Renting Homes (Amendment) Bill – Letter for constituents to MSs

*Please find the template below to help you contact your Members of the Senedd (MSs) and Member of Parliament (MP). Remember, you will have five MSs to write to – one constituency, four regional – and one MP. Make sure to send your letter to all of them. Find your MSs and their contact detail via* [*here*](https://senedd.wales/en/memhome/Pages/memhome.aspx)*. You can search for your MP* [*here*](https://members.parliament.uk/FindYourMP)*.*

*We encourage you to add to the letter with your own personal stories about how you have depended on current possession law to ensure your investment has been protected from problem tenants and your responsible actions as a landlord. You will also find sections below that you might want to use if you rent to students or are yourself a member of – or know someone that is a landlord in – the armed forces to make added arguments relevant to you.*

Xxxxxx xxxxxxx MS

Senedd/Welsh Parliament,

Cardiff.

CF99 1NA.

xx/xx/2021

Dear,

I am writing to you because I believe many aspects of the Renting Homes (Amendment) Bill will be harmful to my modest business as a private sector landlord.

I understand the Welsh Government wants to give 12-month security of tenure to tenants – and I am not necessarily against that – however, this Bill forces me to go to court to get take possession from a bad tenant that is refusing to pay rent, subjecting neighbours to anti-social behaviour, or damaging my property. Currently I can use a Section 21 notice that asks problem tenants to leave within two months with no legal or court costs unless they refuse to leave.

Under this Bill’s reforms, to prevent a tenant doing these things, I must subject myself to building up substantial sums of legal fees to ensure I am the compliant and responsible landlord that I am while taking possession of my own property. I cannot see how that is proportional for landlords when our right to do so is enshrined in the Human Rights Act.

It is because of the Welsh Government’s intention to introduce six-month long notices to vacate that means it must strengthen mandatory grounds to repossess regarding rent arrears by focussing on persistent arrears. Under the 2016 Act, tenants need to be in two months’ arrears at the time a Section 8 notice is served and at the point of the hearing, tenants can pay just £1 off their arrears close to the date of the hearing. This £1 removes the mandatory ground, leaving the landlord with virtually two months of arrears, hundreds of pounds in court costs, and a tenant who is likely to continue to build up arrears.

If Section 173 is extended without revising the ground so that persistent rent arrears becomes a mandatory ground, then it risks clogging up an overstretched court system with many more of these cases as well as leaving me significantly out of pocket. The issue of a strained justice system matters because recent statistics show it takes landlords an average of over 22 weeks to regain possession of their property after applying to court – and this was before the pandemic the struck.

*Student Landlords*

*I provide rental accommodation for students. As a result, it is essential for me to work to a regimented, annual cycle to ensure that the property is filled continuously, year-after-year. However, under the changes being proposed in this Bill to fixed-term tenancies I, and others in the student (and young professionals) market, must serve a S173 notice on the first day they are able following the six-month period. Any earlier is not allowed under the legislation, and any later means the tenancy is longer than a year. Students search for 12-month fixed term tenancies for security for a whole academic year and do not wish for longer. This creates a huge problem in advertising the property as, to ensure the tenancy only lasts 12 months, it would have to be a six-month fixed term contract.*

*I believe the National Residential Landlords Association’s proposal will solve these problems and do so without compromising the Welsh Government’s objective of creating 12-months’ security of tenure. It is to allow for a six-month S173 notice to be served after four months but not to take effect until immediately after the six-month moratorium ends, giving tenants more notice but the landlord flexibility to preserve the annual business cycle and reducing the chance of administrative errors.*

Therefore, I ask that you give this Bill the consideration it deserves and ensure landlords are protected from its worst effects. My issue – which I am sure virtually all landlords share – is that we should not be made to pay hundreds or, even, thousands of pounds out of our own pocket because of a bad tenant.

Finally, I want to say that this Bill has been brought forward despite overwhelming opposition from landlords. The Welsh Government consultation found that 88% disagreed with extending the minimum notice period to six months; 78% opposed extending the period to serve notice to six months into the tenancy; 73% disagreed with restricting re-issuing a notice for six months after the previous’ expiry; and 80% opposed removing a landlord’s ability to give notice to end a fixed-term contract. Usually we are not involved in policymaking or when we are, like here, we are ignored. Landlords can be part of the solution to many of the problems the housing industry face but are often regarded as part of the problem.

I am not a bad landlord. I comply with all legislation, regulations, standards, and licensing conditions, despite the sheer amount of bureaucracy, money, and time it costs me. I look after my tenants and help them where I can. I do not appreciate being treated like a problem in society that government has to fix. So, I ask that you represent people like myself as the Bill progresses through the Welsh Parliament.

Your sincerely,

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