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| Social Policy Briefing |
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| Landlord Immigration Checking Proposals The government has proposed that landlords in the private rented sector will now have responsibility to check the immigration status of their tenants. |

### Key Points

* The government has proposed that landlords in the private rented sector will now have responsibility to check the immigration status of their tenants
* Landlords will be fined for providing rented accommodation to illegal non-EEA migrants
* The proposals will affect the entirety of the private rented sector, most significantly for international students in multiple occupancy households

### Background

The government’s proposals to tackle immigration were first introduced at the Queen’s Speech in May of this year. Landlords will now be responsible for checking the immigration status of their tenants (previously this process was undertaken by the UK Border Agency). Landlords will be fined if found to be renting to illegal immigrants. This is in addition to checks on identity and credit which some landlords already enact.

The government’s rationale behind the proposal is to stop rogue landlords from exploiting immigrants who are in no position to complain. The check on immigration status will only apply to non-European Economic Area migrants. The proposals are currently out to consultation closing 21 August. The proposals will tie in to new regulations on social housing which will ensure local authorities amend their allocations to those with well-established local residency.

The underlying strategy as with the majority of the government’s position on immigration is enacting a series of policies which will reduce net migration. These proposals will most significantly affect international students; however home students will be affected if they are planning to live with international students.

For international students the proposals represent a duplication of the vetting process they have already gone through in order to enrol at their given institution. In theory this could also mean that home students are also asked to provide proof of their residency in the UK depending on how the process is administered. Furthermore the proposals mean that international students, landlords and institutions will have an added layer of responsibility in a cumbersome system.

Consequently landlords will have to have a pre- existing knowledge of EEA states and the intricacies of the legal rights of international students which may mean they avoid renting to international students altogether due to the extra bureaucracy involved. International students will have to have ready all their necessary immigration documents and the institution will have to verify the status of the students.

If the student in question is living with home students it is unlikely all of these documents (in addition to those legally needed to rent) will be ready in the short period of time needed to find private sector accommodation. This means that international students could be more vulnerable to rogue landlords in light of the anxiety of trying to find somewhere to live in such a short period of time. Also it is unclear how these proposals will be enforced consistently.

### What NUS is doing

The proposals are currently out for consultation and will be until 21 August. We have responded to the consultation process and our position will be available on NUS Connect shortly. In brief we recommend the following with regards to international students:

* That consideration will be paid to the already onerous checks that international students already have to go through to study in the UK
* A letter from their institution should be accepted by landlords in lieu of immigration documentation for students and proof that the student has passed all immigration checks
* In investigations, the government may wish to consider exempting buildings which require confirmation of student status as a condition of residency as this would go some way to reducing the workload and burden on institutions, accommodation providers and students

Also the government need to consider that:

1. Some students will invariably not be fully registered with their institution before they sign for accommodation
2. some students will be fully registered, but will still opt to sign for accommodation before departing their home country to ensure that they have somewhere to live upon arrival in the UK

### Further information

If you or your students’ union want to contribute to the consultation you can do so [here](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/consultations/33-landlords/).

The full home office consultation document

*Tackling Immigration in the Private Rented Sector* is available [here](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/consultations/33-landlords/consultation.pdf?view=Binary) and the as is the consultation summary [here](http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/consultations/33-landlords/summary.pdf?view=Binary).

The Migrants’ Rights Network have produced a briefing on the issue and will be organising briefing events for migrants and other advocates. You can access the briefing and information on events [here](http://www.migrantsrights.org.uk/files/publications/MRN-Landlords_briefing_July-2013.pdf).

UKCISA’s response to the proposals is available [here](http://www.ukcisa.org.uk/news/105/Current-government-consultations).

**Social Policy Briefing is written to update officers and staff in students' unions on issues relating to social policy, including student finance, welfare, society and citizenship and liberation. Information is correct at time of writing and offered in good faith.**