it had started to grow over the kitchen floor, and improper insulation that resulted in Diana spending a significant proportion of her income on heating. While limited action was taken by the council and landlord through energy saving grants, Diana felt compelled to spend 5 years attempting to report her landlord as a rogue due to the squalid living conditions and difficulties in getting the situation addressed.

Around Christmas 2019, the ceiling in Diana's house collapsed and flooded her living room and kitchen. Photographic and video evidence was provided to the Poverty Truth Commission. She informed the landlord of the issue but received no response. Following this, Diana accessed housing support in Ashton-under-Lyne but was informed, despite clear evidence to the contrary, that the issue did not constitute a serious hazard. Diana continued to live in the house as her Local Housing Allowance was insufficient to pay the rent in a different property.

As her children have grown older Diana has now been able to find work in a care home, however after falling behind with her rent as a result of a family bereavement she was issued with a Section 21 notice. At the time of the Poverty Truth Commission Diana's housing issues were ongoing. The situation has clearly taken a toll upon her mental health, as Diana broke down multiple times when telling her story.

## **5.0 Reform of Private Rented Sector: GM and National Context**

5.1 In recent years the state of the private rented sector has emerged as a major social, economic and political issue. In response, new legislation and guidance at both national and GM levels have been proposed to modernise and reform existing laws and practices. Two of the most significant examples for Tameside are the Renters (Reform) Bill and the GM "A New Deal for Renters" strategy document. These provide essential context to the conversations currently taking place around the future of the private rented sector.

### **5.2 Renters (Reform) Bill**

Introduced to Parliament in 17 May 2023, the Renters (Reform) Bill is likely to be one of the significant pieces of legislations to affect the private rented sector in 30 years. While it is unlikely to come into force until the next Parliamentary year (starting 7 November) its provisions are essential context to consider for this research paper. Key elements of the Bill include:

- The abolition of Section 21 – a process that enables private landlords to repossess their properties by evicting a tenant with 2 months' notice. The landlord does not require a reason to give notice, hence evictions under Section 21 are commonly known as "no fault" evictions. However, the government has announced that this will only be implemented once "sufficient process has been made to improve the courts".
- Strengthening of Section 8 eviction measures – this will allow landlords to evict tenants on grounds such as non-payment of rent and anti-social behaviour. Eviction will be mandatory where a tenant has been in at least two months' rent arrears three times within the previous three years, regardless of the arrears

balance at hearing. There is also a new ground to allow landlords to evict tenants if they wish to sell a property or allow their family members to move into a property – this can apply after a tenant has been in a property for at least six months.

- The elimination of Assured Shorthold Tenancies in favour of a single system of periodic “rolling” tenancies which will roll by every month with no specified end date. Currently the standard model of rental agreement in the private rented sector, Assured Shorthold Tenancies are fixed-term contracts of 6 or 12 months. After this time has elapsed, a decision is usually made to either renew the contract or switch to a periodic payment. Tenants will now need to provide two months’ notice when leaving a tenancy as opposed to the current months’ notice.
- Rent increases limited to once a year and the minimum notice that landlords must provide of any change in rent increased to two months. The use of rent review clauses and attempts to evict tenants through “unjustifiable” rent increases will be banned, with tenants given more power to challenge rent increases through the first-tier tribunal.
- Tenants can request permission to keep pets in their homes, with landlords being unable to unreasonably withhold consent. Landlords must accept or refuse consent by the 42<sup>nd</sup> day after the date of the request, which can be extended by a week if the landlord asks for further information. Tenants must provide in writing confirmation that they have acquired insurance for their pet, or that they are willing to pay the landlord reasonable costs to cover the landlord’s insurance in case of pet damage.
- The creation of a new government-approved Ombudsman which private landlords will be required to join, regardless of whether they use a letting agent. A new landlord redress scheme will enable former or current tenants to be able to make a complaint against a landlord, which would then be independently investigated. The exact design of the ombudsman has yet to be determined, however they will have powers to compel landlords to issue an apology, provide information, take remedial action, pay compensation or reimburse rent. Decisions will be binding on landlords and failure to comply may result in Banning Orders for repeat or serious offenders.
- The creation of a new digital property portal to provide a single “front door” to help landlords understand and demonstrate compliance with their legal requirements. The exact nature of the portal is yet to be determined, however landlords will be legally required to register their property on the portal and councils will be empowered to take enforcement action against those that fail to join. Functionality from the existing Database of Rogue Landlords and Property Agents will be incorporated into the final design.

