

Written evidence submitted by Alison Bancroft [RSH 006]

I am writing in response to the Inquiry into regulation of Social Housing in England. I am a shared ownership tenant living in north London. My landlords are Metropolitan Housing Trust and Clarion Housing.

Setting aside for now the extensive and well documented problems with shared ownership, I can also add that living with housing association landlords has been dreadful since I moved in in 2006, and they are getting worse, not better.

I would like to concentrate particularly on the following terms of reference for the Inquiry:

- How widespread and serious are the concerns about the quality of social housing?
- Is the current regime for regulating social housing fit for purpose?
- How clearly defined are the roles of the Regulator of Social Housing and the Housing Ombudsman?
- Does the current regime allow tenants to effectively resolve issues?
- Do the regulator and ombudsman have sufficient powers to take action against providers?
- What changes, if any, should the Government make to the Decent Homes Standard?
- Should all providers of social housing, not just councils, be required to register with the regulator?

My evidence is below. Please feel free to contact me if you require further details, and please note also that I would be very happy to give evidence in person to the Inquiry if you feel it would be helpful for me to do so.

Thank-you for your time

Kind regards

Alison Bancroft

1. How widespread and serious are the concerns about the quality of social housing?

Concerns about the quality of social housing are widespread amongst tenants. Housing Associations are deliberately and willfully neglectful of the maintenance of their properties. They know full well that their repairs and maintenance are sub-par, and that their properties are falling into disrepair as a result

of their negligence, and that their tenants quality of life is being compromised as a result – but they just don't care. Since becoming a housing association tenant in 2006, I have met hundreds of other tenants who have the same problems that I do. Every single housing association in London has at least one tenants Twitter account and/or Facebook group set up by tenants in response to the problems their landlord causes for them, and having spoken to Housing Association tenants all over the country, I can say with certainty that competent, well-run housing associations who care about their tenants experience and about their housing stock are in a minority so small it's pretty much negligible. The problems with housing associations are grave and systemic and there must be wholesale change in the way they are regulated if the problems they cause are ever going to be addressed.

2. Is the current regime for regulating social housing fit for purpose?

It depends what that purpose is. If the regulators are designed to minimise the disruption to HAs money making, so that they can generate as much profit as possible, and pay sky-high boardroom salaries while running properties into the ground to the point that tenants lives are at risk, then the current regime is doing splendidly. However, if the regime is meant to protect tenants from the worst excesses of powerful landlords, and to make sure they can live in dignity in well-maintained homes, with a constructive relationship with their landlords, then it's failing miserably. The Regulator for Social Housing is primarily concerned with governance, and so long as the books are in order it has no further concerns. It certainly has no interest in hearing from tenants – I know because it has brushed me off more than once. The Housing Ombudsman is toothless, benign and pointless. With regulators like that, it is no wonder housing associations are emboldened to behave the way that they do.

3. Does the current regime allow tenants to effectively resolve issues?

Absolutely not. Quite the contrary, in fact. The system as it stands is designed to ensure that tenants are ignored and issues go unresolved.

The Regulator for Social Housing point blank refuses to consider tenants entreaties. I don't know what exactly they regulate, but it certainly isn't social housing. The Housing Ombudsman will only consider your complaints after you have had a final response from the Housing Association's internal complaints procedure, and also that a letter from your MP or councillor has not got a result either. Housing Associations then set up complaints procedures that are designed to never give you a final response. They will take a complaint, pass it on to someone, then email the tenant to tell them that their complaint has been passed on to so-and-so and is now closed. Another tactic is to keep investigating and investigating, treating the problem as a ball to keep in the air as long as possible, and to never give you an answer that would allow you to progress through their complaints procedure. They don't care about letters from MPs either. If you go to the Ombudsman and tell them this, they just refer you back to your HA and tell you they cannot do anything without a final response.

The effect of this on tenants is grave. Regardless of whether it is repairing a fault, investigating longer term problems, producing accurate service charge accounts, or carrying out basic maintenance, HAs consistently over-charge and under-deliver and then bully and brutalise anyone who dares to complain. When all you want is service in exchange for your service charge and you're on the receiving end of this treatment instead, it's like being in an abusive relationship, where you are alternately gaslighted, goaded, bullied and ignored. If I had a romantic partner who treated me like this I'd dump them in a heartbeat. But because it's my landlord, I cannot dump them and instead have to accept their abuse, because they're so certain that they're right that they're not going to listen to me and they are not going to change. And the vast majority of housing association tenants have the same experience.

