

Written evidence submitted by Glass Door Homeless Charity

Background

Glass Door is a London-based charity providing a wide range of services for people who are either experiencing homelessness and or are vulnerably housed (we call these individuals our guests). We do not receive any funding that impedes our open access policy, which means we can assist those who have limited or no entitlement to public support.

Before the pandemic, Glass Door ran networks of winter shelters in partnership with churches in West and Southwest London. Since the beginning of the Covid-19 pandemic, we have been unable to reopen communal shelters. However, new services were launched to ensure people experiencing homelessness could safely stay in individual rooms and have access to food and support to move beyond homelessness. We currently operate a hostel in Paddington (with three meals daily, accommodation and on-site casework service). The charity also continues to work with people experiencing homelessness via a year-round casework advice service. Individuals, many of whom have multiple disadvantages, receive personalised assistance to replace lost ID, access healthcare, apply for benefits, get immigration support, get training and work, and find appropriate longer-term housing.

Based in partnering day-centres across London, a team of 18 expert caseworkers are available to assist people affected by homelessness with a range of issues affecting their ability to find or stay in housing. These caseworkers spend a large part of their time assisting guests to find suitable accommodation and with problems arising from private rented accommodation. In 2020-2021, Glass Door's casework team spent 1752 hours working with guests on housing, equating to 31% of all time spent on casework. Moreover, we have one caseworker specialising solely in assisting individuals who have been housed to help make sure they stay in accommodation and don't fall back into homelessness.

Between 1 June 2020 and 31 May 2021, 1,370 guests were seen by caseworkers, of which 23% had no or limited recourse to public funds, 39% were EU nationals, and 34% received Universal Credit or other benefits. The average age of all guests receiving casework support was 45 years old. Fifty-three percent (53%) of all guests who had a positive housing outcome went into the Private Rented Sector.

We regularly see a number of problems related to the private rented sector that should not occur in the current regulatory environment. Too many of our guests are treated unfairly and experience discrimination from landlords who do not comply with the law. We are regularly contacted for assistance by people in London who do not feel empowered to enforce their rights

when things go wrong. We are grateful for the opportunity to provide evidence to the Committee on their behalf. The information we provide is based on the experience of our caseworkers assisting guests during between 1 January and 31 December 2021. They fall into a number of headings:

Suitability of accommodation

Under the current regulatory environment, housing allowance takes priority over other benefits under the benefit cap. For people renting from private landlords, the Local Housing Allowance (LHA) is used to calculate the amount of housing allowance to which an individual is entitled. If an individual's rent is higher than the LHA rate, the rent will be fully covered up to the cap—but the individual will have their standard allowance reduced by rent above the LHA rate which leaves tenants with very little to live. In addition to this, many landlords on the open market will require deposits or guarantors or exclude people on benefits outright. According to the latest NAO report on the Regulation of private renting¹, 52% of landlords are unwilling to let to those on Housing Benefit; what we see is in accordance with this. We provide examples below.

In this context, some agencies have arisen that specialise in taking on homeless people. These agencies can dictate conditions, giving rise to additional barriers for people trying to escape homelessness.

Local Housing Allowance overprice

We are aware that some landlords and letting agencies charge the maximum price allowed by the LHA to maximise profits. In effect, they charge disproportionate amounts for very small and often not fully self-contained accommodation (with shared kitchens). In some cases, houses are cut up into a collection of very small studios. For instance, one guest we work with living in a multiple occupancy house since 2018 is currently paying around £1100 per month for a small room. His benefits are capped, and with such a high rent, he is left with very little left on which to exist. It is common for prices for small studios/rooms in multiple occupancy accommodations to be between £850 and £1100 per person.

We are not aware of regulatory oversight of the quality of these types of accommodation; some can be in good condition, but others are frequently badly maintained.

This can put many guests who are trying to get back into work in a very difficult position. If they get a paid job, their benefits will decrease or stop completely, leaving them with very expensive rent payments that they would not be able to afford. Many of our guests are therefore left dependent on benefits and unable to work because they are afraid of losing their accommodation.

¹ National Audit Office, Regulation of private renting - [Regulation of private renting \(Summary\) \(nao.org.uk\)](https://www.nao.org.uk/publications/2021/07/regulation-of-private-renting-summary/)

Security of tenure

Lack of regulatory oversight brings other issues of tenure, like overcrowding. One guest and his family of four (wife and three children over 10 years-old) are privately renting a two-bedroom flat. Even though the landlord knows that this is, in effect, overcrowding according to the statutory overcrowding standard², he is allowing the family to stay there and failing to provide support to move the family into a more suitable private rented property. It is also very frequent for guests to agree to live in very inadequate properties without tenancy agreements, de facto preventing them from accessing benefits or exercise their rights.

