



Rate Your Landlord surveys

In recent years, a number of students' unions have begun to run Rate Your Landlord surveys to find out more about their members' experiences of housing, and to rank local landlords and agents. This briefing explains how they work, some key tips, some advice on how to avoid risk of libel, and a case study of how one union has made these surveys work for them.



What is Rate Your Landlord?

Rate Your Landlord surveys generally ask students to provide ratings for whoever manages their property on a day-to-day basis – most commonly this is a landlord, or an agent, but some also include purpose-built student accommodation providers. Results are then collated to create a ranked list of providers, normally for those who have received above a certain threshold of respondents. This is then used to advise house-hunting students and to engage with the landlords or agents to encourage incremental improvements in performance.

These kinds of surveys operate on the principle that consumer choice can have an

impact on the market. This has been particularly popular in relation to the student market as often properties are let on a year-by-year basis, with no need for landlords or agents to seek longer term business from tenants. Rate Your Landlord initiatives therefore seek to provide an incentive for those managing a property to provide a good service, even if there is no prospect of the tenants staying for another year.

This approach can be particularly powerful in places where there is an undersupply of housing, but landlords and agents everywhere are likely to be keen to cultivate a good reputation – not least for agents who will generally want to increase the number of properties they have on their books.

Running a Rate Your Landlord survey can also equip students' unions with a valuable insight into students' experiences of housing overall, alongside the satisfaction level with individual landlords or agents. This can then be used to engage with your institution, your local council, and your membership, as well as the landlords and agents who are rated in the survey.

Top tips

Below are some key tips on how to ensure that you get what you want out of your Rate Your Landlord survey.

1. Think about your timing

It's always great to get an insight into what your members think, but think carefully about when best to time your survey in the academic year so that you can make the best use of what you find. It's no use surveying students when they've only just moved in, and if you're interested in issues around fuel poverty and insulation, you'll probably want to wait until there has been some colder weather. However, if you want to use the findings to inform students' house-hunting choices for the next academic year, you'll need to balance not wanting to survey too early with the need to process the results by the time you need to launch.

2. Think about what you're trying to achieve

The most important thing on your mind when considering running a Rate Your Landlord survey should be the impact you're trying to achieve. This should be considered carefully in terms of how you design the survey to ensure that the information you're getting from students is what you'll need at the other end of the process. For example, if you want to rank your results, you'll need to establish what this will be based on – will it be the answer to one question or more, and if so, which ones? It is important to ensure that these questions will give you data in a format that you can easily rank.

3. Team up

If there are students from other institutions living in the same area as your students, you might want to consider teaming up to undertake the research jointly. This will mean that you get a higher number of respondents,

and a greater understanding of the experiences of students in your particular locality. Students' unions who have taken this approach include [Sussex and Brighton](#), and [Liverpool Hope and Liverpool Students' Union](#).

4. Consider promotion channels

Your survey findings will only be as good as the number of students who responded to it – you're unlikely to be able to make an impact if you've only heard from a tiny proportion of your student body, and it will mean that you're unable to credibly remark on the landlords or agents in question. Consider how you can increase uptake – options include offering incentives, and getting your institution on board to help promote.

5. Think positive

It is easy to fall into the trap of only focussing on those landlords or agents who have done badly, but it is equally important to show that good or improved performance is rewarded to provide an incentive to improve performance. Admittedly, if the top of your rankings is an agent with a 50 per cent approval rating you will need to be wary of anything that could be perceived as 'endorsing' them, but equally, consider ways of recognising those who have improved from last year, or those who have received particularly high praise. This year, Bangor Students' Union are implementing [landlord awards](#) for the first time to reward good practice and encourage competition among landlords.

6. Talk to local landlords and agents

Undertaking a Rate Your Landlord survey can be a really good opportunity to engage directly with landlords and agents. While some who perform poorly might do so because it's part of their business strategy, others might need a nudge in the right direction, and some pointers on how to improve. While it's not your job to come up with a strategy for

improvement for poor performers, you can have an impact by encouraging them to use your findings constructively.

