



**NIACRO Response to the Department for Communities  
Consultation on Private Rented Sector in Northern Ireland -  
Proposals for Change**

**3 April 2017**



## NIACRO Response to the Department for Communities Consultation on Private Rented Sector in Northern Ireland - Proposals for Change

### 1. Overview

1.1. NIACRO is a voluntary organisation that has been working for almost 50 years to reduce crime and its impact on people and communities. Specifically, its contributions have been to:

- Support the resettlement of adults leaving prison and those on community supervision
- Build skills, confidence and employability of people both in prison and in the community
- Build the resilience of children, young people, families and adults who are displaying behaviour that would put them at risk of engaging with the criminal justice system, supporting positive lifestyle choices
- Influence service providers in the statutory, voluntary and community sector and building their capacity to provide appropriate support and bespoke training
- Contribute to public debate and influencing others with regards to criminal justice matters, at the highest level.

1.2. NIACRO believes supporting people who have offended or who are at risk of offending to make positive choices promotes desistance and contributes to reducing offending and anti-social behaviour. We aim to contribute to a reduction in offending and re-offending through appropriate and effective support for both adults in the community and those leaving prison.

1.3. NIACRO delivers housing-related support on a number of projects including:

- i. [APAC](#): preventing people becoming homeless as a result of anti-social behaviour.
- ii. [Base2](#): dealing with conflict or difficulties they are experiencing within their local community or with paramilitary organisations, assisting individuals to remain within their homes or give practical support to safely relocate out of the area.
- iii. [STEM](#): assisting people whose tenancy may be at risk due to harassment or intimidation because of their ethnicity.

### 2. Preliminary Comments

2.1. NIACRO welcomes the opportunity to comment on the Department for Communities Consultation on Private Rented Sector in Northern Ireland - Proposals for Change.



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**2.2.** NIACRO acknowledges the vital role the private rented sector plays in offering an alternative to the social rented sector. The private rented sector offers a greater diversity of accommodation, choice and availability in more desirable areas which the Housing Executive or Housing Associations may not be able to offer.

**2.3.** NIACRO recognises the progress made in the private rented sector since the Private Rented Sector Strategy – ‘Building Solid Foundations’ consultation took place in 2010 which has provided some of the much needed regulation to the private rented sector which included the introduction of longer notice to quit periods and the introduction of the Tenancy Deposit and Landlord Registration Schemes.

**2.4.** The private rented sector has an important role to play in meeting housing need in Northern Ireland with many households who would normally have been accommodated in the social rented sector opting for the private rented sector instead.

**2.5.** We recognise that tenants living in the private rented sector need further support to sustain tenancies; resolve neighbour disputes/conflict; get access to information about rights entitlements and responsibilities as a tenant e.g. right to a tenancy agreement, tenancy deposit scheme.

### **3. General Comments**

#### **Characteristics of the Private Rented Sector**

**3.1.** NIACRO recognises that the private rented sector provides a housing option for a diverse range of individuals and families across Northern Ireland. It is important to note the growth of the private rented sector in Northern Ireland from 5% of overall housing in 1991 to over 16% in 2017 – this is significant in the fact that not only has this figure more than tripled in this period but it is the highest region of growth in the whole of the UK according to the extract from DCLG tenure data and PWC projections.<sup>1</sup>

### **4. Supply**

**4.1.** NIACRO welcomes the recognition of the current housing situation in Northern Ireland with regard to residential segregation and is keen that the Department explores opportunities available for shared housing through the Fresh Start Agreement to incentivise the development of more mixed-tenure housing areas, including private rented accommodation, underpinned by a shared ethos.

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<sup>1</sup> Private Rented Sector in Northern Ireland - Proposals for Change Consultation Document (January 2017), p16.



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### 5. Affordability

**5.1.** NIACRO welcomes the proposal of legislation to stipulate that rents can only be increased once in any 12 month period. We have concerns regarding the figures in Annex D whereby three council areas in Northern Ireland exceed the 35% figure identified by the 2007 Affordability Report as the limit of gross household income that should contribute to housing. Furthermore, it is concerning that all council areas in Northern Ireland exceed the expectation given by the Joseph Rowntree Foundation stating that 30% of a person's income should be used to meet housing costs. NIACRO believes that private rented sector rents should be more in line with Local Housing Authority rates particularly in areas of economic and social deprivation. We believe that initiatives need to be explored to encourage more affordable rents, particularly within the private rented sector.

**5.2.** Along with affordable rental rates, appropriate and adequate support provision for tenants, such as that provided by the Supporting People Programme, ensures that tenancies can be both stable and retained on a longer-term basis with a reliable supply of individuals and families able to live within the private rented sector.

**5.3.** NIACRO is encouraged at the co-operation which exists between the private rented sector and the third sector on schemes such as Smartmove Housing and Extern Homes for example. We believe that a collaborative approach between landlords and the third sector such as those examples mentioned above, should be explored further as a positive move to increase accessibility and affordability to those who are most vulnerable and in housing need.

