

Homes Fit for Study

3rd Edition



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"Students may only make up 5% of the private rented sector, but we are the only part that shares one National Union, and one collective voice for seven million students"

Eva Crossan Jory, Vice President Welfare

Homes Fit for Study

Foreword

I am delighted to introduce the third iteration of NUS' groundbreaking research into the experiences of student renters, Homes Fit for Study.

Conducted over two months in the autumn of 2018, our survey captured a snapshot of the lives of the thousands of students that live and study in the private rented sector.

In common with the first version of the survey we have uncovered wide-spread issues in the sector, from poor quality homes that are damp and infested with vermin, to illegal practices from landlords and agents, taking advantage of first-time renters.

Our research also captured the resilience and resourcefulness of students, who, despite living in substandard homes, daily made wise decisions on budgeting and economising.

Students told us about how they challenged their landlords and agents when things were going wrong in their homes, and how they searched out sources of support to back them up in difficult times.

Students may only make up 5 per cent of the private rented sector, but we are the only part that shares one National Union, and one collective voice.

By working together, organizing locally, setting up tenants' unions and educating each other we can deliver better standards and better treatment for our students. As your elected Vice President for Welfare at NUS I am promoting the voice of students at the highest levels, demanding change from central government and working on solutions to the most ingrained issues in the private rented sector.

We are already making progress; the Tenant Fees Act 2019 will outlaw the extortionate fees paid by renters to secure a home, and in January 2019 the Ministry of Housing launched new funding to crack down on the very worst landlords in England.

Thank you to everyone who completed the survey, and to every one of those Officers and Activists, Advisors and Experts who stand with students to demand decent, affordable homes for all.

In solidarity,

Eva Crossan Jory

Vice President Welfare, NUS

Executive Summary

Introduction and Methodology

Homes Fit for Study is based on a piece of quantitative research, conducted with students and learners living in the private rented sector. This is third version of the report since it was first established in 2012.

The survey was carried out over the autumn of 2018 and achieved a sample of 2237 students. The responses are weighted to account for the population profile of the intended research subjects. The survey was UK-wide; however as housing is a devolved issue in the Nations and with Wales, Scotland and Northern Ireland having significantly different policies and regulation on many aspects of housing, the insight included in this report applies to England only.

This report sets out the findings from the survey and closes with recommendations on the private rented sector can be improved and the role of students, universities and central government within that process.

Finding a Home

- The survey identified the main reasons students chose to live in the private rented sector as being the proximity of the property to their place of study (chosen by 49 per cent of respondents); 4 in 10 (44 per cent) said it was the easiest option for them and a similar proportion (39 per cent) made their choice due to its affordability.
- 57 per cent of students had started looking for their next property (to move into in the autumn of the following year) by December. Students attributed this early start on house-hunting to pressure from their peers and concern that there would be no properties available if they left it any later.
- Two thirds of students were asked to provide a UK guarantor for their rented property and one in six were asked to pay rent up front to secure their tenancy, due to a lack of suitable guarantor.
- Students face a range of upfront costs prior to the start of their tenancy including reference check fees, credit check fees, administration costs, and agency fees. A third of students paid less than £500, a third paid between £500-£1000, and a further third paid in excess of £1000.
- In terms of the legally required documents that renters should be provided with at the start of their tenancy, including gas safety certificates and prescribed information about their deposits, less than half of all student renters reported receiving the appropriate documents.

Deposits

- Only 63 per cent of student renters received evidence that their deposit had been protected by their landlord, despite it being a legal requirement.
-

- 28 per cent of student renters were asked to pay a deposit before they had seen their tenancy agreement.
- At the end of a tenancy, 61 per cent of student renters received their deposit back in full. 7 per cent of students did not receive any of their deposit back.
- For students that had some or all of their deposit withheld over a quarter (27 per cent) challenged the deductions but ended up paying them anyway, and a similar proportion (24 per cent) disagreed with the deductions but paid them anyway.

Living in the Private Rented Sector

- Typically, student renters live in shared homes, with 40 per cent of respondents living with 1-3 other people, and a further 29 per cent living with four or more people.
- The average monthly rent paid by student renters is £502 and housing costs account for the majority of students' monthly expenditure. A third of renters spent half of their income on their housing, a further third spent three quarters of their income on their housing, and a quarter spent nearly all of their income on housing.
- A third of students reported that they are able to keep up with their housing costs, but struggled occasionally, and one in six reported that it was a constant struggle- this was significantly more likely for students who were parents and students that identified as having a disability. Half of renters reported that they were able to pay for their housing without financial difficulty.

Issues encountered in Private Rented Housing

- A substantial proportion of student renters reported experiencing an issue in their rented home, with the main problems identified as excessive condensation (experienced by 44 per cent of renters), draughty windows and doors (42 per cent), and issues with damp and mould (40 per cent).
- Issues with vermin or insect infestation were reported by 20 per cent of student renters and 16 per cent reported living in properties with electrical safety hazards, and 9 per cent reported gas safety hazards.
- The impact of living in substandard or dangerous properties was recorded with 37 per cent of renters reporting that it made them feel miserable, 36 per cent reported feeling anxious or depressed, 27 per cent reported that they didn't invite friends over, and 17 per cent felt that the conditions of their property had exacerbated an existing health condition.

Student Views on the Private Rented Sector

- Overall, 6 in 10 students reported feeling satisfied with the way their property was managed by their landlord or agent with only 24 per cent reporting dissatisfaction, despite the unpleasant and apparently dangerous conditions of some properties. This

can be attributed to the status of students as first-time renters with little experience of what standards to expect in a rented home.

- Students showed a clear preference for rented homes from landlords that were accredited (71 per cent expressed a preference) however three quarters were unaware of whether an accreditation scheme operated in their local area.
- More than half of student renters felt confident they knew where to seek help with problems in their home and just under half felt that they knew their rights as tenants and felt confident in asserting them.
- 88 per cent of student renters felt there was a need for higher minimum standards for rental properties and 86 per cent reported that there was a need for more clarity on how tenants can take action against poor landlords and agents.
- 84 per cent felt that more enforcement was needed by local authorities against bad landlords, and 78 per cent felt central government should provide better support for renters.

Summary of Recommendations

Property Conditions

- Students should be encouraged to harness their resilience and resourcefulness to form and support tenants unions to drive change locally, by exposing poor standards and using the collective power of their union to raise standards.
- Universities should invest in their students' union support services to ensure that students can easily access high quality advice to insure against exploitative relationships with landlords or agents.
- Central government should revise the level of funding awarded to local authorities, and consider ring-fenced funding, to ensure environmental health enforcement teams are appropriately resourced to protect the interests of tenants.

Housing Costs

- Central government should address the way in which student support is calculated to ensure that it takes into account rises in the cost of living for learners.
- Universities should consider how their widening participation and accommodation strategies join up and ensure that affordable options are offered within their own accommodation provision, as well as financial support for those living in the private rented sector.
- Universities should establish guarantor schemes for students that cannot provide a suitable UK-based guarantor, using the guidance issued by NUS in 2016.

Protecting the rights of student renters

- Central government should work with the deposit protection schemes to ensure that tenants receive the prescribed information about their deposit as well as avenues for alternative dispute resolution in the case of a disagreement between a landlord and tenant.
- We urge the Competition and Markets Authority to consider investigating whether pressurising students to sign contracts so far in advance of the tenancy start date may be an unfair practice, and to consider an investigation into the use of sham license agreements for student tenants.

Introduction

Homes Fit for Study 2019 is the third iteration of a research report which was initiated in 2012, to meet what was described then as a 'dearth of information' on students that live in the private rented sector. NUS has now established a research methodology that goes a long way to fill the gaps in the sector's knowledge on the topic and we have created a question bank that can flex to meet the different needs the specific research environment.

The survey was carried out on a UK-wide basis, however as housing is a devolved issue in the Nations there are variations in housing legislation across England, Wales, Northern Ireland and Scotland. The insight included in this report is from England only, and it follows that the analysis and policy recommendations made are also specific to England.

Unlike earlier versions of the survey, this report has placed a greater focus on the issues of tenant/ landlord relationships and in particular on deposits, as these topics have reached ascendancy in the discourse surrounding private renting over the last few years.

