



## Making your message heard

When students move into the private rented sector, there are a whole host of important messages students' unions will want to communicate to students. This briefing will provide information on what students' unions, whether large or small, can do to ensure that their messages are heard and students are equipped with the information they need on key topics such as deposits and why not to rush.



### Introduction

Housing can be perceived as an area which is difficult to navigate and full of jargon and paperwork, and this isn't always without due reason! Although most students will be aware that they have rights of some kind in this area, many will be hard-pushed to tell you what they are and are likely to feel a little intimidated by the amount of information out there. Students' unions can therefore be pivotal in making housing seem a little less daunting and helping students feel more empowered as renters.

This is becoming increasingly important as, with access to home ownership being pushed later and later, many students can expect to be renting for a considerable period of time. Gaining an understanding of things such as inventories and deposit protection now could help them get their deposit back not just for their current tenancy, but for many in the future.

### Tenancy deposit protection

Tenancy deposit protection (TDP) legislation has now been introduced in all parts of the UK, and this means that most tenants (bar a few exceptions) are entitled to have their deposit protected in a government approved scheme and for their landlord to provide evidence of this. This means that at the end of the tenancy, the landlord has to apply to the scheme to release the deposit money – either in full, with deductions, or not at all. This should be agreed with the tenant and the money should then be released within the timeframes required by legislation.

If there is a dispute about the amount of deposit that should be returned, the money remains held by the scheme until this is resolved. If both parties agree, they can use a dispute resolution service, which is a free way of agreeing an outcome. The onus through this process is on the landlord to provide evidence that they should be entitled to some or all of the tenant's money and the tenant can then provide evidence to dispute this.

To find out more about tenants' rights where you are visit these websites:

England and Wales – [gov.uk](https://www.gov.uk)

Scotland – [rentingscotland.org](https://rentingscotland.org)

Northern Ireland – [dsdni.gov.uk](https://dsdni.gov.uk)

## Why is TDP so important?

Tenants in the private rented sector have very limited rights in a system which is generally skewed in favour of landlords and letting agents. Deposit Protection is one area where tenants do have significant rights and as such it is an area where a small minority of landlords may seek to absolve themselves of their responsibilities by operating outside of the system. There are also likely to be some smaller or 'accidental' landlords who are not aware of their responsibilities in this area.

Either way, in many cases, it is only through tenants demonstrating their awareness of the legislation and asking their landlords where their deposit is that they are afforded the protection it offers them. Without this active engagement, landlords could potentially attempt to withhold the entirety of a tenants' deposit without them realising there's anything they can do about it.

In addition, even among those students whose deposits are protected, there is often little understanding of what this means and this is reflected in the relatively low uptake of dispute resolution services offered by the various TDP schemes. This is a valuable resource and one which can make a real difference to the fairness of deposit deduction outcomes which tenants can otherwise feel powerless to influence.



## What students need to know

Many of the schemes enable tenants to check if their deposit is protected with them online. In England, Shelter provide a [handy online portal](#) which feeds through to the websites of all the schemes. In Scotland, there is a [similar portal](#) with links to all three schemes, including not-for-profit Safe Deposits Scotland, which is run jointly by landlords, agents and tenants, including NUS Scotland. This can be far less onerous than having to chase a landlord or letting agent for information and can fairly rapidly give students confidence that their deposit is safe.

If, however, it doesn't look like their deposit has been protected, there is also accessible information online for students to consider how they might want to go about taking this up with their landlord or letting agent. [Shelter](#) and [Shelter Scotland](#) provide sample letters to landlords and letting agents which politely ask for proof that the deposit has been placed in an approved scheme, as well as follow up letters if they do not oblige with this request.

If you have an advice service within your union, students can be encouraged to access this if they experience problems with their interaction with their landlord or letting agent at this point. Often failure to place a deposit in a scheme can be the tip of the iceberg to a student's housing problems so this can be a good route into encouraging them to access support with the broader housing issues they're facing. If you don't have any housing advice provision within your union, this may be provided by your institution or by another body locally whose services you can promote. Shelter also offer national services such as a helpline for tenants which can offer support to those experiencing problems in the private rented sector.

