

**NORTH LANARKSHIRE FEDERATION OF TENANTS AND RESIDENTS  
ASSOCIATION  
WRITTEN SUBMISSION**

**Introduction**

In order to respond to the Scottish Government's Housing (Scotland) Bill; North Lanarkshire Federation of Tenants and Residents Association organised an open meeting for members of local tenants and residents groups to discuss the content of the Bill and to feedback comments.

The following report details the comments and feedback from the session.

**Part 1: Right to Buy**

We agree that the Right to Buy should be abolished.

Those who were in agreement, felt that the Right to Buy had resulted in a lack of choice of available houses for tenants and felt that the 'good housing' had gone.

However, some people are a bit unsure of this proposal and feel that it seems unfair that new tenants, particularly young people; wouldn't have the same choice as other tenants to buy their own home.

Therefore we feel it's important to add that we feel there is a need to look at helping people to be able to buy their home and there needs to be a good choice of options in terms of social housing.

It was agreed that three years seems too long a timeframe; however it is difficult to agree on an alternative timescale. Most people felt one year was suitable others didn't, and a compromise was perhaps a two year timeframe and that 3 years was the maximum timescale that should be applied.

**Part 2: Social Housing**

We agree that landlords should have more flexibility when allocating houses, in line with the proposal that landlords must consult with tenants and tenants groups when deciding on the preference categories.

We agree that in some categories there is perhaps a need to deal with cases on a 'case by case' basis.

We understand that homelessness comes under different legislation and that landlords must apply legislation to respond to homeless applicants however we feel that the system needs to be robust.

We strongly agree that landlords should be able to take in an applicant's previous anti- social behavior into account when allocating a house and would add that this is particularly relevant and important if and when people who have been anti-social are moved from one area to another. We feel this should also be the case with homeless applicants as well.

We agree with the proposal that landlords must consult with tenants and tenants groups regarding any proposals to change allocation policies and procedures.

We support the introduction of taking age in account; however we also feel that there needs to be sensitivity around lets particularly to young people.

### **Succession, Joint Tenancies, Assignations and Sub Letting**

We feel more information is required in the bill on these situations; however we have given some response to this section as noted below.

We agree with the proposal that people should live in a house (as their only home) for 12 months instead of six months. We feel it's also important that people can't 'queue jump' and therefore the system needs to be robust but sensitive.

We agree that people should only be able to take over a tenancy if they would have normally been allocated the house in terms of size and type.

### **Short Scottish Secure Tenancies (SSST's)**

We agree that SSST's should be increased from 6 months to 12 months. This was a difficult one to agree on particularly in relation to ASB; but overall we agree with the proposal.

In terms of who should be given an SSST we agree that this should be the case for the examples given in the Bill, but with the exception of owners – we really feel we need more info on the situation referring to owners.

### **Anti-Social Behavior – SSST's**

We agree that SSST's should be increased from 6 to 12 months where there has been previous ASB. We also agree that this will help landlords manage tenancies more effectively.

We feel that more information is required in relation to SSST's and ASB so that tenants can have more understanding of this.

### **Part 3: Private Rented Sector**

We agree that there should be increased powers to deal with the PRS. We think this will help to speed up the process of dealing with disputes etc. We feel this is necessary to protect the rights of tenants living in the private sector as

fundamentally we feel that all tenants regardless of where they live or whether they are local authority, RSL or private tenants they should have rights and recourse.

With regards the proposal of a new first tier tribunal to deal with disputes in the PRS, we agree with this proposal.

We feel that this will perhaps make the process of dealing with disputes quicker; however we're not sure that this has been demonstrated.

We would add that that the tribunal would need to have 'clout & teeth' to ensure it would have enforceable powers. We feel it's important to stress that the tribunal can't just be a 'talking shop'.

We feel more information is required about the tribunal, and would suggest that perhaps a trial/pilot period would be useful to see how this would work, and to see how successful the tribunal process would be.

We also feel we need more information on how this will be funded and resourced.

We are a bit disappointed that this is only being proposed within the private sector and not within the social housing sector.

We agree that local authorities should have more power to tackle poor housing conditions in the PRS but it's not just about power it's about ensuring that decisions made by LA's are enforceable.

We also agree that other agencies should also be able to have more power in these situations.

We would also add that there needs to be a register of who landlords are and information on what a landlord's powers are.

#### **Part 4: Letting Agents**

We agree that there should be mandatory registration letting agents, as we feel it's important to protect all tenants regardless of who their landlord is.

We feel it's crucial that letting agents must be required to meet set standards such as a Code of Conduct, and a set of rules and regulations. We also suggest that it's important that it's not just about registration - there needs to be checks in place to ensure landlords meet their obligations.

We feel that there are situations where people let out their homes but don't see themselves as landlords, and this must be addressed both for the tenant and the person letting their home.

More information on this and how it will be carried out, as well as and what the point and purpose of registration is required.

### **Part 5 Mobile Homes and Parks Sites**

We agree with the introduction of a new license system and that all mobile homes and park sites should be licensed and operated by fit and proper persons. In our opinion it is important to ensure that tenants are protected and that landlords are responsible.

We agree that Local Authorities should have powers to grant and evoke licenses.

We agree that Local Authorities should have powers to ensure sites are managed, maintained and repaired effectively; however we need more information on how this and the enforcement of license powers will be funded, and would add this shouldn't affect tenants.

### **Part 6: Private Housing Conditions**

We support the idea that Local Authorities should have powers to enforce private landlords to carry out repairs and maintenance on their properties. We would suggest that there is a set standard similar to the Scottish Quality Housing Standard.

### **Part 7: Miscellaneous**

#### **Transferring Registered Social Landlord Assets**

We have some concerns regarding the proposal to introduce additional powers for the SHR with regards the transfer of assets. We feel we need more information and clarification of the circumstances when this would be used.

We realise that it is proposed that this would only be used in extreme circumstances and we see that it is there to protect tenants, however we feel it is really important to stress this needs to be used only in very extreme circumstances and therefore shouldn't be in place on a regular basis. We feel that if this type of situation is likely then it should be picked up by the regulator before it gets to this stage through SHR's existing checks and systems.

**North Lanarkshire Federation of Tenants and Residents Association  
27 February 2014**