

Minutes of the
Cross Party Group on Housing
Thursday 24th April 2014 at 1pm

Present:

Margaret McDougall MSP (Convenor)
Patrick Harvie MSP
Marco Biagi MSP
Gordon Macdonald MSP
Alastair Cameron, Scottish Churches Housing Action
Alastair Hackland, RIAS
Caroline Elgar, SAL
Hew Edgar, RIAS
James Battye, Shelter Scotland
Kelsie Pettit, Homeless Action Scotland
Leanne Blunsden, TIS
Lesley Baird, TPAS
Lynda Johnstone, TIS
Rebecca Johnston, SAL
Tristan Compton, National Landlords Association (Scotland)

In attendance:

Akiko Kobayashi, Kobayashi Studio
Angela Doran, Assemble Collective Self-Build
Eric Mitchell, Capability Scotland
Keith Anderson, Port of Leith HA
Liz Law, Cyrenians
Maureen Middleton, Link Group
Dan Pfris, MSP Staff
Sara Aziz, MSP Staff

1. Welcome and apologies.

Margaret McDougall MSP (Chair) opened the meeting of the Cross Party Group on Housing and intimated the following apologies:

Margaret McCulloch MSP
Alan Ferguson, CIH

Marco Biagi MSP was welcomed to the meeting.

2. Minutes of previous meeting.

Minutes of the meeting held on 26th February 2014 were approved and there were no matters arising.

3. Main Item: Issues in the Private Rented Sector (PRS) – discussion led by James Battye, Shelter Scotland.

Please see the copy of the presentation from James Battye attached to this document. The presentation is summarised as follows:

- The PRS has doubled in size over the past ten years, just over a quarter of households in the PRS are families with children.
- Many households are now living in the PRS because they either cannot get access to social housing or can't afford to buy.
- This is why we need a new tenancy in the private rented sector which gives private renters greater security of tenure, so they can settle down in communities and make plans for their future. Private landlords would still be able to regain possession of the property under specified grounds.
- This should coincide with better access to justice for both landlords and tenants, as proposed in the current Housing (Scotland) Bill via the introduction of a housing tribunal for private rented sector cases.

The following discussion took place focusing on issues in the PRS:

- PRS rents position was discussed. It was acknowledged that in the PRS, rents are high and in the majority of cases, not affordable. Agreement was that ideally PRS rents should be regulated.
- It was confirmed that the Shelter research was funded by Scottish Gas and research took place throughout Scotland. Specific geographical locations would be confirmed.
- Excellence in housing within the social rented sector should be replicated within the PRS but involving private rented tenants is challenging and resources are a key issue.
- Landlord registration has been implicated as an information tool rather than a regulatory tool. Landlord registration and letting agent registration needs to have regulatory powers in the future.
- Currently there is a mismatch regarding standard of service within the PRS. Letting agent registration should go some way to overcome this.

- Keith Anderson, Port of Leith Housing Association commented, if the strategy is to grow the private rented sector then there is a need to regulate rents. Rental control is a characteristic of the successful private rented sector in Europe. Housing Associations and Local Authorities are currently well regulated, and we should use that experience and good practice. Standards and affordability targets will not be met without rent control.
- An arrangement for Local Authorities and Registered Social Landlords (RSLs) should be implemented in order to manage private rented stock and mixed tenure. This should be encouraged where RSLs have the appetite and financial security as they have the skills and expertise in this sector.
- Letting agent registration is welcomed in the future and there needs to be stricter regulation of landlords with multiple properties who are operating a different business to landlords of single or few properties.
- Legislation currently exists for landlords. The National Landlords Association (NLA) are actively working to support and assist tenants and landlords to understand this legislation. NLA have a target of 2020 for landlords to be accredited in this scheme.
- In considering the purpose of the PRS, for some landlords it is a business and investment opportunity. However, society requires the need to provide homes and ensure there is adequate choice, affordable rent and that properties of a high standard are available.
- The Scottish Association of Landlords (SAL) supports Shelter in many of their proposals but have a different view regarding security of tenure for tenants which may deter landlords providing a service in the PRS. Unfortunately there are cases where tenants play or trick the system, and therefore landlords need reassurance of the ways to end tenancies. The section 33 route currently provides security to the landlord.
- Reference was made to Professor Mark Stevens of Herriot Watt University who has completed research into private renting regimes within Europe.
- It was agreed that within the PRS, whilst standard and quality of housing is important, landlords should also be providing a quality level of service.
- It was raised that PRS landlords strive to achieve stable long term tenancies, however the sector also receives challenges from the lenders for those with buy to let mortgages – lenders prefer to see the use of short tenancies.
- In a discussion relating to the termination of a tenancy, there should be flexibility for the landlord to give notice. However this gives the power balance to the landlord.
- It was acknowledged that it is a requirement for properties to have gas safety certificates, but the same rules should apply to electrical safety certificates.

- It is the law within the PRS to provide a tenant information pack to ensure tenants are kept informed, however the quality of pack varies throughout the sector depending on the landlord.
- Capability Scotland raised the current concern in the fall of new build accessible properties for disabled people. This topic could be considered at a future Cross Party Group on Housing meeting.
- An enquiry was made if a PRS tenant can request adaptations to be made to their property to meet their needs. There is nothing legislative to cover this, however some landlords are eager to provide this quality of service.

Margaret McDougall MSP thanked James Battye for his presentation at the meeting and thanked the attendees for their participation in the discussion.

3. Cross Party Group Business.

A verbal invitation was given to the members of the Cross Party Group on Housing to an SHR event sponsored by Maureen Watt MSP at the Scottish Parliament on 6th May 2014.

TIS have arranged for the Scottish Housing Regulator to update on the thematic inquiry into housing options and homelessness prevention at the next meeting of the Cross Party Group on Housing.

TIS confirmed that a joint meeting with SPREEE will take place in autumn 2014. It was agreed that the meeting will focus on energy efficiency programmes for the private rented sector.

4. AOB.

There was no other business

5. Date of next meeting and close.

Thursday 19th June 2014, 1pm-2pm – Room Q1.03 or TG.20/21

The meeting was closed at 2.05pm, Margaret McDougall MSP thanked all for attending.