The government has also signalled its intention to make the following further changes to the private rented sector, although these have not been included in the Renter’s (Reform) Bill at this time:

- Introduction of the Decent Homes Standard into the private rented sector. This provision – which currently only applies to the social housing sector – outlines that homes must be free from serious health and safety hazards, and that landlords must keep homes in a good state of repair and provide tenants with clean, appropriate and useable facilities.
- Bringing forward legislation to outlaw bans on renting to families with children or those on benefits.

### **5.3 Greater Manchester “A New Deal for Renters”**

In June 2023, the Greater Manchester Combined Authority (GMCA) released “A New Deal for Renters: Greater Manchester’s Trailblazing Package of Housing Reform”. The document aims to build on recent devolution initiatives and national legislation such as the Renter’s Reform Bill to develop a “policy sandbox” to explore, test and roll out changes and improvements to current housing systems, in partnership with government departments including the Department for Levelling Home, Housing and Communities and the Department for Work and Pensions. Specific ambitions referenced in the report include:

- Development of a universal and mandatory Property Portal (register of landlords) – this has also been included in the national Renters (Reform) Bill discussed previously.
- Development of a universal and mandatory Decent Homes Standard.
- Developing better evidence and intelligence about the condition of rented homes, back up by a “GM Property Check” inspection regime. Tenants would be given the right to request a check, and neighbourhoods where poor conditions are known to be prevalent would be prioritised for attention.
- Creation of “Property Improvement Plans” giving landlords a tailored, practical blueprint to bring properties up to Decent Homes Standards, with support provided via funding and skilled contractors.
- Support, training and practical resources to upskill landlords.
- Resourced and proactive enforcement teams in local authorities, using a simplified set of regulatory tools to protect tenants who have easily accessible routes to seek help for problems.
- Formal, direct and proactive partnerships between the Department for Work and pensions and local authority enforcement teams to ensure that homes for those in receipt of Universal Credit or Housing Benefit meet the Decent Homes Standard.
- An ethical investment vehicle to acquire properties from landlords unwilling or unable to meet requirements in order to ensure their exit from the sector while retaining and improving properties for use by residents in housing need.
- A comprehensive “Good Landlord Charter” which brings these different elements together, sets aspirations for renting, and offers recognition to landlords who meet and exceed expectations.

### **6.0 DJS Research: Survey of the Private Rented Sector in Tameside**

6.1 In order to begin developing an evidence base in regards to the private rented sector and tenants in the borough, Tameside Council contracted DJS Research to carry out a survey of residents living in the private rented sector in Tameside. A mix of online and offline research methods were used to ensure the samples were inclusive and representative, including telephone interviews and online surveys (promoted via social media and using GMCA networks), plus online panels and face-to-face/in-street interviews among tenants.

Key findings include:

#### **6.2 Tenant Profile**

- The survey reached 167 private tenants in Tameside, the majority of whom are under 50 years old. Two thirds are female. Around a quarter are living with a disability. One in five are from non-White ethnic groups. Around four in five are in work or training.

- One in five respondents identified as bisexual, gay or lesbian, and two identified as transgender. *(Note: This is a far higher proportion than the number of Tameside residents who identified as LGBT+ in the Census. This could be explained by LGBT+ residents tending to be younger and thus more likely to reside in the private rented sector. Further research also corroborates some of the findings in the survey, particularly around discrimination by landlords. The information provided in the DJS survey is therefore likely to be broadly accurate, but further research will be necessary for its conclusions to be proven beyond doubt)*
- More than three quarters of private tenants surveyed in Tameside live in the most deprived communities (78% in IMD 1 or 2). Just 1% live in the least deprived areas (IMD 5). Almost two in five (36%) receive some form of housing benefits, though in most cases (85%) this only partially covers their rent.
- Just over half (54%) of households have no children, while just under half (46%) do have children and/or pets. Less than 1 in 10 (5%) live in house-shares. Four in ten live in a house/bungalow. Over 7 in 10 have lived in their home for up to 5 years. Almost 6 in 10 properties are managed by a private landlord.
- While the majority of Tameside tenants that were surveyed don't struggle to pay rent, 3 in 10 (31%) say they sometimes or constantly struggle, which is in line with the GM average. 7 in 10 tenants agree that it has become more difficult to pay rent in the past 12 months.