This research has clear links with other recent NUS research, specifically the Poverty Commission, which sought to explore the barriers to access to education for students from low income and working-class backgrounds. The themes of exceptionally high housing costs, the specific challenges faced by student parents, and emotional and physical impact of living in inferior accommodation reach across and interlink between both pieces.

Overpriced and low-quality housing is not a right of passage for students, it is the inevitable outcome of a sector that is poorly regulated and where legislation is rarely enforced.

Student housing is often the at the lowest end of the rental market, with landlords and agents capitalizing on both the naivety of students as first-time renters, and their resilience in making a home for themselves, often in a new city.

Homes Fit for Study intends to highlight the key challenges faced by students living in the private rented sector, considering how they manifest at each stage of the letting cycle, from looking for a home, to moving in, and moving out again.

The report closes with recommendations to improve renting relationships and living conditions not only for students, but for the nearly five million households in the UK that currently reside in the private rented sector.

Methodology

Homes Fit for Study is based on quantitative research conducted with students and learners about their accommodation they live in during term time in education.

The aim is to use the findings to inform and support campaigning to support improved accommodation for students.

The survey was advertised via the NUS extra database and Welfare team promotions between 12th October and 5th November. There was a prize draw of £1000 to encourage response (1 x £500 and 5 x £100).

A sample of 2237 was achieved.

The response rate reflected the trend that females participate more than males in completing surveys - the initial gender split was: 63 per cent female / 32 per cent male

HESA statistics indicate that the gender split within Higher Education is 56 per cent female and 44 per cent male. In order to reflect this, and the much higher proportion of HE students responding to the survey, and to even out the gender split, 'weighting' was applied to all the data. The procedure involves adjusting the profile of the sample data to bring it into line with the population profile, to ensure that the relative importance of the characteristics within the dataset reflects that within the target population. In this case, we applied weights so that the over represented group, females, are down weighted and the underrepresented group, males, are up weighted. This resulted in a gender split in this survey of 44 per cent male and 52 per cent female.

Finding a Home

Deciding Where to Live

Where students choose to live during term time is increasingly diversifying¹, with significant growth in students living with their families and commuting to their place of study, as well as an influx of new purpose-built student accommodation (PBSA) arriving into the market.

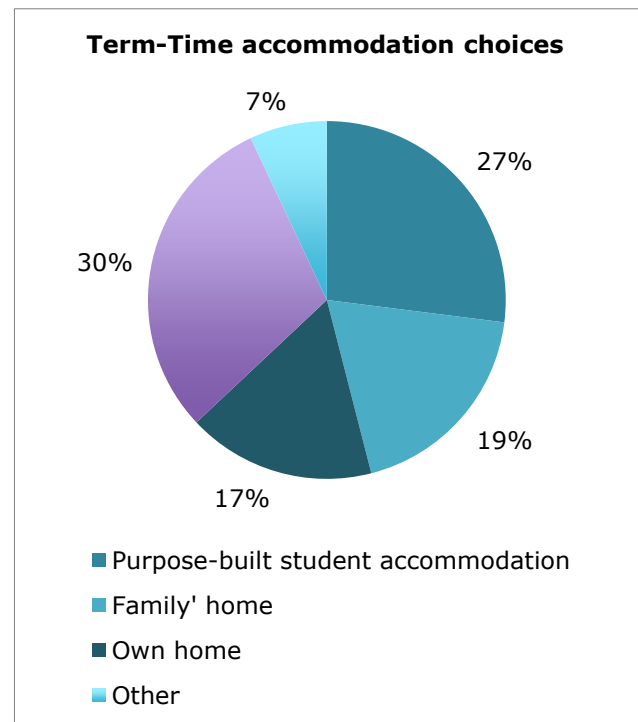
Respondents to the survey indicated that the three main factors that students were considering when deciding where to live were: the location being convenient for their place of study (49 per cent cited this as the main reason), it being the easiest option (44 per cent) and it was the most affordable option (39 per cent). Being able to live with friends or meet new people were identified as factors in the housing choices of just 19 per cent and 15 per cent of students respectively.

When asked about their influence of accommodation on where they chose to study, half of students responded that where they were going to live had some impact on their choice of institution; this was most common for students that were not renting privately, students with caring responsibilities, student parents, and disabled students. This could be that these cohorts have external limitations on their ability to exercise choice over their accommodation. International students and student renters were far more likely to say that their choice of institution was not influenced by the accommodation on offer to them, suggesting these cohorts have more flexibility in their approach to where they live and study.

"With the cost of my course at my chosen university, I probably couldn't have been able to afford it without living at home."

Male, 18-22, Post Grad

Figure 1 Full-time and sandwich students by term-time accommodation 2016/17

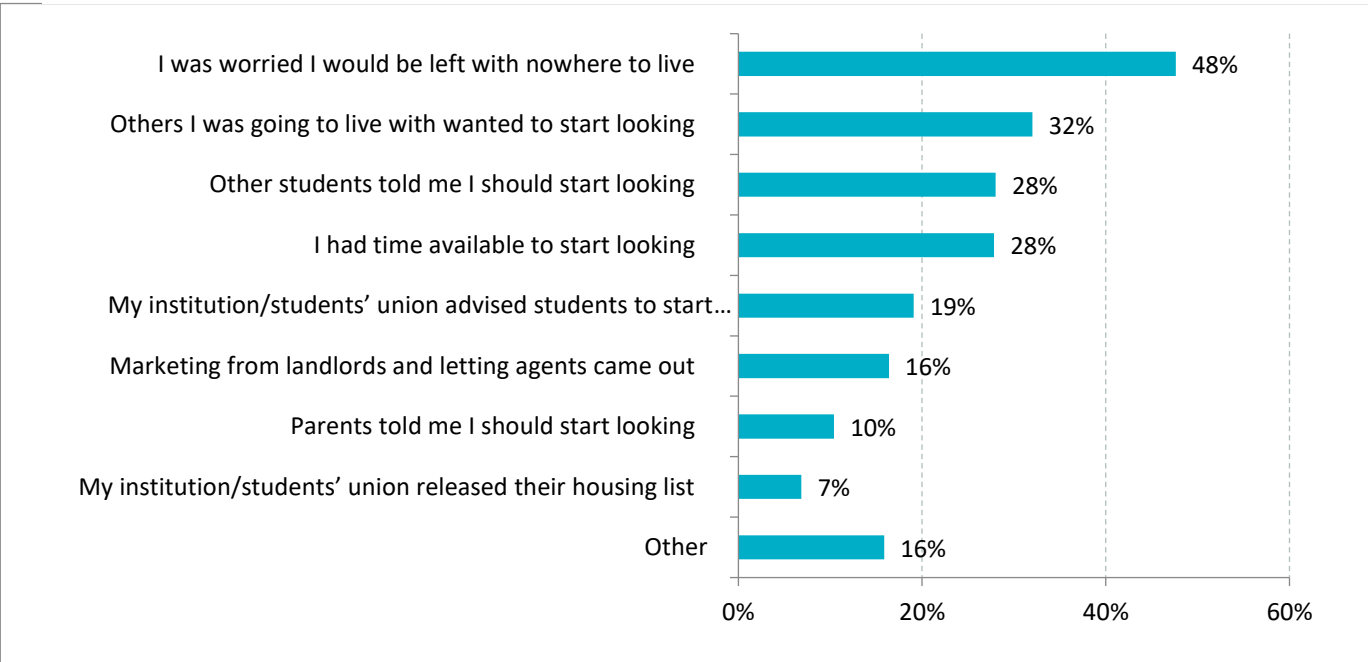


When to Start Looking

For students living in the private rented sector, 57 per cent of them had already started looking for their new home, to move into in the summer/autumn of 2018, by December of the previous year (2017). November was by far the most popular month for students to start house-hunting and it is worthwhile considering this within the university calendar, as the majority of students were likely to have only been living in their current accommodation for two months by this point.