7. Engage with broader stakeholders

Remember, it's not just data on individual landlords and agents you can access through a Rate Your Landlord survey – you'll also have a wealth of information about your members' experiences of housing more generally; how satisfied they are, what problems they face and, if you've run the survey for a number of years, how things are changing. You're likely to also have an idea of what would need to change to make things different. Make sure you send a copy of your findings, and some idea of how you think things could be improved to key stakeholders such as your institution, local council and MP, so that they have an understanding of the challenges students face locally.

8. Promote the results to students

One of the most valuable uses of your data is that it will enable you to equip students with the lessons other students have learnt through experience. If you can have your findings ready in time for the peak student house-hunting period, you will be able to inform house-hunters not only of how the various landlords and letting agents rank, but also the more general pitfalls that students have fallen into. This can help to bring what can otherwise seem like dry advice messages to life.

9. Embed it in your annual schedule

Undertaking the survey every year means that you can compare results and monitor changes over time. The survey doesn't have to be hugely in depth, and neither does the analysis if you don't have the capacity, but this can help you to assess the impact your work is having. Key things to monitor might be changes in satisfaction levels with landlords or agents who fared badly previously (as this

might indicate they have responded well), and difference which might have been caused by campaigns or advice work you've done e.g. changes in the percentage of students who know their deposit is protected following students' union promotion of this issue.

10. Make your data work for you

As well as doing proactive work to engage with landlords, agents, and other local stakeholders, you can also use it to react to things happening locally or nationally. Your data is likely to be useful for any consultations on housing that your local council are running, or that government are running nationally. With students' unions increasingly becoming experts in their local housing markets, and the way that national issues play out for their students, this expertise can be hugely valuable in putting students' experiences at the forefront of policy and decision-making.

Avoiding libel: knowing the risks

Some landlords see Rate Your Landlord schemes as a threat and will be quick to go on the offensive if they feel that the comments posted go too far. NUS want to ensure that students' unions can run these schemes safely. For this reason, we asked solicitors, Hatch Legal, who are specialists in student accommodation, to prepare guidelines for those operating Rate Your Landlord schemes, posting blogs and hosting opinion pages to help safeguard them from any potential problems. Students' unions here are described as 'the Raters':

1. General Disclaimer

The Raters should make it clear that (a) the opinions expressed in the ratings are not necessarily those of the Raters; and (b) students who are considering renting a property should make all necessary enquiries to satisfy themselves that the property is suitable for their requirements and not rely solely on the content of the rating service. The maxim "buyer beware" still applies. The disclaimer should exclude liability for losses sustained and/or expenses incurred as a result of using the site. That will help to protect the Raters from claims by students and parents, but it will not protect Raters from claims by landlords or agents. How to avoid claims from landlords is set out in points 2 to 5.

2. Duty of Care

The Raters will owe a duty of care to those who use the service. The Raters must operate the service with reasonable skill and care. In practice this means taking care that the details of the reviews are recorded carefully eg addresses and names not mixed up, details entered promptly etc.

3. Data Protection

If the Raters are to hold personal data (as seems likely), they must comply with the Data Protection Act 1998. If they are not already registered, they must register with the

Information Commissioner's Office. The ICO produces a useful guide to the Data Protection Act at

http://ico.org.uk/for_organisations/data_protection/the_guide. The ICO can impose monetary penalties for data protection infringements. Data protection responsibilities include using personal data fairly and lawfully, keeping it up to date, not keeping personal data for excessively long periods, and not processing personal data more than necessary.

4. Defamation

The Raters must not defame the landlords. Defamation includes libel (written publications) and slander (spoken or non-permanent publication). It is not only the person who first wrote or spoke the defamatory words who is liable. Anyone who repeats or publishes the defamatory words can also be liable.