## Inventories

Inventories represent a mutual understanding of what is in a property and in what condition at the time the property is handed over to tenants. This can prove vital at the end of the contract if a dispute arises over the fixtures, fittings and furniture within the property and often comes into play where there is a dispute over a tenant's deposit.

A good inventory should specify the condition items are in and include photographs. This helps to ensure that it is clear at the end of the tenancy whether the worsening in condition of particular items goes beyond basic wear and tear, and therefore whether the tenant is responsible for the costs incurred for replacing or repairing them. Tenants should ensure that the inventory is accurate before signing it, and if it is not, should suggest edits before signing it off.

Students should be advised that if their landlord or letting agent doesn't undertake an inventory, or give them the paperwork required to complete one themselves, they should contact them requesting this. If they still don't oblige, tenants can undertake their own – Shelter provide a [sample form](#), and Shelter Scotland have developed an [iPhone app](#) for tenants to generate an inventory report. Once they have completed this, they should get an impartial witness to sign it (if possible) and then also send it to their landlord for approval. Even if this is never acknowledged, if they keep evidence of this, their position is strengthened should a dispute arise at a later date.

mydeposits (who operate a deposit scheme in England and Wales) have released a guide to inventories aimed at tenants which can be downloaded [here](#).

## Why only fools rush in...

Many SUs have noticed increasing problems with landlords and letting agents pressuring students to sign contracts early; often before Christmas or even as early as welcome week. This often leads to significant problems later on when students realise they've signed long-term contracts for an overpriced, inconveniently located property with people they're no longer friends with. In response to this, many students' unions have run successful campaigns to encourage students to hold off.

The key to a successful campaign to delay student renting is to combat panic with calm. If you only tell students that they shouldn't rent yet, but give no reasons why, you're likely to inadvertently add to the panic rather than reduce it. If you help them to understand that there are plenty of houses to go round and that if they wait they're more likely to know what they want, they're much more likely to listen. Demonstrating this through case studies and research will also help to give your message credibility.

If you can work with your institution to promote a more suitable, later date for the start of house-hunting, you can also encourage more responsible landlords and agents to hold off until after this date. This provides an alternative to rushing in, and if most people are advising the same thing it helps to make this seem like 'the norm'.

It may also help to highlight the fact that some of those chasing tenants early in the year are not working within the parameters of these respected bodies; after all, if they were confident of the quality and value of their property, why would they need to be trying to flog it almost a year in advance? In fact, many of the towns where pressure to rent early is the biggest problem are those with far more houses than house-hunters. In London, where there is a serious housing shortage, most students won't rent until a month or two before they plan to move in. Waiting is therefore unlikely to mean that 'all the best places are gone'.

## Housing talks, fairs, weeks...

If you or your institution don't currently host any activity that helps your students with house-hunting then it's definitely something to start considering.

House-hunting can be an incredibly stressful experience for students – and often their first experience of the private rented sector, so it's all brand new to them. Getting support from a trusted source – such as the students' union, advice centre or institution will be a huge help to your students. It's also the perfect opportunity to join forces and do some great partnership work.

There's a whole range of things you can do no matter what the size of your students' union. Here are a few ideas:

- Workshops guiding students through how to house hunt
- Creating a checklist of things to look for when house-hunting
- Tenancy checking service with your advice centre
- Housing Fair on campus with trusted/accredited landlords & agents
- Find a Housemate events
- Release and promote results of Rate Your Landlord surveys
- Themed nights at your SU around housing that give useful information & freebies
- Promoting good landlords/agents through your local accreditation scheme
- Signposting to online advice & guidance
- Write a Housing Guide
- Create a video with some house-hunting guidance and use students who have been through the process before to give their views and tips

You should be as creative as you can with your activity, but it's really important to ensure any information you give out is accurate so you should make sure to consult with your advice centre on all the content. If you don't have an advice centre you could contact your local Shelter branch or Citizens Advice Bureau.