The main reasons for students starting to look for accommodation when they did are listed in figure 2 below, with the main priority being concern that they would be 'nowhere left to live'. Perhaps unsurprisingly, the influence of their peers appears to hold sway for a significant number of students looking for housing, chosen as the main factor in their decision making for 28 per cent. From the perspective of students' unions, it is encouraging that for 19 per cent of students, advice from the institution or SU was a main factor in deciding when to look for a home, compared to 16 per cent who cited information from landlords or agents as their main driver.

Figure 2 Why did you begin looking for accommodation at this time?



Influencing Factors on Choosing a Home

The cost of rent was identified as the most important criteria for students in the private rented sector when house hunting with half (52 per cent) ranking this their number one priority.

Location and convenience was ranked 1st by 25 per cent and condition of accommodation was most important to 18 per cent. Of significantly lesser importance was the appearance of the accommodation, chosen as the main priority criteria for 7 per cent of students, and was chosen significantly more often by international students compared to home students.

Overall, the experience of looking for somewhere to live was viewed as being negative by a students, who cited the main challenges as feelings of stress and pressure, of being rushed into deciding on where to live, as well as issues with landlords and agents and the costs associated with renting in the private sector.

"We found it stressful as we were shocked at how early a decision had to be made"

Female, 18-22, HE

"It was awful. Descriptions of properties were always so inaccurate. So many properties were way too expensive. Wasted so much money and time flat-hunting. Was ripped off by agent's fees, etc."

Prefer not to say, 40-49, PhD

Guarantors

The majority of students (61 per cent) were asked to provide a UK-based guarantor to secure their rented property. A guarantor is a third party, for example a family member, who agrees to pay the rent if the tenant cannot and in some cases a guarantor is also liable for other costs that might be incurred, for example any damage to the property that happened whilst the tenant was living there.

Finding a suitable guarantor can be a challenge for a number of students, including international students, mature students, student parents, care-experienced students, students that are estranged from their families and students on low incomes.

For students that couldn't provide a UK-based guarantor, 42 per cent were required to pay between 1 and 2 months' rent in advance as an upfront cost, 4 per cent were asked to pay 6 months' rent and 2 per cent were asked to pay a full years' rent in advance. Interestingly, 42 per cent were not required to make any upfront payment, despite their lack of a guarantor.

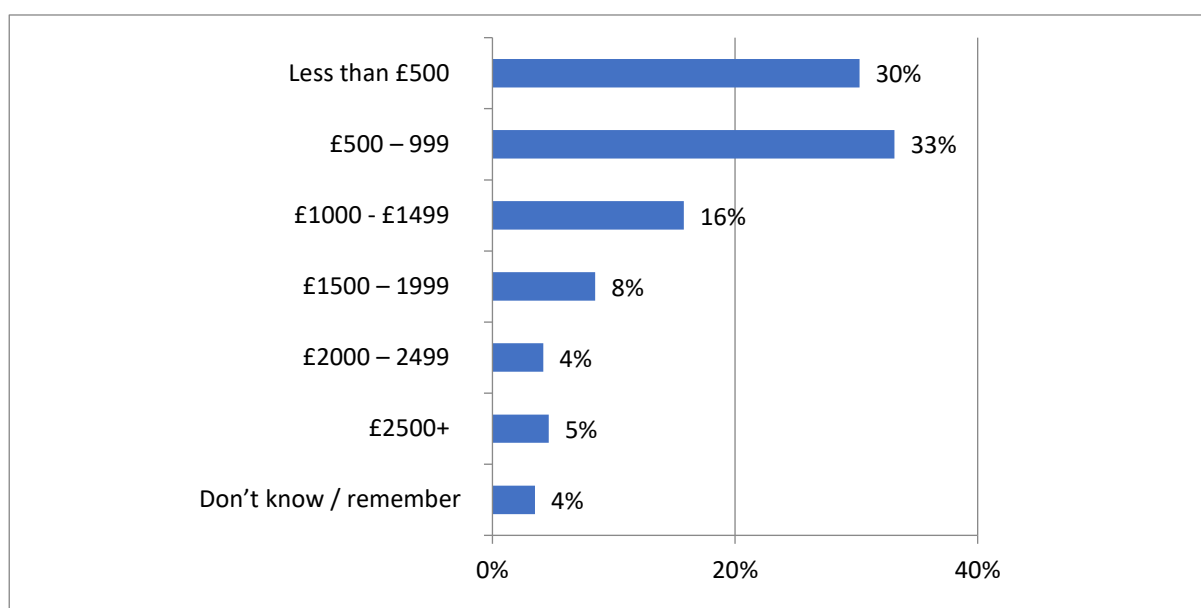
Upfront Fees and Costs

Private renters in England, Wales and Northern Ireland face range of upfront costs to secure their accommodation, including reference checks, agency fees and administration charges.

Together with the cost of any rent payments required in advance, as well as a deposit, these costs can be significant. Under a third of students (30 per cent) paid less than £500 in total to secure their property or room; a third (33 per cent) paid between £500- £1000; with the remaining third paying in excess of £1000 upfront for their term-time accommodation.

The Tenant Fees Act 2019 is set to make it illegal in England to charge tenants upfront fees when they rent a property, with similar legislation set to come into force in Wales. Letting Agents in Scotland are already prohibited from charging fees of this nature.

Figure 3 If you total up your deposit, any rent in advance, and fees that were required to secure your property, approximately how much did you pay in total to secure your accommodation?



Pre-tenancy documents

The law requires that tenants renting a home in the UK are presented with a number of prescribed documents at the start of their tenancy which are listed below:

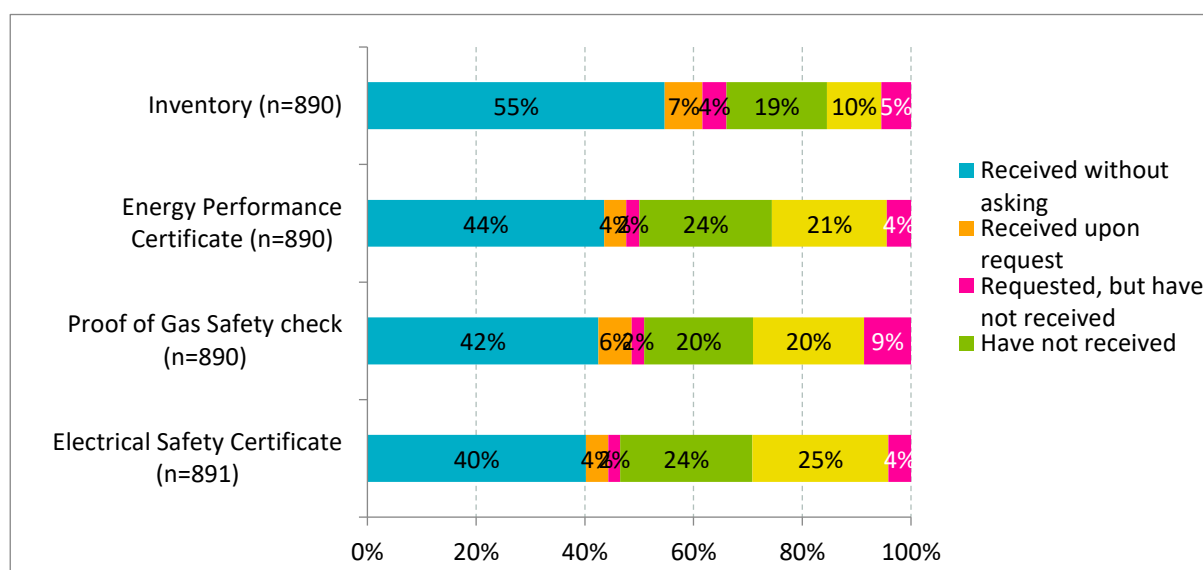
- Gas Safety Certificate
 - Energy Performance Certificate
 - A copy of either: How to rent: The checklist for renting in England and Wales, or the Tenant Information Pack (Scotland), or a rent book and written tenancy statement if in Northern Ireland
 - Confirmation that the deposit has been protected if already paid
 - Confirmation that the prescribed information for the deposit scheme has been provided
 - Privacy notice in line with GDPR compliance (where applicable)
-

In the survey, student renters were asked about the documentation they were provided with, included whether they had requested it or whether it was provided without having to ask for it. Less than half of student renters (48 per cent) reported having received copies of their Energy Performance Certificate or a Gas Safety Certificate.