### 6.3 Tenant Motivations

- The majority of tenants in Tameside are 'forced' to rent privately, with over 8 in 10 saying they cannot afford a deposit/mortgage on a home or are unable to access social/council housing. The proportion saying this is the case is higher in Tameside when compared to GM as a whole.

### 6.4 Finding Properties

- 6 in 10 (59%) tenants surveyed in Tameside did not find it easy to find somewhere to rent when they last looked for a property. The proportion is particularly high among bisexual, gay or lesbian tenants (78%).
- Rental cost and property condition are most likely to be considered very or quite important when looking for a property. When asked to select the top 3 most important factors, 8 in 10 (81%) chose rental cost.
- Property condition (41%) and neighbourhood/safety (32%) are the next most important factors, mirroring the results found across GM as a whole.
- Property size (25%) is the fourth most important factor, followed by length of tenancy (20%) and commuting distance (20%).
- Lack of availability and not accepting pets are the most commonly experienced problems when looking for rental properties.
- Almost four in ten (37%) have had concerns about the landlord or letting agent.
- Minority groups have experienced discrimination due to sexual orientation or race.
- More than half of tenants on housing benefits have experienced discrimination due to receiving welfare benefits.
- A number of tenants complained about not receiving basic documents at the beginning of their tenancy. This included:

Document	% of Respondents who received document
Tenancy agreement	89%

Contact details of landlord, letting agent or property manager	80%
Gas safety certificate	67%
Deposit Protection Scheme information	59%
Inventory	46%
Energy Performance Certificate	46%
“How to Rent” guide	37%
None of these	2%

## 6.5 Problems Experienced While Living in Private Rented Sector

- Over four in five (85%) tenants surveyed in Tameside have experienced a maintenance or repair problem in the last year, with over half (54%) experiencing damp or mould. Both these proportions are significantly higher in Tameside than in GM as a whole (76% and 43% respectively). Half (49%) of Tameside tenants that have experienced problems are dissatisfied with how issues have been resolved.
- 6 in 10 (59%) have had a problem or disagreement with a landlord or letting agent. This compares with a similar proportion in GM as a whole (52%).
- Over two in five (45%) Tameside tenants have experienced poor/slow communication, one in five (21%) have had high rent increases and a similar proportion (20%) have experienced rudeness or aggression.
- Over half (52%) of respondents said that they had repaired an issue in their property themselves at least once in the past 5 years, with a further 3 in 10 (30%) saying that they had arranged and paid for repairs themselves. Only 13% escalated the issue to the local authority.

## 6.6 Tenant Satisfaction

- Around 6 in 10 tenants in Tameside are satisfied with how their property is managed, with proportions marginally lower than in GM overall. Satisfaction varies according to who their property is managed by, with satisfaction highest when properties are managed by a private landlord.
- 6 in 10 are satisfied with the property condition and rent representing good value for money. Satisfaction with property condition is significantly lower than in GM overall.
- Almost 3 in 10 (28%) are dissatisfied with the condition of property and dissatisfaction increases in more deprived communities and in households with children.
- Over half (53%) of tenants in Tameside are satisfied with living in private rented accommodation overall, which is marginally but not significantly lower than the GM average (60%). However, almost 3 in 10 (27%) are dissatisfied and a further 1 in 5 (20%) provide a neutral response. Satisfaction levels vary depending on who manages the property, with higher satisfaction levels among tenants whose property is managed by a private landlord.

## 6.7 Landlord Accreditation/Being a “Good” Landlord

- 4 in 5 (80%) tenants in Tameside say landlord accreditation would make a difference to their likelihood to rent, this compares with almost the same proportion in GM overall (78%). Tenants who receive housing benefits (70%) or are not in work or training (62%) are notably less likely to say this.