Disrepairs, insanitary and unlawful evictions

Guests often have no knowledge of their rights, and when they do, they sometimes fear that enforcing these rights would lead to retaliation in the form of threats, harassment and eviction. Our caseworkers have witnessed many examples of individuals being evicted because they complain about the state of a property or because they exercised their tenancy rights and noted that landlord often do not follow eviction procedures.

For instance, a single mother of two children under ten years old found her apartment infested by bed bugs one month after moving into the property. After complaining to her landlords, she received a letter of eviction to take place in spring 2022.

Another example of a landlord failing to meet their duties is the case of one guest who moved into a house of multiple occupancy in January 2021. He has been in conflict with other tenants of the property, and instead of properly assessing the situation, the landlord sent an eviction letter to the guest, arguing the individual had too high needs and was unsuitable for this accommodation in the first place.

Glass Door's caseworkers witness guests "giving-up" on their rights and tolerating unsatisfactory conditions because of fear of landlords' threats and intimidation. People who used to be homeless and find it difficult to access accommodation are vulnerable and sometimes suffer from physical and mental health problems. Our caseworkers have many examples where, for instance, some tenants end-up living without heating because the landlords never replied to their messages, and they give up. They also frequently observe that, after being evicted, tenants give up on reporting their illegal eviction to authorities because of their vulnerable situation and lack of knowledge of their own rights.

Universal credit

² Section 325 of the Housing Act 1985 | Housing Act 1985 1985 CHAPTER 68 PART X OVERCROWDING [Housing Act 1985 \(cambridge.gov.uk\)](https://www.cambridge.gov.uk)

As underlined above, more than half of landlords refuse guests and individuals who are in receipt of Universal Credit to rent their properties. It has been recognised that refusing housing benefit recipients can lead to discrimination, as ruled by Judge Victoria Mark in York County Court³. The UK Parliament also acknowledged, in a research briefing entitled “Can private landlords refuse to let to Housing Benefit claimants?” (October 2020) that “[a]lthough unlikely to amount to direct discrimination, as income and employment status are not protected characteristics under the Equality Act 2010, it has long been argued that it could amount to indirect discrimination in some cases.”⁴

However, on housing websites, it is still common for advertisers to specify that they want “no-DSS” individuals (the term refers to private tenants who claim benefits). With few exceptions, caseworkers say, landlords or letting agencies will refuse to rent to someone on benefits unless their income (benefits or otherwise) is three times the rental amount, unless the guest has a guarantor (which is extremely rare). One example is an elderly guest (65+ years old) in receipt of Pension Credit and eligible for Housing Benefit who had been rejected by more than ten agencies and landlords although, with the two benefits tied, his rent would have been very secure.

Apart from the upfront discrimination that our guests can experience when they are looking for accommodation in the private renting sector, Glass Door’s caseworkers have also witnessed unlawful behaviours from landlords to profit from their situation. For example, a guest who had moved into a private rented accommodation testified that the landlord had him sign a tenancy agreement dated an entire month earlier than the actual start date in order to receive the rent in full and in advance rather than in arrears, as it is usually the case with Universal Credit beneficiaries.

Another example is an agency, in an agreement with the property owner, which encouraged a guest not to submit a change of circumstance to his Universal Credit details when he started working because they feared that he would not be able to pay the remainder of the rent owed from his salary. In another case, an agency requested that a guest does not complete a change of circumstances for change of address until his next payment had been made from Universal Credit directly to the agency, because they wanted to ensure they received the money and did not trust the guest would make the payment themselves.

Age discrimination

³ in July 2020, District Judge Victoria Mark in York County Court ruled that: "Rejecting tenancy applications because the applicant is in receipt of housing benefit was unlawfully discriminating on the grounds of sex and disability contrary to sections 19 and 29 of the Equality Act 2010." (in the case of a single mother-of-two who became homeless). [20.07.02-Redacted-Court-Order.pdf \(nearlylegal.co.uk\)](#)

⁴ Can private landlords refuse to let to Housing Benefit claimants? Research Briefing | House of Commons Library, October 2020 [Can private landlords refuse to let to Housing Benefit claimants? - House of Commons Library \(parliament.uk\)](#)

Glass Door’s caseworkers have seen multiple examples of age discrimination in the private renting sector. Different standards exist between different letting agencies and private landlords, and guests have experienced discrimination in a number of different ways. For instance, on some occasions, individuals over 40 years old will not be considered for shared properties. A majority of advertisements on housing websites, for instance, will upfront mention an age-range preferred for a shared-property, *de facto* excluding the rest of the population. Other tenants and landlords are particularly more hesitant to rent to older homeless guests – i.e. those over 60. These guests will have to turn to single-room accommodation/studios, which are more expensive and harder to afford if they are working but earning minimum or near minimum wage.