Inventories

It is not a legal requirement to issue an inventory at the start of a tenancy in England, however it is good practice. Inventories are typically a list that describes the contents of each room in the property and their condition, as well as the condition of the room. Inventories are useful as they can be the basis on which deductions from a deposit can be made or challenged at the end of the tenancy. According to the survey 62 per cent of student renters received a copy of an inventory for their rented home.

Figure 4 Which of the following items, if any, did you receive or request for your current accommodation?



Deposits

A new focus for the HFfS study for 2019 was on deposits with new questions added to the survey to gather insight on students experience of and attitude towards deposits.

Legal Framework for Deposits in the Private Rented Sector

The legal framework for deposit protection is laid out in the Housing Act 2004² (for England and Wales- similar legislation is in place in Scotland and Northern Ireland)³ in response to wide-spread concern of the unfair practice of landlords and agents withholding tenants' deposits for spurious reasons. The Act was intended to empower tenants to challenge deductions from their deposits using a free dispute resolution service and to ensure that deposits were protected in government held schemes, to protect tenants from rogue landlords who went out of business.

The Acts ha two requirements: that deposits should be protected in an authorised scheme within 14 days of receipt (increased to 30 days of receipt from 6 April 2012); and that tenants should be provided with Prescribed Information about where their deposit was protected and how the tenancy deposit protection scheme operated⁴

Deposits can legally be held in one of two types of scheme, known as a Custodial Scheme or an Insurance Backed Scheme, and agents and landlords can choose which one they use.

The Custodial Scheme requires that the deposit money is paid into a centrally held account and is held there for the lifetime of the tenancy. When the tenancy ends the tenant and the landlord agree any deductions to made to the deposit and the Custodial Scheme returns the money to both parties. If no agreement is reached, the Scheme will adjudicate on any deductions and will return the money accordingly.

Under the Insurance-backed Scheme, the landlord or agent must register the deposit with the scheme but keeps the deposit money. The landlord or agent pays a small insurance fee to the Scheme, so that in the event that the landlord or agent was unable to return the deposit to a tenant at the end of the tenancy, the scheme would pay out. At the end of the tenancy, any deductions are agreed between the landlord/ agent and the tenant and the remainder is returned to the tenant. As with the Custodial Scheme, an independent adjudicator is available to settle cases where an agreement cannot be reached.

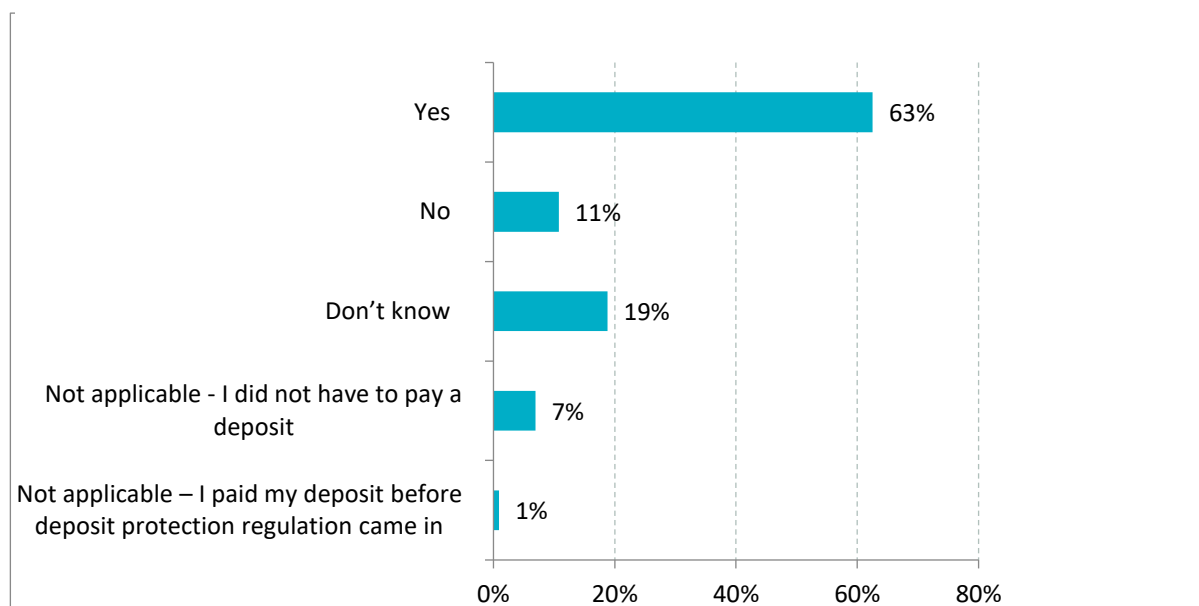
Experiences of deposits at the start of a tenancy

When asked about their experiences of deposits at the start of the tenancy, 28 per cent of students stated they were asked to pay a deposit before they had seen their tenancy agreement.

Only 63 per cent of students received evidence that their deposit had been protected by their landlord or agent, despite it being a legal requirement under the Housing Act 2004.

Furthermore 44 per cent of students didn't know under which scheme their deposit was protected.

Figure 5 If you paid a deposit, did you receive evidence that this was protected by your landlord or letting agent?



Experiences of Deposits at the End of a Tenancy

When it came to the end of a tenancy, the experiences of student renters compared the rest of the renting population is notably different. Of students that paid a deposit, 61 per cent reported receiving their deposit back in full at the end of the tenancy, compared to figures from the Ministry for Housing, Communities and Local Government (MHCLG)⁵ that shows of the general renter population, 51 per cent had their full deposit returned. Similarly, the proportion of student renters who had all of their deposit withheld, is lower than the figures for other renters; 7 per cent of students lost their deposits, compared to 15 per cent of the wider renting population⁶. The difference in these figures could be attributed to the different renting environment experienced by students and non-students; specifically students have better access to more support services, namely their university and students' union advisors.

For student renters that had some or all of their deposit withheld, a quarter (27 per cent) challenged the deductions formally but ended up paying them anyway and a similar proportion (24 per cent) disagreed with the deductions but did not formally challenge the decision. A fifth (22 per cent) agreed to the deductions. For some who did not challenge their deductions the view was that it wasn't worth bothering with, it was too much hassle and they thought they

would lose their deposit or get charged. A few didn't know that they could formerly challenge the deductions to their deposit.

"[the landlord] threatened to charge us even more than the deposit if we disputed it" Male, 40-49, FE

NUS Response

In the summer of 2018 the Ministry of Housing established a Tenancy Deposit Protection Working Group⁷, formed of representatives of tenants, landlords and agents, the deposit protection schemes and Nationwide Building Society. The purpose of the Group is to look at improvements that can be made to the current deposits system, as well as the merits of alternative innovative approaches to deposit protection. NUS represents the interests of the student tenants in this high-profile group. NUS has shared the insight from this report with the Group, to inform further thinking on the experiences of student renters.

The Group has prioritised looking at innovation that could make deposits more affordable for tenants. This has included employer-backed loans and payment of deposits in instalments, and the merits of deposit passporting. The aim is to reduce cash flow problems faced by tenants when they change their rental property.

The Group will also look at dispute resolution with the deposit schemes, inventory best practice, and prescribed information that landlords sent to tenants about their deposit.