- When asked what makes a 'good landlord', around 4 in 10 tenants say they should deal with issues quickly, while 3 in 10 mention good communication/replies to messages or calls.
- 1 in 5 mention landlords should be understanding of circumstances and/or looking after the property/checking in on the condition of the property.
- At least 8 in 10 tenants surveyed in Tameside think stopping discrimination, improving property conditions or rent control should be legal requirements enforced by regulation.
- Tenants are least likely to have any expectations regarding giving tenants more power to stay in properties as long as they want (22%), which is in line with the findings across Greater Manchester.
- When asked to select their top 3 priorities for National Government and local councils to make or encourage landlords to do, tenant's top priority is rent control (79%), followed by improving property conditions (67%). Giving tenants more say over homes (redecorating, having pets etc) was the third highest priority, albeit significantly lower with only 34% reporting this.

## **7.0 Bottlenecks to Effective Enforcement of the Private Rented Sector**

Local authorities are the lead organisations for enforcement of the private rented sector in their areas, and the passing of legislation such as the Renters (Reform) Bill is likely to only increase the scope of their responsibilities. This means it is essential that councils have the resourcing and information required to not just enforce standards effectively, but also allows residents and senior leadership to see that effective enforcement is being carried out. Research on the current situation has identified a number of bottlenecks and issues that will require addressing to reach this ambition.

### **7.1 Lack of Meaningful Performance Indicators in Regards to Private Rented Sector Enforcement**

7.2 In January 2023, the Greater Manchester Law Centre (GMLC) sent a request under the Freedom of Information Act 2000 to all GM local authorities asking for information about their enforcement practices. The following questions were asked:

*Over the past 12 months:*

#### ***Private Rented Housing***

1. *How many tenants in private rented properties have approached the Council to report disrepair in their homes?*
2. *How many inspections have been completed on privately rented properties?*
3. *Following inspection, in how many cases has further contact been made with a private landlord to request that repairs are completed?*
4. *How many Enforcement/Improvement Notices have been served on private properties, and how many private landlords does this represent?*
5. *How many Prohibition Notices or Demolition Orders have been made on private rented properties?*

#### ***Operational Guidance***

6. *Please provide me with your policy, procedure or staff guidance in respect of how the local authority conducts its duties under s4(2) HA 2004, and powers under s12 HA 2004 for example in relation to the circumstances in which the local*

*authority will or won't inspect and what criteria and time-frames are involved when deciding whether enforcement action is appropriate and if so in what form. If you do not hold policies, please provide a brief explanation of the criteria, process and time-frames involved.*

7. Please tell me how many staff are currently tasked with enforcement duties and how many cases are currently open to the local authority's enforcement team.

7.3 Tameside's data returns for the GMLC FOI request are highly unusual compared to other GM local authorities. It suggests that we complete inspections on every request we receive. This would appear to be good practice as it would indicate that every tenant who made a request had the opportunity to highlight to the council the disrepair in their property. However, Tameside was also the only local authority to not serve any Improvement or Enforcement Notices across the year. This data is also inconsistent with multiple sources of evidence provided through DJS Research and the Tameside Poverty Truth Commission which suggest that disrepair and poor conditions are serious issues for local private rented sector tenants.

Q	Private Rented Housing Only	Bolton	Rochdale	Oldham	Salford	Wigan	Bury	Tameside
1	How many tenants in private rented properties have approached the Council to report disrepair in their homes?	535	506	390	287	128	197	240
2	How many inspections have been completed on privately rented properties?	154	110	203	102	55	87	240
3	Following inspection, in how many cases has further contact been made with a private landlord to request that repairs are completed?	n/a	110	n/a	60	54	81	230
4	How many Enforcement/Improvement Notices have been served on private properties, and how many private landlords does this represent?	29	29	10	6	2	14	0
5	How many Prohibition Notices have been made on	12	4	5	1	1	2	1



	private rented properties?							
5	How many Demolition Orders have been made on private rented properties?	0	0	0	0	0	0	0

Note: n/a means that a figure was not provided.

Three local authorities, Manchester, Trafford and Salford, did not split their data returns between the private and social rented sector. Their information is as follows:

Q	Private and Social Rented Housing (data not split)	Manchester	Trafford	Stockport
1	How many tenants have approached the Council to report disrepair in their homes?	1,345	247	202
2	How many inspections have been completed on rented properties?	1,580	n/a	n/a
3	Following inspection, in how many cases has further contact been made with a landlord to request that repairs are completed?	n/a	n/a	n/a
4	How many Enforcement/Improvement Notices have been served on rented properties, and how many landlords does this represent?	84 (Improvement Notices) 76 (Other Notices)	4 (Improvement Notices) 5 (Hazard Awareness Notices)	20
5	How many Prohibition Notices have been made on rented properties?	27	7	3
5	How many Demolition Orders have been made on rented properties?	0	7	0

Note: n/a means that a figure was not provided.

