

Housing, Communities and Local Government Committee

House of Commons, London SW1A 0AA

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The Rt Hon James Brokenshire MP
Secretary of State for Housing, Communities and Local Government
Ministry of Housing, Communities and Local Government
Fry Building
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31 October 2018

Dear James,

Private Rented Sector

I write further to your letter of 4 September and our preceding correspondence regarding the Committee's inquiry into the Private Rented Sector and the Government's programme of reform in this area.

The Committee were pleased to note the continuing progress of Karen Buck MP's Homes (Fitness for Human Habitation) Bill, which passed its Third Reading last week, with Government support. This is a significant Bill which will give tenants new and important rights to act against their landlords when their properties do not meet basic fitness standards. The Bill rightly has widespread support from tenants' groups, landlords' associations, professional bodies and local authorities, as well as this Committee. As we noted in our report, we believe it is important for the Government to take steps to ensure that the new rights granted by this Bill are not illusory, and that tenants – especially those who are most vulnerable – are able to enforce them in practice. As I have noted several times in our correspondence, tenants in the private rented sector need far greater protections from retaliatory eviction, rent increases and harassment from their landlords, and these will be important if the tenants that need the most protection are able to access these new rights.

The Committee is, however, increasingly concerned that Government efforts to protect the most vulnerable tenants in the sector are not working. A recent investigation undertaken by The Guardian and ITV ([Banned but still in business: law fails to stop rogue landlords](#), 23 October 2018) highlighted significant issues around the effectiveness of current Government policies in this area, many of which corroborate issues we highlighted in our report.

For example, it is concerning that landlords can be banned from operating in one area, but – perfectly legally – are free to operate in another. While the Committee has not recommended a nationwide licensing scheme for landlords, we did call on the Government to give local authorities greater autonomy to introduce selective licensing schemes in their areas, arguing that current restrictions were contrary to the spirit of localism. The Committee looks forward to the outcome of the Government's review of selective licensing and hopes that this will reflect the concerns we heard from local authorities and tenants' groups.

During our inquiry, the Government highlighted the imminent implementation of a new rogue landlords and property agents database. We are concerned by reports that local authorities

have failed to make a single entry on to the new database since it was launched in April 2018. Therefore, we would be grateful if you could confirm how many entries have been made onto the rogue landlords and property agents database since its implementation, if any, and which local authorities have contributed to the database. We would also be grateful for clarification as to whether banned landlords are automatically added to the database, or whether this is at the discretion of local authorities. Finally, could you confirm when the information held on the rogue landlord database will be made available to tenants.

However ultimately, as recommended in our report, it is our strongly-held view that the most effective way to stop the worst rogue landlords from exploiting their tenants is for local authorities to be able to confiscate properties. Existing penalties are clearly not effective enough to deter landlords who are prepared to commit the most serious offences. Local authorities need the power to break the business models of the worst offenders, so rogue landlords cannot simply jump to the next borough and continue to exploit vulnerable tenants.

As you may be aware, the Committee's report on the Private Rented Sector and the Government's Response, will be debated in Westminster Hall on 29 November at 1.30pm. I would therefore be grateful for a response to this letter in advance, and look forward to raising these and other issues at that debate with the Minister for Housing and Homelessness.

A handwritten signature in black ink, appearing to read 'Clive Betts', written in a cursive style.

Clive Betts MP
Chair, Housing, Communities and Local Government Committee