Living in the Private Rented Sector

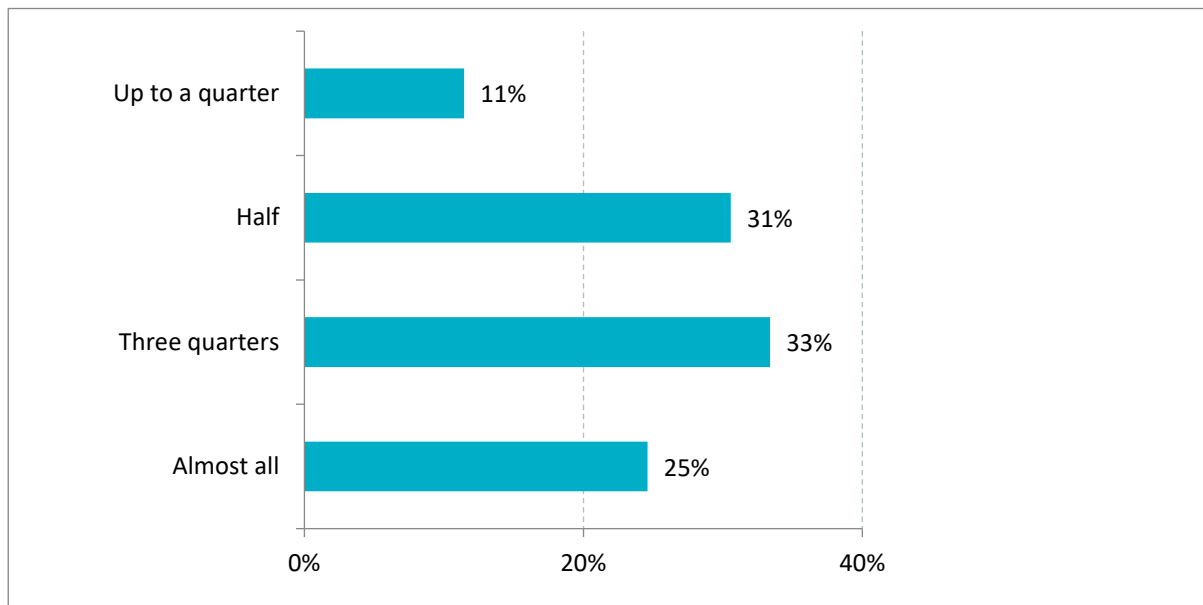
Housing Costs

Typically, students live in shared homes, with 40 per cent of respondents living with between 1-3 other people; a further 29 per cent live with four or more people. The average monthly rent for students was £502.

According to the survey, monthly housing costs, comprising rent and any bills included in that, accounts for a significant proportion of the majority of students' expenditure.

Approximately a third of all students spend half of their monthly income on their living costs, a further third spend three quarters of their income on living costs, and a further quarter reported spending almost all of their income on housing.

Figure 6 Thinking about your monthly income, approximately what proportion of it do you spend on housing costs

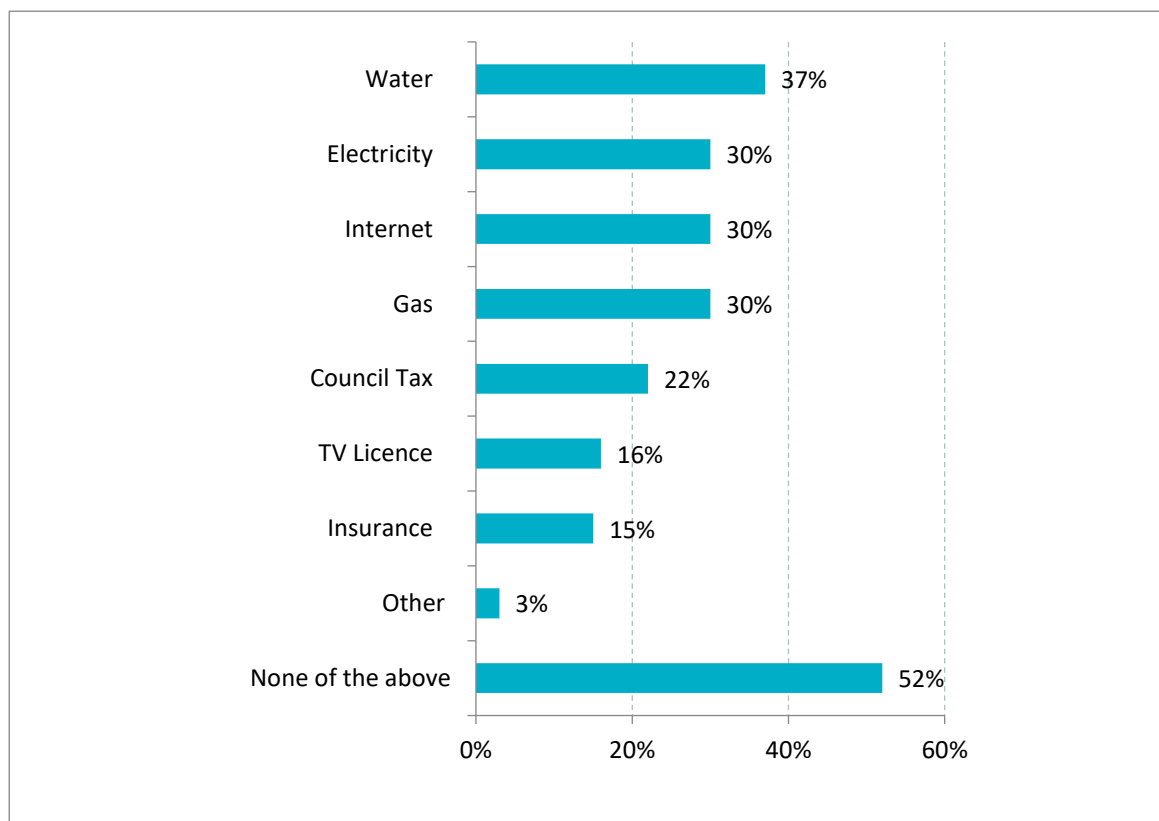


Bills and Usage

A little under half of students living in the private rented sector have at least one utility or tax bill included in their monthly payments to their landlord or agent. For some fixed-fee bills or services, for example a TV license, it may be of no consequence to include payment within a monthly schedule alongside the rent.

However, for bills that will vary depending on the level of use, for example gas or electricity, renters paying for these services may not be accessing the best deals or paying a fair price for their levels of consumption. In 30 per cent of cases, renters had their electricity bill incorporated into their rent payment, and the same number had their gas bill included.

Figure 7 Are any of the following bills included within your rent (i.e. you don't have to pay for them separately)?



Student renters in particular are often subject to unfair terms within a rental agreement which prohibits them from changing their energy supplier, effectively preventing tenants from securing the lowest price for their utilities. The survey found that 4 in 10 (44 per cent) have not changed either their supplier or tariff in their current accommodation. However, a quarter (27 per cent) have recently changed their supplier and 15 per cent have changed their tariff. When asked how the bills were included in their rental payments, nearly a quarter of respondents confirmed that they paid a fixed amount and they are charged more if they exceed a certain level of usage, however a fifth of respondents said that if they used less than their fixed amount they do not receive a refund.