7.4 Tameside Council was also only one of two local authorities, alongside Stockport (Salford did not provide any returns) who do not currently have a written policy for enforcement and disrepair. This means that it is difficult for tenants in the private rented sector to get an idea of what support the council can offer them or hold the local authority to account if it fails to meet its obligations.

Local Authority	Do they have a policy?	Is it specific to disrepair?	Is it publicly available?
Rochdale			
Bury			
Trafford			
Wigan			
Manchester			
Oldham			
Bolton			
Tameside			
Stockport			
Salford	n/a	n/a	n/a

Note: n/a means that a figure was not provided.

7.5 In terms of FTE staff tasked with housing enforcement duties, Tameside had 3 at the time of response. This is roughly in line with the neighbouring local authorities of similar population such as Bolton, Rochdale, Oldham and Stockport.

<b>Total</b>	<b>Bolton</b>	<b>Rochdale</b>	<b>Oldham</b>	<b>Salford</b>	<b>Wigan</b>	<b>Bury</b>	<b>Tameside</b>	<b>Manchester</b>	<b>Trafford</b>	<b>Stockport</b>
<b>FTE Staff</b>	3	4	3	n/a	7	1.9	3	23	3 (2 temp staff)	4

Since the publishing of this information, Tameside Council has also secured funding from the GM Good Landlord Scheme and Department for Levelling Up, Housing and Communities to recruit a Housing Standards Trainee and a suitably qualified and experienced Regulatory Compliance Officer.

7.6 Based on the current evidence it is difficult to gauge Tameside's performance in regards to enforcement in the private rented sector. Discussions with the service appear to indicate that their approach is, following an inspection, the landlord of a property will be informed of the work they need to carry out. Landlords are typically given 14 days following this correspondence to carry out the work. However, there does not appear to be any follow up after this period, with the service relying on the tenant getting in contact with the service again to let them know if the landlord has complied.

The service appears confident that they have a good initial intervention process, and that all work is carried out as requested because landlords are cooperative, don't want to incur costs and the nature of the work required is relatively minor.

However, given the evidence available it is doubtful that the local authority can be confident, particularly at the lower end of the private rented market, in the assertion that formal improvement notices have not been issued due to there not being a need for them.

As a result, it is unclear whether the figures provided above are because fewer properties have disrepair at a level requiring an Improvement Notice, whether the Council is more effective at interacting with landlords to get repairs done at the informal stage, whether the Council are reluctant or lack the resources to take formal enforcement action, or due to other yet unexplained differences in policy. Further work is required to build an evidence base and improve transparency on this issue.

## **7.7 Resourcing of Services and Knowledge of Local Private Rented Sector**

7.8 The Secretary of State for Levelling Up, Housing and Communities wrote to local authorities in England on 19 November 2022 to request data on damp and mould hazards in their private rented sector properties, and the action they have taken to remediate them. While damp and mould hazards are only a single element of disrepair in private rented housing, the returns are nonetheless a powerful source of information about wider obstacles to effective private rented sector enforcement.

Tameside returned the following relevant information:

- There were approximately 14,916 private rented sector properties in the borough at the time of responding.

- Tameside Council staff conducted approximately 498 inspections related to damp and mould in private sector properties over the past 3 financial years up to 2021-22.
- To date all cases of damp and mould investigated would result only in a Category 2 Hazard – the vast majority being in the bottom bandings.
- It was reported that the assessment process is complicated, time consuming and does not take into account other factors such as tenant’s lifestyle. There is also a crossover between other categories such as excess cold.
- All officers are working above capacity and the local authority has insufficient resources to undertake any proactive inspections. All inspections are reactionary following complaints from tenants, or are related to immigration, Homelessness Reduction, or Homes for Ukraine inspections.
- The main obstacles to proactive enforcement of standards are a lack of resources and limited data on private rented stock and their location. Other qualified Environment Health Officers within the department cannot be re-allocated to Housing Standards Enforcement as they are delivering other statutory functions such as Food Hygiene Inspections, and the complexity of Housing legislation does not lend itself to these officers quickly and easily switching roles if they have not worked in this area for some time.