## Getting online

It's important that students can access housing information in a number of ways. A large number of students will be doing their house hunting and looking for advice online. Even if you already have some housing advice online now is the time to start looking at how you can improve it.

The key thing is to replicate the information you provide at housing events for students who did not attend to ensure that this information reaches as many students as possible. Your information might cover anything from the best ways to house hunt to understanding local accreditation schemes, to where to turn when things go wrong. Creating an up-to-date resources page with links to Shelter, Citizens Advice Bureau and tenancy deposit schemes is a must.

Social media is also a great way of getting information out in a direct and timely way, for instance promoting housing events, reminding students not to rush into renting in the autumn and encouraging them to seek advice about their deposit at the end of their tenancy if necessary. Furthermore it's a great way to remind students to do the small things such as use a house-hunting checklist, or to check if their deposit is protected. You can also encourage students to share their experiences by using a hashtag that grabs their attention.

An online presence can also help you to engage better with local letting agents and landlords, and the local authority – this can help to show that you want to engage actively on local housing issues and some of them might be able to support you in getting your messages out.

## Campaign case study: Kent Union



Each year we run a housing week in January – usually the second week after students get back. There’s always been a bit of a pressure to run it in the first term as students often panic/are pressured into signing early but we’ve always tried to discourage students from that. We run a “Don’t Rent Yet” style campaign in November and tell students that in January we’ll give them the information they need to make the right choice. Over the last few years we’ve definitely seen a significant shift to more students waiting.

We run the week jointly with the university accommodation office which works really well – we have a steering group set up of them, the relevant officers and our advice centre and we meet regularly throughout the year to plan it.

### Evening workshops

We run a set of workshops over the week where we give a presentation on how to house-hunt, basic tenants’ rights, what to look for. We then have a panel made up of an advisor, someone from the university accommodation office, someone from the Local Council, and a student currently renting to answer questions and give their tips and advice.

In the last few years we made a “Cribs” style video that we played during the workshop – often as students don’t have any idea what a typical house might look like.

It’s had incredibly good feedback and whilst it doesn’t contain lots of important housing knowledge, it was a good springboard to open conversations about that. You can view it [here](#)!

We give people who come along ‘goody bags’ that contain housing guides (including a map of the area, checklist of what to look for, etc.) and other useful housing information and freebies.

### Housing Fair

During the week we run a housing fair on campus during the day where we invite a select few landlords and agents – all of whom must be accredited with our housing scheme. Students get the opportunity to talk to them “on their turf” which makes them more comfortable and they can also get advice from the students’ union and university at the same time.

### Student-run events

Our college committees take a big role in running events – often to help students find other people to live with. We have forums and noticeboards that students can post on but events are also a good way of getting people to meet. Incorporating housing advice into any of your student run clubs, societies, events etc often mean students are more receptive to receiving this information.

### Marketing

We generally do all the usual things – posters, social media, lecture shout outs etc. We also get our commercial services on board by advertising it around our outlets. We also did things like get the weekly comedy night on campus to do housing themed content that week and give out materials during it.

We create an invite that lists all the events & activities on during the week and have enough made for every single first year on campus (though we do also market it to other students) – and the university helps us by having them placed in all the rooms/kitchens on campus which they are cleaned. This proved really pivotal in boosting numbers of attendance!



## Campaign case study: OBSU

The campaign began with a petition after a student came to the Advice Centre on October 21<sup>st</sup> having already been pushed by his agent to sign for the house for the following academic year – almost a year in advance! We asked Oxford University Students' Union to join us.

The main impetus for the campaign came from signs that agents were getting pushier, and earlier, and therefore subjecting students to immense pressure. This can then cause distress later on if they don't pass the year meaning they have to leave, change their mind about the people they're living with or if they realise they can't afford the rent level.