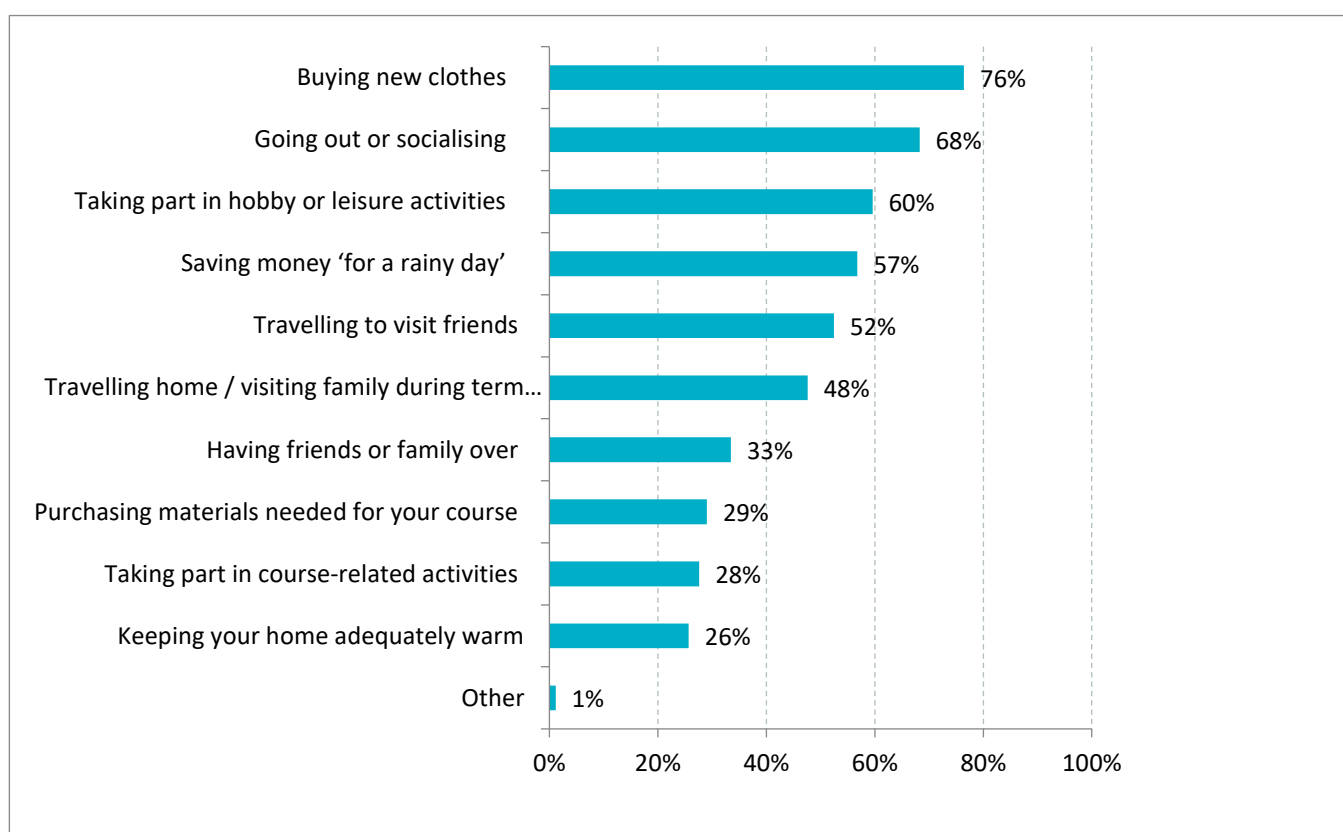
The cost of average energy bills was markedly different amongst different cohorts of students within the study, the average energy bill was £48 per month, but for students that identified as having a disability, their average bill was £71 and for students that were parents, their average bill was £144 per month.

Finances

Half of student renters reported that they were able to pay for their rent and their bills without any financial difficulty. A third felt that they are able to keep up with their payments but that they struggle from time-to-time. One in six reported that though they are able to keep up with their payments, it was a constant struggle to do so- this was significantly more likely amongst students that were parents and students that identified as having a disability. One percent of renters claimed they had fallen behind with their rent payments, and two percent claimed they were behind with paying their bills.

A significant proportion of student renters reported making sacrifices in the last year due to lack of money, with three quarters reporting they had gone without new clothes, and over half reporting that they had not been able to put money aside for later. Over a quarter (29 per cent) reported that they had not been able to afford materials for their course, or had not been able to take part in a course-related activity such as a field trip or placement (28 per cent).

Figure 8 In the last 12 months, have you gone without any of the following things because of a lack of money?



Fuel Poverty

The combination of expensive living costs, shared housing, poor quality homes, and, with first-time renters, the lack of experience in managing their own household can make students more vulnerable to fuel poverty.

Over half of student renters reported that they limited the amount of time they had their heating on to save money on their bills, and a fifth said they did not know how to control the heating in their rented property. Alarming, 17 per cent of renters reported that they did not have control of the heating in their home. Thirty eight percent of respondents claimed that they have felt uncomfortably cold in their property.

"in the winter it is always absolutely freezing so we always wear coats, hats, scarves and fluffy socks in the flat"

Female, 18-22, HE

"Living in a cold home is a distraction and makes you feel uncomfortable."

Male, 17, FE

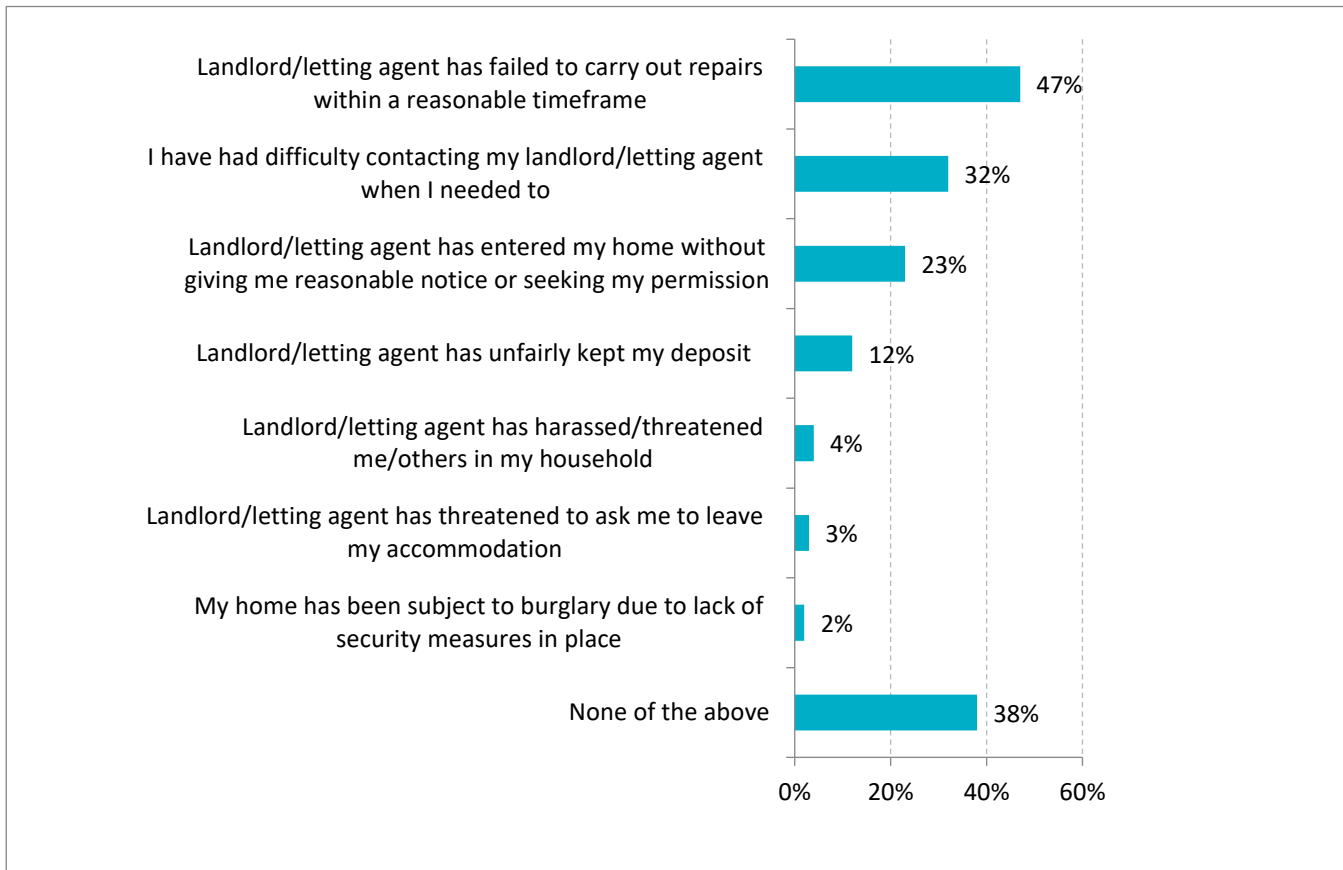
Experiences of renting

The most often-cited issues that students have encountered when renting are difficulty in contacting the landlord or agent (encountered by 32 per cent of renters) and the landlord or agent failing to carry out repairs (encountered by 47 per cent of renters), as detailed in figure 9 overleaf.

A quarter of tenants reported that the landlord had entered their property without their prior consent, which is a breach of their rights as tenants under the Protection from Eviction Act 1977.

A small proportion (4 per cent) were subject to harassment by their landlord and a further 3 per cent were threatened with eviction.

Figure 9 Have you experienced any of the following while renting as a student?