7.9 Respondents were also asked to rank in priority order (1 – the highest impact, 6 – the least impact) how the following had an impact relating to damp and mould in their area. The following shows the returns and averages for all GM councils:

	Capacity of your local authority. I.e. resource and funding hindering capacity to take enforcement action relating to damp and mould.	Experience and expertise in the local authority. I.e. a lack of officers with experience, for example, experience pursuing prosecutions or expertise within the team including, for example, legal expertise.	Strategic prioritisation of private rented sector enforcement. I.e. competing priorities leading to relatively lower prioritisation of enforcement action or proactively enforce.	Regulatory/legal framework for enforcement activity. I.e. too much complexity in legislation.	Issues with gathering or providing evidence. I.e. tenants reluctant to provide statements or difficulties gathering the requisite evidence for issuing a fine or prosecuting.	Limited data on the private rented stock. I.e. difficulties identifying private rented properties or insufficient resource to map out private rented stock.
Stockport	2	3	6	1	5	4
Bury	1	4	2	n/a	3	n/a
Manchester	1	5	6	4	3	2
Trafford	1	6	3	2	4	5
Oldham	1	6	4	2	5	3
Wigan	2	4	6	5	3	1
Salford	3	6	4	2	5	1
Bolton	1	2	3	5	4	6
Tameside	1	5	3	4	6	2
Rochdale	1	3	2	4	5	6
<b>Average</b>	<b>1.4</b>	<b>4.4</b>	<b>3.9</b>	<b>3.222222</b>	<b>4.3</b>	<b>3.333333</b>

Note: n/a means that a figure was not provided.

7.10 This data reinforces the evidence that the most significant barriers to private rented sector enforcement for most local authorities are a lack of resourcing and capacity,

and limited data of the makeup of the private rented sector in the local area. The complexity of the regulatory and legal framework for enforcement activity was also highlighted as a major issue, however as much of this is decided at a national level it is very difficult for local authorities to address this on their own initiative.

## **8.0 Recommendations**

The following recommendations, based on the data and information presented in the body of this report, should be considered in the context that a disproportionate volume of tenants in the private rented sector, particularly at the “lower end”, are also likely to be socioeconomically deprived, disabled, more distant from council services or a combination of all three in comparison to residents in the social rented and owned sectors. Similarly, within each recommendation, emphasis should be given on how they can be delivered with a focus on protected groups and their needs where possible.

### **8.1 Deliver on existing Council work streams on improving the private rented sector, including the recommendations in the Housing and Poverty Strategies, and reviewing and updating the council’s Private Sector Housing Strategy (PSHS), with an emphasis on enforcement and disrepair.**

There are a number of existing work streams in the Council in regards to improving the private rented sector and the council’s internal processes for inspection and enforcement. Where practical, these should be incorporated into a single unified work stream. In particular, the need to review and update the council’s Private Sector Housing Strategy to empower tenants and drive up standards should be undertaken as a key priority. This was identified in the findings of the Tameside Poverty Truth Commission and reinforced by the Poverty and Housing Strategies. The report from the Greater Manchester Law Commission also notes that Tameside is unusual among other GM local authorities in that it does not have a written policy for disrepair and enforcement in the private rented sector. Research from the LGA on the issue has shown that such strategies are most effective when they focus on the areas of the local private rented sector market that have both the poorest stock condition and inadequate property management. Maintaining an up-to-date, regularly reviewed and publicly available strategy will give vulnerable tenants in the private rented sector a greater awareness of the support the council can offer, and they will also be better able to hold us to account if we fail to meet our obligations. This recommendation will also enable the local authority to develop a more interventionist approach to the private rented sector, working with landlords and letting agents in the first instance or, if necessary, facilitate their exit from the sector if they persist in providing substandard accommodation.

