

30th October 2023

An open letter to:

- Matt Downie (Chief Executive, Crisis)
- Policy Team, (CIEH)
- Matthew Upton (Acting Executive Director of Policy & Advocacy, Citizens Advice)
- Ben Twomey (Chief Executive, Generation Rent)
- Sam Stewart (Interim CEO, Nationwide Foundation)
- Polly Neate (Chief Executive, Shelter)

Dear all,

I write to you as your organisations are leading members of the Renters Reform Coalition.

As you will know, the NRLA has never shied away from accepting the challenges that tenants face in the private rented market.

We agree that tenants need to feel confident to raise complaints about poor quality housing; that councils need the resources to take enforcement action against rogue and criminal landlords; and that tenants should have access to proper legal support where possession cases end up in the courts. Likewise, we support calls for the unjust freeze on LHA rates to be reversed.

However, alongside this, reform of the rental market needs to carry the confidence of responsible landlords. After all, greater security for tenants will not mean much if the homes to rent are not there in the first place. Rightmove, Zoopla and others all point to the demand for private rented housing already outstripping available supply.

Over recent years, debate about the future of the private rented sector has become increasingly polarised as a battle between the needs of tenants on the one hand and those of landlords on the other. We do not think this has to be the case and are concerned at some of the language which gives the impression that someone can be pro-landlord or pro-tenant, but not both. This is simply not true.

Landlords and tenants mutually depend on one another and reform of the sector must work for both parties.

In view of this, I would welcome your response to the following points.

1. Court reform

As you know, in response to the LUHC Committee report on the private rented sector, the Government made clear that it *“will not proceed with the abolition of section 21, until reforms to the justice system are in place.”*

We understand how frustrating this is. We are equally frustrated that it has taken so long for a commitment to undertake these reforms to be made, when their necessity has been clear for several years. Practical steps could and should have already been taken in preparation for the Bill.

We have long argued that the need for an improved court system to handle section 8 repossessions was an essential pre-requisite for the replacement of section 21 to work. In 2020, we highlighted the need for the courts to reduce the time to process legitimate possession cases in our [proposals](#) for the new system to replace section 21.

Likewise, as far back as 2018 the then HCLG Select Committee [called](#) for the development of a specialist housing court, whilst in its report on the private rented sector in February, the current LUHC Committee [warned](#) that: *“It is not clear whether the Government fully appreciates the extent to which an unreformed courts system could undermine its tenancy reforms.”*

We want court reforms that would benefit tenants and landlords. Tenants need to be able to access legal advice and support much more easily where possession cases are being considered by the courts. Likewise, where landlords have a legitimate reason to repossess a property, whether that be for serious rent arrears or anti-social behaviour, it means ensuring the courts process such cases much more swiftly than at present, as called for by the LUHC Committee.

We believe that there is potential to build common ground on the issue of court reform and would be grateful for your thoughts on the following:

- What time frames do you think the courts should be working to when processing legitimate possession claims such as those related to tenant anti-social behaviour or rent arrears?
- Would you be prepared to work with the NRLA in making a powerful joint call for reforms to the court system to benefit both tenants and responsible landlords? If not, we would welcome an understanding of your concerns.

2. Grounds for Possession

In a thread on X, Tom Darling from the Renters Reform Coalition [implied](#) that all grounds for repossession should be discretionary.

This is not a stance the NRLA agrees with, but we would appreciate the opportunity to understand your respective organisations' positions on:

- Under what circumstances do you believe that it should be permissible for a tenant to build eight weeks or more of unpaid rent?
- Under what circumstances would it be acceptable for a tenant found guilty of anti-social behaviour to remain in a property?
- Under what circumstances would it be ok for a tenant to remain in a property if they are found not to have a legal right to rent property?
- Under what circumstances do you believe a landlord should be prohibited from selling a property that they own?

3. Pets in Rented Homes

As an organisation we understand the importance of pets in providing companionship for many renters. We support the measures in the Bill that would ensure both that landlords could not unreasonably withhold consent for tenants wanting to keep a pet and require tenants with pets to have the necessary insurance.

We note again however that Tom Darling, speaking on behalf of the Renters Reform Coalition, has [said](#) that if tenants want “a pack of Great Danes”, living in their properties, “that should be their right.”

Given this comment, we would welcome your proposals as to when a property might be unsuitable for a certain type or number of pets. For example, would a large dog in a small flat without a garden be suitable? Likewise:

- In a shared house, whose rights should prevail if one tenant wanted a pet and another did not want one in the property?
- How do you propose handling pets causing a nuisance for other tenants or neighbours? Should it be classed as anti-social behaviour on the part of the tenant? Should a landlord be able to insist on the pet being removed or would it be a ground to repossess the property?
- Would you be prepared to work with the NRLA in calling for the guidance provided to the courts about what would constitute a reasonable reason to refuse a tenant having a pet to be as comprehensive as possible, not least to prevent inconsistent judgements from the courts and clarity for tenants and landlords?

4. Ban on 'No DSS' Adverts

As you know, the Government has said it wants to bring forward measures to ban 'No DSS' adverts, which we support. Every tenant should be treated on an individual basis based on their ability to sustain a tenancy.

However, I am sure you will agree that a ban of this kind is unlikely to achieve much without also unfreezing the Local Housing Allowance.

In view of this, would you be prepared to work with the NRLA in making a joint call on the Government and the Labour Party to commit to reversing the unjust freeze on LHA rates with a commitment, at the very least, to re-link it to the 30th percentile of rents and uplift it accordingly each year?

Whilst we accept that there are issues on which we will not agree, we believe it important that as groups representing tenants and landlords, we are able to find common ground where we can work together for the benefit of the sector as a whole. In short, it is time to end the divisive rhetoric which is giving the wholly inaccurate impression that the majority of landlords cannot be trusted, but rather recognise that both parties need to work together to have a successful tenancy.

Given the importance of the issues raised in this letter, I will be making it publicly available on the NRLA website and I look forward to hearing from you.

Yours sincerely,



Ben Beadle
Chief Executive