**5.4.** Whilst NIACRO welcomes the mitigation measures agreed by the Northern Ireland Assembly regarding the on-going welfare changes, it must be noted that such measures provide a temporary solution for those individuals and families impacted more widely by welfare changes. Thus, the effects of these changes will not be truly reflected until after the mitigations scheme has ended.

**5.5.** Households in Northern Ireland have an increased risk of financial vulnerability compared to the UK as a whole. This is highlighted in the Money Advice Service UK-wide study into over-indebtedness with 21% of individuals in Northern Ireland being over-indebted – well above the UK-wide average of 16.1% and the highest of all the UK regions.<sup>2</sup>

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<sup>2</sup> Money Advice Service, 'A Picture of Over-indebtedness' (2016): <https://www.moneyadviceservice.org.uk/en/corporate/a-picture-of-over-indebtedness>



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**5.6.** Households in Northern Ireland have an increased risk of financial vulnerability compared to the UK as a whole. They are more heavily reliant on social security benefits than in the rest of the UK. Of the constituent regions of the UK, Northern Ireland ranks lowest in terms of income, education and financial literacy. With the introduction of the Welfare Reform Programme and the transition to Universal Credit, life for those on low incomes will become more difficult and may subsequently have a knock on effect on other areas including housing.<sup>3</sup>

### 6. Security of Tenure

**6.1.** NIACRO believes that appropriate support must be provided for tenants in order to retain their tenancy. Support mechanisms could be utilised to a greater degree within the private rented sector. This is concerning given the noted percentage increase in private rented sector in the overall housing picture across Northern Ireland which means fewer people who require wrap-around support and assistance may not have the appropriate support options available, for example, signposting to organisations who can assist with a tenant's specific needs.

**6.2.** NIACRO would welcome opportunities to have greater support processes in place for tenants renting in the private sector with regard to managing tenancies, and the wrap-around assistance provided by the Supporting People Programme, for example our APAC project which is NIACRO's family of Floating Support services aiming to help people who are experiencing difficulties in maintaining their tenancy. APAC works to prevent people becoming homeless as a result of anti-social behaviour.

### 7. Tenancy Management

**7.1.** NIACRO supports a pilot for a dedicated landlord advice line in principle. When landlords are better informed of their rights *and* responsibilities, there is a greater likelihood of a positive tenant/landlord experience. We would further welcome a common enquiry form for landlords to access Supporting People services to assist vulnerable tenants with their support needs.

**7.2.** Landlords should be supported and encouraged to comply with existing private rented sector law, guidance and best practice in managing and terminating tenancies including compliance with the issuing of tenancy agreements and information about tenancy deposit schemes. This should not mean an additional administrative or cost burden for landlords. The Department

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<sup>3</sup> 'Financial Literacy and Over-Indebtedness in Low-Income Households', Declan French and Donal McKillop: [http://www.st-andrews.ac.uk/business/rbf/workingpapers/RBF14\\_012.pdf](http://www.st-andrews.ac.uk/business/rbf/workingpapers/RBF14_012.pdf)



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can work with the Northern Ireland Landlords Association and Tenancy Deposit providers to draft good practice guidance and oversee adherence to same.

**7.3.** NIACRO welcomes the development of a tenant information pack provided by the landlord. We would support the inclusion of clear and robust information on Supporting People services. We would also welcome further information on the composition, uniformity and consistency of these packs given that the onus to provide this is placed on the landlord which may result in an inconsistency of information delivery across the private rented sector.

### **8. Dispute Resolution**

**8.1.** NIACRO would welcome the examination of the financial case for an independent dispute resolution mechanism such as a Housing Panel to deal with issues such as rent disputes, rent arrears, unfair eviction, breaches of tenancy agreements etc. The costs of establishing such a panel should be considered against the scope and merits of continuing with the Small Claims Court for resolution. Moreover, such a panel should be viewed within the existing dispute framework which includes both the legal mechanisms but, more importantly, the provision of support services at an initial stage in order to attempt to resolve issues as early as possible.

**8.2.** Eviction should be used as a last resort when all other remedies for resolving anti-social behaviour have been exhausted. We support the right of landlords to protect their property and for tenants to have peaceful enjoyment of their homes. NIACRO has pioneered the use of early intervention models of good practice for dealing with anti-social behaviour. We continue to advocate that, when dealing with nuisance behaviour, this approach is better to address the behaviour and the causes of it, rather than the tenant losing possession and increasing their chances of homelessness.

**8.3** The NIACRO APAC project works specifically in this area. Our approach works in a practical, but voluntary basis. NIACRO staff use agreed support plans, mediation and offer connection to services to resolve nuisance behaviour. The APAC programme places an emphasis on self-assessment and uses a case management approach. This method has proven effective in dealing with a number of cases where anti-social behaviour is threatening a tenancy and the wider community.



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