Defamation occurs when a living person's reputation is damaged.

Defamation can occur through social media. It is not yet fully clear in law whether defamation via social media and the internet is slander or libel. The key point is that the **Raters must treat Twitter, Facebook etc as another form of publishing and should not post any comments to such sites that they would not be happy to put "in writing" in the conventional sense.** E-mail is also a form of writing.

The law on defamation has recently changed and a claimant pursuing a case must prove that he has suffered serious harm from the defamation. If the landlord were to lose business because of a defamatory statement, it would be reasonably straightforward to prove serious harm.

There is no defamation if the words published are true. The Raters should therefore stick to facts. Some examples are shown overleaf.

DON'T SAY ...	INSTEAD, TRY	COMMENT
"this property leaks like a sieve"	"check for evidence of water ingress"	Checking for leaks is sound advice for any prospective tenant
"this property had 2 roof leaks last year"	"students reported that this property suffered from 2 roof leaks during the last tenancy"	The union may not know for certain that there were 2 roof leaks – so stick to the facts – the union knows there were reports of 2 roof leaks
"this property is a dump"	"The Students' Union received negative feed-back from students in each of the last 3 years"	The union should try and avoid giving opinions and stick to the facts. The union should use its judgement as to whether to explain further what the feed-back was about.
"the landlord is really pervy"	Students reported that they did not feel the landlord respected their privacy.	The union shouldn't express their opinion or judgement of an individual. The union can say what students reported, but keep it factual. The landlord may have invaded privacy because they were nervous about how the students were using the property.
"the landlord is a gangster"	The landlord was convicted by Ambridge magistrates court in 2013 for possession of class A drugs with intent to supply	Check your facts!!! Keep a record of the checks you made and the evidence that what you have written is true.
"We really got ripped off with our deposit"	Last year's students did not feel the landlord dealt with the deposit fairly. They recovered most of their deposit through the tenancy deposit scheme.	Avoid judgmental; stick to factual.

Raters can make comments or criticisms, but they must be fair. That means that the comments must be an honest expression of the Rater's opinions. It would be fine to say that the heating was unreliable, if that was the honest opinion of the Rater based on facts within their knowledge. Best not to say that "the landlord was too mean to fix the heating".

If the object of the scheme is to give students a “score” for a property and its landlord, the same principles can be applied to the questions used to obtain the score.

DON'T SAY ...	INSTEAD, TRY	COMMENT
Was the property a dump?	How satisfied were you that the property was in good repair?	“Dump” is subjective and perjorative. The alternative suggested measures the students’ satisfaction, which the landlord cannot disprove, rather than the actual state of repair, on which students are probably not qualified to comment.
Did your landlord always ring you back?	How easy was it to contact your landlord or agent if you needed to?	There may have been one occasion when the landlord did not return a call – and 20 occasions when he did – so the rating will not tell students what they need to know.
What did you think of your landlord?	If a prospective tenant asked you about your landlord, how likely is it that you would recommend him/her?	The option on the left opens unions up to students posting defamatory remarks.
Had the property been cleaned when you moved in?	How satisfied were you with the level of cleanliness of the property at the start of your tenancy?	Again, you are reporting on satisfaction levels, rather than cleanliness levels. The level of satisfaction could vary widely from one person to another. Cleanliness at the start of the last tenancy does not guarantee cleanliness at the start of the next tenancy

5. Malicious Falsehood

This is slightly different from defamation. Malicious falsehood is a false statement of fact, intended to harm a third party. For example, a Rater might falsely say that a landlord had stopped accepting tenants with the intention of discouraging students from looking at the property. The Rater has not damaged the landlord’s reputation (and therefore defamation does not apply) but the landlord could claim compensation for malicious falsehood if unable to let the property after the posting.