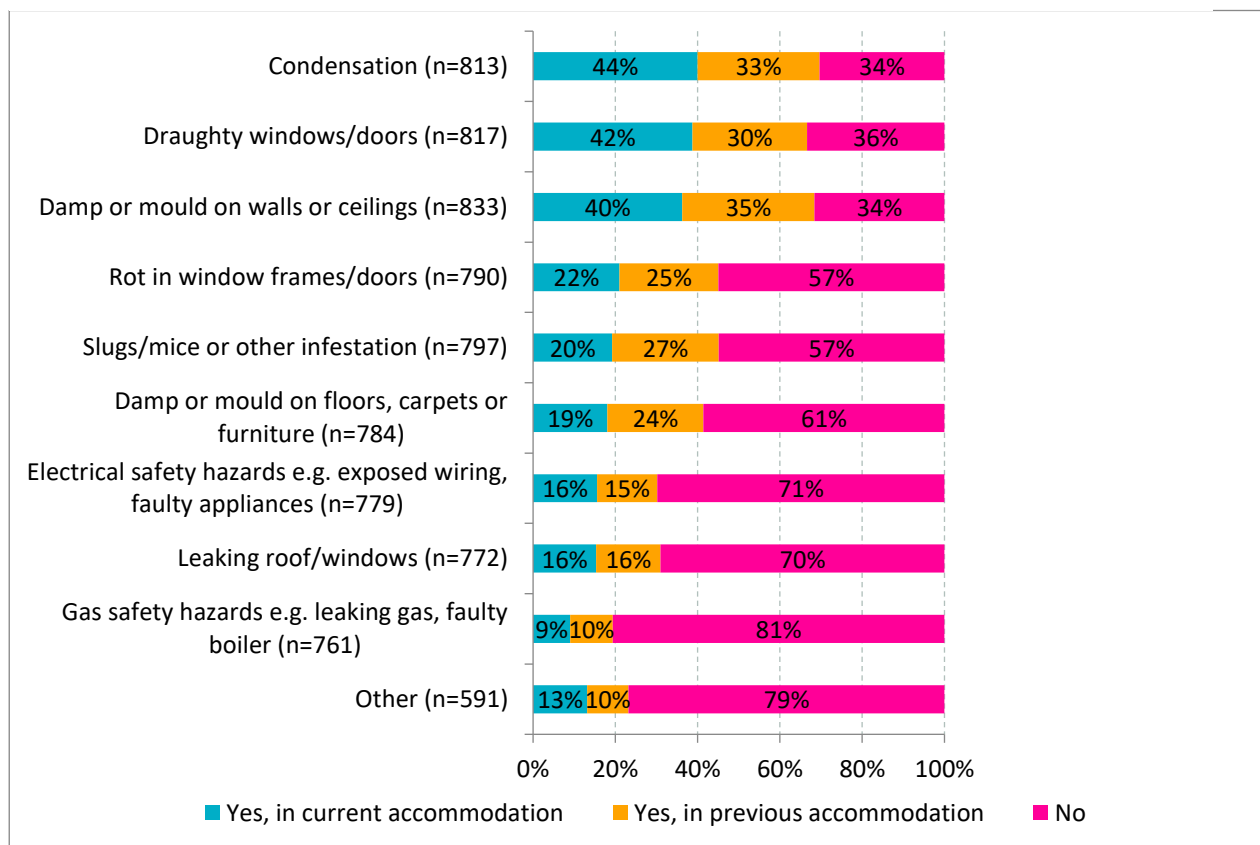


Issues Encountered in a Rented Property

A significant proportion of students experienced issues with their rented homes. The main problems experienced in their current accommodation were issues with condensation (experienced by 44 per cent of student renters), draughty doors/windows (42 per cent) and damp or mould on walls and ceilings (40 per cent).

Other issues included insect or vermin infestations (experienced by 20 per cent of students in their current home), electrical safety hazards (16 per cent), and gas safety hazards (9 per cent).

Figure 10 Are/were any of the following problems present in your current, or previous homes you have rented whilst you have been a student?



Property Conditions and the Law

The Housing Health and Safety Rating System (HHSRS)⁸ assesses 29 housing hazards and the effect that each may have on the health and safety of the occupants of the property. If a hazard is a serious and immediate risk to a person's health and safety, this is known as a Category 1 hazard.

The list below outlines which of the issues listed above constitutes a Category 1 hazard under the HHSRS:

- Conditions associated with damp, for example mould
- Infestations
- Electrical hazards
- Leaking roof
- Gas safety hazards

Tenants living in properties affected by a category 1 hazard should contact their local authority and ask for an inspection from an Environment Health Officer. The local authority can mandate landlords to act to rectify any category 1 hazard identified in their property, via a statutory notice. Failure to comply with a statutory notice could lead to a prosecution and/or fine in the Magistrates Court, or a Civil/Financial Penalty up to £30,000.

Seeking help

Unsurprisingly students were most likely to seek help from their families when things went wrong in their tenancies, followed by online sources of advice such as information provided by the government.

Other sources of support used by students included the university advice services, with 78 per cent of students agreeing that the information they had received from them was useful. Encouragingly for students' unions, 72 per cent of students that used their advice services for housing support, found the advice useful.

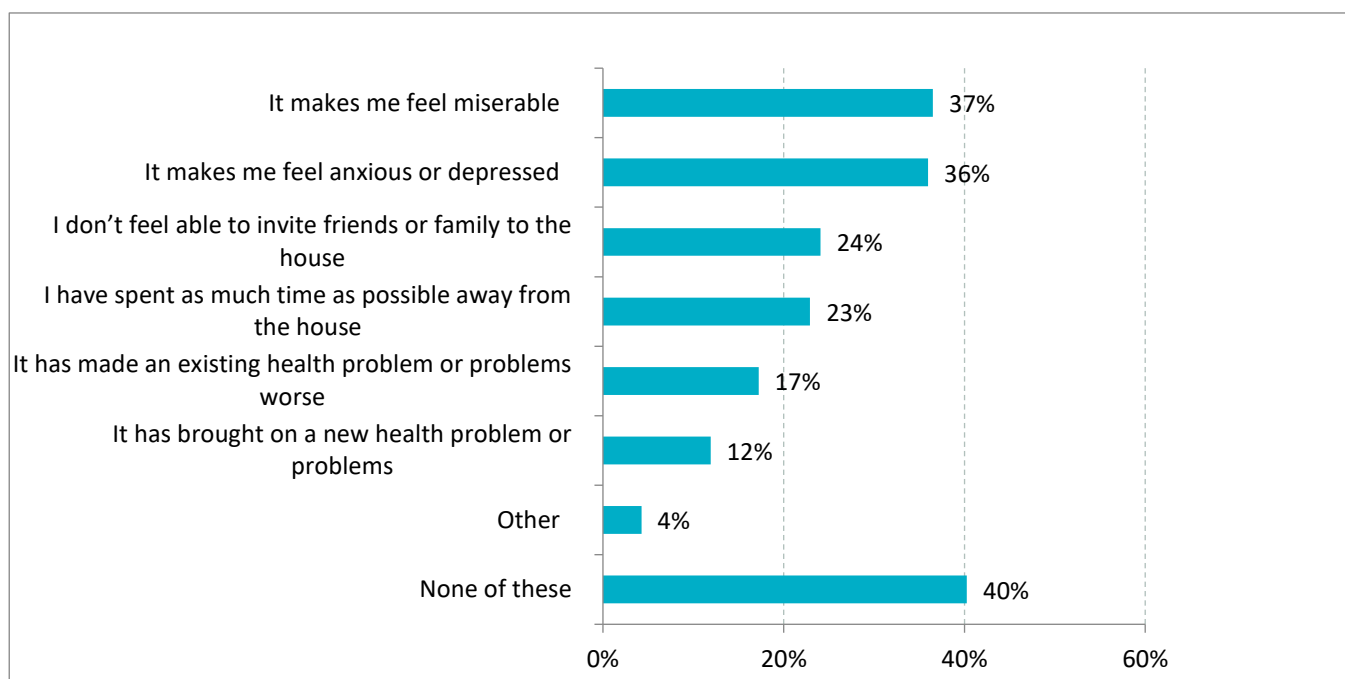
Impact of Living in Poor Quality Housing

Student renters that had reported that they had experienced a problem with their rented property were asked to report on the impact of their living conditions on their health and wellbeing.