The financial impact of signing before Christmas is huge (about £1,320 and rising) and we know of students who have permanently withdrawn because of these issues. We also know of others who have become ill over the stress and worry, or even experienced bullying from other housemates they no longer like. Once they have signed they are bound by the contract and pulling out would have huge financial implications. All of the above detracts from their studies and the general experience of life at Oxford Brookes.

Other factors which influenced the campaign are:

- Letting agents/landlords are unregulated.
- There are registering bodies, not all belong to them and they give little leverage if there are problems
- Oxford City Council has a voluntary accreditation scheme- only six of the city's agents have signed up to it. Oxford City want to increase their scheme.
- They have also introduced mandatory licensing for all HMO's with three or more households- that effectively means most traditional student lets.
- They offer a discount on the license if the agent is accredited

## About the campaign



*Andrew Smith MP shows his support*

The main campaign aims were for agents to agree to some simple guidelines:

1. Agree not to approach existing tenants before January 1<sup>st</sup> to establish their intentions for when their tenancy ends.
2. Agree not to release a list of available properties before 1<sup>st</sup> February each year.
3. Agree not to ask for rent or deposit more than one month in advance of the tenancy commencing.

We additionally want them to be accredited by Oxford City Council and a member of a national membership body.

Finally, we developed a Traffic Light System to rate the Landlord's and Estate Agents in Oxford so that we can encourage students to rent with 'green' agents and landlords and improve the students' renting experience as well as the service offered by the agents/landlords. Those who have agreed to the SU's Ethical Letting Policy, become a member of a registering body and are accredited by the City Council are awarded 'Green' status, those who meet the other criteria but are not accredited are 'Amber' and those who don't qualify for these are 'Red'.

We were also keen to empower students to check their contract agreements and question any statements or demands made by their landlord, in order to get the best deal for them.

## The story so far...

The campaign has already seen some success – when we launched the petition, we hoped for 500 signatures. We got 1,564! We also worked closely with the City Council in developing the traffic light system and Ethical Letting policy. Advice Centre staff and OUSU representatives met with the agents who were most likely to meet the 'green light' criteria to encourage them to sign up. Two did, but one subsequently withdrew due to pressure from head office. We're hopeful we'll be able to recruit more.

We organised a picket of a 'student list launch night' at a nightclub, which we felt was an entirely inappropriate place to 'launch' your list and created placards which were carried around throughout the campaign to reinforce the basic messages. To raise the profile of the campaign, we developed a hashtag – the infamous #DontRentYet which fronted the campaign and we then populated this on Twitter with important information, and ensured this was accessible through Facebook and other websites too, as well as hard copies.

We organised for a group of students and an officer to appear on BBC News South and Central to discuss the situation and raise the profile of the campaign. An officer was also able to speak about the situation on the radio. We also created a series of videos ([1](#) & [2](#)) and photographs with students holding our 'dontrentyet' sign and stating that they won't rent yet to make the campaign more engaging.



Students promoting the campaign message

## Where next?

The campaign is a long term one and as such we do not anticipate seeing big achievements until two to three years down the line as we need to change the way current first years approach renting and then get them to influence the younger years as they progress.

However, that said, we have had some small achievements. The number of students queuing outside the first estate agents to release their lists was significantly reduced. Agents who normally have the majority of their properties filled by now still have an ample supply of housing. The Brookes Student Pad website is being used by students to advertise properties and seek housing information and the University has agreed to only promote 'green' agents. We also had a significant number of first year students feeding back that they had heard the message and were waiting to start looking.

The main challenges we've faced are convincing agents that they should push back their release dates, as they are obviously primarily motivated by profit, however influencing student behaviour will hopefully mean they have less success in getting early signings.

Next year we're hoping to target landlords more, in the hope of this having a knock on effect on agents as the landlords demand changes in their working practices.

*This briefing forms part of a series, which will be released by NUS throughout the year to help students' unions develop their work on key housing issues and campaigns.*