Case Study: University of Sussex Students' Union



The University of Sussex is able to house approximately 5,000 of its 13,000+ students in both on-campus and off-campus University accommodation. The vast majority of the remaining students at Sussex however live in the private rented sector in nearby Brighton and Hove and the surrounding areas.

Housing is one of the most common issues that students seek advice about from our Advice and Representation Centre (the ARC) with over a third of all enquiries to the ARC during the 2012-13 academic year relating to housing issues. Students repeatedly experience many problems in the private rented sector including high and often unexpected fees, pressure to sign for properties on the spot, poor property conditions, unsatisfactory responses to reported problems and difficulties associated with the return of deposits. The quality and regulation of private rented sector housing is therefore a key area of interest for both the Students' Union and Sussex students.

As part of our private housing sector campaign, we track students' experiences as tenants through our Rate Your Landlord survey, an annual survey that looks at the experience of students from both Brighton and Sussex universities who are living in the private rented sector.

The survey has been running since 2008-2009 and collects both qualitative and quantitative data about the experience of students before, during and after a tenancy as well as their

overall satisfaction with the experience. Response rates have increased each year, with last year's survey completed by 1,901 students in total, providing a good-sized sample with which to work.

The data from the survey is analysed by an independent data analyst and forms the basis for an annual written report outlining the findings and making key recommendations that the Students' Union then works to implement throughout the following year. The data is also used in a huge variety of different ways including:

- To rate the most commonly-used letting agents based on their performance in the survey providing those agents with an indication of the satisfaction of their customers in a number of key areas and identifying particular areas for improvement. The key rating also provides an easily-recognisable visual indicator to students of the service they can expect from those agents based on information provided by other students who've previously lived in properties managed by them
- To produce information sheets for students giving a breakdown of the key rating awarded and level of service they can expect from the most commonly-used letting agents, enabling them to make more informed choices based on the experience of other students
- To recognise good practice where it occurs among landlords and letting agents through Best Practice awards. These awards are based on nominations received from students completing the survey with winners then determined by an independent panel. As well as rewarding those landlords and letting agents who have done something particularly good and/or provided a level of service that deserved particular recognition, these awards again help to provide students

with an indication of the service they can expect from property providers based on information provided by other students

- To work with the University's Housing Office, the Advice and Representation Centre and Sussex Student Lettings to ensure targeted information, advice and services are available for students on housing-related issues such as house hunting advice and free tenancy agreement checks
- To produce new information to increase knowledge among students of their rights and responsibilities in the private rented sector and provide advice on how to avoid common problems, for example our Living in the Community booklet
- To submit a guarantor proposal to the University in order to assist those students who are required to but unable to provide a UK-based guarantor in order to secure housing in the private rented sector
- To establish a working relationship with local letting agents and landlords and work with them to address particular issues and identify ways to improve the service they provide to students
- To respond to national and local government consultations and call for greater regulation and better enforcement of existing laws



We have also established closer links with Brighton and Hove City Council, holding regular meetings with them to discuss housing-related issues and to raise our concerns on behalf of students, obtaining a place on the Strategic Housing Partnership and feeding into the city's Housing Strategy.

Although the Rate Your Landlord survey repeatedly demonstrates that problems remain and that there are still a lot of changes that need to be made to improve the experience of students living in the private rented sector, we have also been encouraged by the increasingly positive examples of good practice reported in recent surveys. There were many examples of landlords and letting agents who were polite, respectful, helpful and professional, who offered prompt and effective responses to reported problems, especially in respect of repairs. Students particularly welcomed those landlords and letting agents who provided good quality properties, who demonstrated a willingness to make changes to the property in order to improve the experience of those students living in it and who adopted a flexible approach to the individual circumstances of students.

It is a long slow process but we are confident that by continuing the work we are already doing and implementing the recommendations made in future reports we will continue to improve the experience of students living in the private rented sector and see more examples of such good practice in years to come.

You can find out more and download the most recent report [here](#).

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 campaign