In other cases, we have seen examples of some providers (who specialise in taking in people leaving homelessness) only renting to people over 60 years old who cannot go back to work. This seems to be so the landlords can ensure guests will stay on Benefits and Universal Credit to pay the rent sustainably. Caseworkers have also witnessed providers pressuring tenants to stay in unemployment so they can continue to receive benefits and universal credit and the rent will be covered.

It is also common for our guests to experience landlords/letting agencies assess their capacity to rent depending on their age (more or less than 35 years old) and the amount of their access to Universal Credit.

EU citizens

Under the current regulatory environment and since 1 July 2021, EU, EEA and Swiss citizens need to prove their “Right to Rent” to access the private renting sector in the UK. The responsibility of checks falls under the landlords’ duties, as well as the obligation to follow-up if tenants have a time-limited right to reside in the UK.

As underlined by Crisis, “EU nationals are almost twice as likely to experience homelessness as the general adult population and almost three times as likely to experience rough sleeping”⁵. Moreover, a National Audit Office report entitled “Regulation of private renting” underlines that “an estimated 25% of landlords [are] unwilling to let to non-UK passport holders”.⁶ Furthermore, EU citizens who made late applications for the EU settlement scheme face further difficulties. Applicants receive a certificate of application, and the right-to-rent checks for holders of these certificates will differ from EU citizens who have already obtained Pre-Settled or Settled status. Applicants looking to rent with certificates face additional hurdles from landlords and agencies who struggle to understand the different requirements. Moreover, the legislation around the right

⁵ Home for All, Why EU citizens are more likely to experience homelessness - and why it matters | November 2021

⁶ National Audit Office – Regulation of private renting [Regulation of private renting \(Summary\) \(nao.org.uk\)](https://www.nao.org.uk/publications/2021/12/regulation-of-private-renting/) | December 2021

to rent is complex and unclear, and landlords may have reticence about accepting tenants in these types of situations.

Although Glass Door acknowledges that the issue around late EU settlement schemes applications should end with the transition period of Brexit, it remains important in the longer term to provide proper protection for EU citizens in the private rented sector and to include prevention against any discrimination in the regulatory environment.

Conclusion

As social housing has become increasingly less accessible, many people who are looking to leave homelessness behind have no other choice but to turn to the private rented sector. As underlined by the evidence we submit, it raises several issues. In some areas, we appreciate that regulations and safeguards are in place, but appear not to be enforced. Thus, we believe there should be a review of how the Private Rented Sector deals with vulnerable people who are reliant on benefits and how this is impacted in London by the Benefit Cap, with enforceable minimum standards for the accommodation provided and a link between the size of the accommodation and how much rent can be charged.

The extra challenge for those relying on benefits to pay their rent is that they are left with very limited options. Standards of private rented accommodation should be more regularly assessed to avoid issues like overcrowding. We believe these issues can be addressed by more effective and consistent oversight.

Moreover, Glass Door has consistently witnessed practices that are inappropriate and discriminatory, but none-the-less allowed within current regulation. Evidenced discrimination against individuals in receipt of universal credit or other benefits, and against EEA citizens, should be addressed as soon as possible. There should also be more adequate protection against law-breaking landlords and more support available to allow individuals the ability to exercise their rights in the private rented sector.

We acknowledge the publication of the White Paper on Social Housing published by the Ministry of Housing, Communities & Local Government in January 2021⁷, and we welcome the proposal for a charter for social housing tenants. We believe that some of the proposals of the charter would apply to the private renting sector. Tenants should also be able to expect to be safe in their home; to know how their landlord is performing (including on repairs, complaints and safety); to have their complaints dealt with promptly and fairly--with access to a strong ombudsman to give them swift and fair redress when needed; to be treated with respect, backed

⁷ [The charter for social housing residents: social housing white paper \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/91221/20210127-social-housing-white-paper.pdf)

by a strong consumer regulator and improved consumer standards for tenants; and to have their voice heard by their landlord.

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