Whilst 40 per cent of respondents reported that the conditions of their rented home had no impact on their health and wellbeing, significant proportions reported that it left them feeling miserable (37 per cent), and or anxious or depressed (36 per cent). Roughly a quarter (27 per cent) reported that they didn't invite friends or family to their home, and a similar proportion (26 per cent) commented that they try to spend as little time as possible in their property. In terms of health concerns associated with living in poor quality homes, 17 per cent of renters reported that the condition of the property had exacerbated an existing health condition, and 12 per cent reported that it had brought on a new health problem.

According to research by the Building Research Establishment (BRE) the cost of the impact of poor-quality housing on tenants' health to the NHS is £1.4 billion per annum⁹. This includes the cost of treatment for accidents that result from electrical and structural hazards in the home, as well as treatment for respiratory issues that are brought about or worsened by living in cold, damp and mouldy properties. The BRE research suggests that living in poor quality housing is as damaging, in public health terms, as smoking and excessive drinking. What is not counted in the BRE research is the impact on tenants' wellbeing and the cost to the NHS for treating mental health conditions that are linked to living in substandard homes.

Figure 11 You said that you have or have had problems with your home. Does, or did this affect you in any of the following ways?



Student Views on the Private Rented Sector

When asked about their overall satisfaction with the way their home was managed almost 6 in 10 (58 per cent) were satisfied or very satisfied. A quarter (24 per cent), however, were dissatisfied with how their home was being managed. This finding is of particular interest in the context of the conditions of the homes that students are renting; figure 9 in this report demonstrates that students are living in poor quality, poorly insulated, and in some instances, hazardous properties, but still provide reasonable rates of satisfaction with their homes.

A potential explanation for this could be that often students are first-time renters, with little understanding of what is reasonable to expect from their rented property. Another influencing factor could be the lack of choice of available accommodation, so that students perceive that all rented property is of a low standard, therefore theirs is comparatively tolerable.

Regardless of whether or not students report feeling satisfied with their rented homes, this report has flagged widespread instances of properties being rented in a condition which is in breach of the legally binding Housing Health and Safety Ratings, and behaviour from landlords

and agents which is a breach of the Housing Act 2004, the Protection from Eviction Act 1977, Consumer Protection Law, and various other pieces of legislation.

Private rented housing is subject to a large amount of regulation from various different sources and legislative bodies, however this can prove hard to navigate for even experienced housing advisors, let alone first-time renters.

Perhaps in light of this, student renters show a clear preference (71 per cent of respondents) for renting homes from accredited landlords and letting agents, however, three quarters of renters reportedly were not aware if an accreditation scheme operated in their local area. In practice the use of landlord or agent accreditation is limited for many institutions, as they are generally voluntary arrangements and can be seen to offer little incentive for landlords to participate in.

Over half (57 per cent) of student renters felt they knew where to seek advice on their housing issues, with just under half (47 per cent) confirming that they knew their rights as a renter, and that they felt confident in asserting them.

When asked about the support available to renters in the private sector only 27 per cent agreed that there was appropriate provision, and only 22 per cent agreed that renters had appropriate rights in the landlord and tenant relationship.

There was overwhelming support for higher minimum standards in the private rented sector, with 88 per cent of respondents agreeing that this was necessary. Student renters also supported statements that there should be more clarity on how to take action against poor landlords and agents (supported by 86 per cent of respondents) which should be achieved by the provision of better enforcement services from local authorities (84 per cent), and more central government services, for example more information made available to tenants (78 per cent).

Other policy interventions that student renters were in favour of included better access to legal aid for housing cases (supported by 70 per cent of respondents), improved representation of tenants, for example by establishing tenants' unions (67 per cent), and the use of open-ended tenancies as opposed to fixed-term tenancies which are the current sector norm (supported by 63 per cent of respondents and opposed by 11 per cent).

"Serious change needs to happen to make landlords credible for their behaviour. At the moment, they're capable of getting away with plenty."

Male, 18-22, Postgrad

"There is not enough information for people who have never rented a property before."

Female, 18- 22, HE

"They charge way too much. This limits people's options. They charge students even more money than non-students. It's ridiculous. They should be capped."

Female, 23-29, HE

Recommendations

Property Conditions

Student renters show remarkable resilience in terms of their attitudes towards living in properties that fall well below the standards set out in law for rented homes. However, it is apparent that this resilience is exploited by some poor-performing landlords and agents in the sector.

Students should be encouraged to harness their resilience and resourcefulness to form and support tenants' unions to drive change locally, by exposing poor standards and using the collective power of their union to raise standards.

Students reported good levels of confidence in sourcing support for their housing issues, from their families, from housing charities, from their university and from their students' union.

Universities should invest in their students' union support services to ensure that students can easily access high quality advice to insure against exploitative relationships with landlords or agents.

Students reported the presence of serious hazards in their rental properties, many of which breach housing legislation. Students also reported their preference for local authorities to take action against poor landlords and agents.

Central government should revise the level of funding awarded to local authorities, and consider ring-fenced funding, to ensure environmental health enforcement teams are appropriately resourced to protect the interests of tenants.

Housing Costs

A significant proportion of students reported that their housing costs comprised the majority of their monthly expenditure and many reported that they occasionally or frequently struggled to pay their rent.

Central government should address the way in which student support is calculated to ensure that it takes into account rises in the cost of living for learners.

Housing costs were reported as being a specific challenge for students that were parents and students that identified as being disabled.

Universities should consider how their widening participation and accommodation strategies join up and ensure that affordable options are offered within their own accommodation provision, as well as financial support for those living in the private rented sector.

Guarantors are a regular requirement from landlords renting to students and pose a significant challenge for international students as well as students who are estranged from their parents, students whose parents have low-incomes, and students who are care-experienced.

Universities should establish guarantor schemes for students that cannot provide a suitable UK-based guarantor, using the guidance issued by NUS in 2016¹⁰.

Protecting the rights of student renters

Student renters reported difficulty in understanding the process of how deposits should be protected and how to challenge deductions from them.

Central government should work with the deposit protection schemes to ensure that tenants receive the prescribed information about their deposit as well as avenues for alternative dispute resolution in the case of a disagreement between a landlord and tenant.

Students reported signing contracts for properties months in advance of when they intended to move in, as well as a number of cases where students were renting properties having not signed tenancy agreements.

We urge the Competition and Markets Authority to consider investigating whether pressurizing students to sign contracts so far in advance of the tenancy start date may be an unfair practice, and similarly if clauses with student rental agreements that ban students from switching energy supplier are unfair. Further to this the CMA should consider an investigation into the use of sham license agreements, which seek to circumvent the protections provided in tenancy law, for student tenants.

Endnotes

¹ HESA data on student living patterns <https://www.hesa.ac.uk/data-and-analysis/students/chart-4>

² See <https://www.legislation.gov.uk/ukpga/2004/34/contents>

³ Similar legislation is in place for Northern Ireland in the Tenancy Deposit Schemes Regulations (Northern Ireland) 2012 <https://www.tdsnorthernireland.com/landlords/the-legislation/> and Scotland in the Housing (Scotland) Act 2006 <https://www.mygov.scot/tenancy-deposits-landlords/>

⁴ See <https://www.tenancydepositscheme.com/resources/files/Tenancy%20Deposit%20Protection%20-%20A%20guide%20to%20the%20legislation.pdf>

⁵ Ministry of Housing, Communities and Local Government, Tenant Fees Bill Impact Assessment, May 2018 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/704295/Tenant_Fees_Bill_Impact_Assessment.pdf

⁶ Ibid

⁷ See https://www.parliament.uk/documents/commons-committees/communities-and-local-government/Correspondence/2015-20-Parliament/181105%20H%20Wheeler%20to%20Chair%20re%20deposit%20innovation_Redacted.pdf

⁸ See <https://www.gov.uk/government/publications/housing-health-and-safety-rating-system-guidance-for-landlords-and-property-related-professionals>

⁹ BRE, The Cost of Poor Housing to the NHS, 2018 <https://www.bre.co.uk/filelibrary/pdf/87741-Cost-of-Poor-Housing-Briefing-Paper-v3.pdf>

¹⁰ See <https://www.nusconnect.org.uk/resources/housing-how-to-university-guarantors-scheme>

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