### **8.2 Work with the Greater Manchester Combined Authority and other GM local authorities to roll out the trial and implementation of the Good Landlord Charter, A New Deal for Renters and associated measures in Tameside.**

The GM “A New Deal for Renters” strategy is due to start implementation in autumn 2024. A key element of this is the Good Landlord Charter. Developed along the lines of the Good Employment Charter, this will be co-produced with stakeholders across the housing sector, with input sought from registered housing providers, private landlords, local authorities and tenant’s groups. The checks underpinned by the Charter will provide tenants with more information about their homes, while landlords will be presented with tailored, practical improvement plans to address issues and

hazards. As with the Good Employment Charter, landlords will receive recognition for upholding the standards and principles laid out. Tameside should work closely with partners within the borough and in the wider city region to put itself at the forefront of the development and implementation of the Good Landlord's charter and all associated measures. This could include consultation and engagement to gauge the views of landlords, tenants and other groups, influencing the wording of the draft Charter, encouraging residents and partners to engage in city-region wide consultation processes, and sharing best practice where appropriate. This will facilitate the creation of common standards across the city region and ensure that both tenants and landlords have confidence and clarity in their rights and responsibilities.

**8.3 Conduct fact finding exercises within Tameside to gain a better understanding of the local private rented sector, including who landlords are, which properties they own, the demographics of tenants, and whether essential safety checks are being carried out.**

A significant bottleneck in improving standards in Tameside is the limited amount of data available to develop a complete picture of the makeup of the private rented sector in the borough. Unlike with social housing, where key partners are known and engagement mechanisms such as the Registered Provider Partnership have successfully been put in place, the private rented sector is by comparison more fragmented and difficult to engage with. This is an area of particular importance from an equalities perspective as the Tameside Housing Strategy 2021-26 has identified that ethnic minority and LGBT+ households tend to be overrepresented in private rented and affordable accommodation, and these residents are also less likely to present themselves to council services in general. A lack of data on private stock also has implications for capacity limitations, for example; by forcing officers to use scarce resources to track down landlord contact details instead of delivering services. Tameside Housing Services are currently working with the Greater Manchester Combined Authority to introduce a shared intelligence platform including stock condition data, data from housing enforcement teams about property conditions, and information from colleagues in the health sector to better understand property conditions, with the intention of using the findings to target the worst properties and locations. This work should be continued, supplemented with additional projects where required, and used to inform other projects such as the review and update of the PSHS.

**8.4 Investigate possibilities to increase resourcing to Housing Services to facilitate inspections and enforcement action.**

A lack of capacity in terms of resourcing and funding was identified as a significant barrier to enforcement action by Housing Services officers, with 7 out of 10 local authorities in GM (including Tameside) also highlighting it as the most serious bottleneck. Lack of capacity to launch formal enforcement action may also explain some inconsistencies in Tameside's data provided to the Greater Manchester Law Centre, although more evidence is required to confirm this. While some new funding has been made available by the government and GMCA (for example; through the GM Housing Loan Fund, which is facilitating the development of the Good Landlord Scheme and other enforcement measures), it cannot undo existing cuts to local authority budgets and is well below the level needed to increase the size and capacity of enforcement teams to even keep pace with the growth of the private

rented sector. While this issue must be acknowledged, it is also recognised that this is an obstacle shared by all local authorities and will be very difficult to overcome without significant new funding at a national level. However, opportunities may exist to access new or innovative forms of funding in the future, and these should be identified and pursued as a priority.

**8.5 Improve communication and signposting mechanisms between the Council, relevant partners and private rented sector tenants to ensure that they are aware of their rights and know who to ask for support if they experience issues.**

Data from the DJS survey has shown that a vast majority of private rented sector tenants in Tameside have experienced some form of maintenance or repair problem in the last year, and that half of them were satisfied with how the issue was resolved. However, only 13% escalated this issue to the Council, with over half saying they had chosen instead to repair an issue themselves and 30% saying they had arranged and paid for repair themselves. Cross-referencing with GMLC data shows that, although the DJS survey suggested that although residents in the private rented sector experiencing maintenance and repair problems was significantly higher than the GM average, the number of tenants approaching the council about such issues was lower than in equivalent-sized GM local authorities. This suggests that, despite the local authority being the main organisation responsible for enforcement in the private rented sector, residents are either unwilling to approach us with issues or are unaware of the services the council can offer. To address this, tenants in the private rented sector should be informed of their rights and empowered to report issues where required. This could be done at relatively low cost through communications campaigns, engagement with partners (including tenants and landlord groups), and training customer service staff to identify residents facing issues in private rented sector accommodation and signpost them to appropriate support.