To give you a sense of what this looks like in real terms, here are two examples of what has happened in my building recently:

Example A: Residents in my building eventually had to issue legal proceedings against out landlords. Clarion were meant to maintain the building but didn't, and MHT were meant to "enforce the superior covenants of the lease in respect of repairs and maintenance" (ie get Clarion to maintain the building) but didn't. After living with a front door that didn't work for a decade, cyclical works that were years late, damp in the communal areas, faulty fire doors, etc, and despite countless complaints, letters from MPs to the HA chairs, meetings, emails, etc, the building was still dropping to bits and residents were still paying service charge, and so we issued legal proceedings. Every flat chipped in a bit of money to cover the costs. The total amount spent came to £15,000.

Eventually we had to settle out of court because MHT and Clarion had deliberately dragged things out and in the end we simply couldn't afford to go to court. We had a meeting and reached an agreement. This agreement needed to be signed by both parties and sent to the court in advance of the hearing. We signed. MHT didn't. Then, less than 24 hours before we were due to go to court, MHT came back to us. They refused to sign the original agreement, but had come up with one of their own that had much more onerous terms for tenants, and we had no choice but to sign that, because we couldn't afford to go to court. You'd think that after that unpleasant experience that MHT would improve their performance, but no. They put my neighbours and I in our place and have continued exactly as they always have done. The takeaway is that if a tenant tries to hold MHT and Clarion to account, they will go out of their way to make things so unpleasant for you that you never dare to stand up to them again. And this is a deliberate strategy. Their approach to tenants can be seen in *Worthington and Anor v Metropolitan Housing Trust (2018)* where MHT harassed tenants who then sued them and won, and MHT insisted on dragging them to the Court of Appeal rather than admit that they might have got something wrong. This case was not unusual. This is just the tip of the iceberg, and it tells you all you need to know about how HAs deal with complaints from tenants.

Example B: In April 2021 there was a fire in the basement bin store. Clarion had changed the lock to the external door but it was a poor quality lock that never actually worked. Someone gained access to the bin store, and a fire started in one of the big 1000L bins. Thick black smoke travelled up the rubbish chute from the basement to the first floor, and completely filled the first floor landing and corridors. The smoke vents failed to open. The London Fire Brigade attended and extinguished the fire. Afterwards, I asked to see the service records for the smoke detection system. When I received these documents, they showed that service engineers had been reporting the smoke vents as broken or missing completely for two years before the fire. Clarion and Metropolitan knew this. They had both received these documents and should have read them – but they did nothing about it until after there was an actual fire. This is after Grenfell, and after Metropolitan had already lost one building (Richmond House) to fire in 2019. I was left with the abiding impression that my landlords do not care whether I and my neighbours live or die – because what other conclusion is there? After I read the engineers reports I wrote to the Head of Legal at Metropolitan to ask him if there was any reasonable conversation we could have before I took the matter further. I got a letter back saying that MHT had followed all their internal procedures correctly and that as far as they were concerned that was the end of the matter. I then complained to the Housing Ombudsman, who told me I needed to go through MHT's internal complaints procedure first. At that point my MP intervened and wrote to the Housing Ombudsman on my behalf, and so now, finally, the Ombudsman is investigating my complaint. If the Ombudsman finds in my favour I anticipate some negative press in a trade rag and a slapped wrist, neither of which will have the slightest impact on Clarion and Metropolitan.

4. Do the regulator and ombudsman have sufficient powers to take action against providers?

Again, no. Housing Associations behave dreadfully with absolute impunity. If either the Regulator or Ombudsman had teeth then HAs would behave better, knowing there would be consequences if they don't. The

reason Housing Associations are such inhumane poisonous bullies is because they know they can get away with it. So long as their finances are in order – and heaven knows, they're exceptionally good at generating multi-million pound profits – then no-one cares what happens to their tenants, or to the housing stock that they are the custodians of. There is no accountability, there are no consequences for failure of any kind, and no-one takes responsibility for anything.

5. What changes, if any, should the Government make to the Decent Homes Standard?

The DHS needs to be much more comprehensive, and should be enforceable with penalties for failure. As far as blocks of flats are concerned, it should cover the entire building, not just the individual flats within it. Moreover, as HAs benefit from the capital appreciation of their housing stock, and enjoy a healthy inward flow of public money, paying for the maintenance of their housing stock should be the responsibility of the Housing Association themselves, not the tenants – this would mean abolishing service charge for all rented and shared ownership properties. Additionally, repairs and maintenance standards (both quality of work *and* time taken to resolve repairs and maintenance issues) for individual properties as well as blocks of flats should be determined externally by a housing regulator in conjunction with tenants, with substantial fines for any social housing provider that fails to meet these standards.

6. Should all providers of social housing, not just councils, be required to register with the regulator?

Yes. And the regulator should have teeth. HAs should have as much regard for the housing regulator as schools have for OFSTED, and care homes have for the CQC.

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