



Social Housing and Conditionality: The Impact of Fixed-Term Tenancies on Tenants

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Policy Context

- Social housing key site of social control – loss of home particularly powerful sanction
- Erosion of security in England: probationary and demoted tenants; Localism Act 2011 – FTTs, minimum of 5 years, *“scarce public resource focused on those who need it most”*
- Housing and Planning Act 2016 – once in force, FTTs compulsory for almost all new LA tenants; concessions – max fixed-term 10 years (not 5 years); cover period child in school (until 19); ‘Pay to Stay’ not imposed on LAs

The Research

- Five year ESRC study on the *efficacy* and *ethicality* of intensifying ‘welfare conditionality’
- 8 groups of ‘welfare service users’ – including social tenants
- QLR with social tenants with experience of FTTs and/or probationary tenancies: 49 in Wave 1 (35 in England); 32 (W2); 24 (W3)
- What are the impacts of FTTs on tenant behaviour and well-being? What are their views on the ethicality of FTTs, and on Pay to Stay?

Conditionality and tenure security...

“...the whole move away from lifetime tenancies is, to me, one of the most obvious examples of conditionality. I think that takes two forms. One is, there's just a sense of you get this house while you get yourself stable and on your feet [and two] once you take away lifetime tenancy there must be an unspoken degree of conditionality that creeps in, that I've only got this for five years and if I don't keep my nose clean it might not be for as long as that.”

(National stakeholder)

Competing Visions?

1. **The Interventionists** – ‘nudging’ tenants towards healthier, more socially engaged and economically independent lives
2. **The Utility Maximisers** - ‘business-orientated’, early adopters of FTTs; mainly to make best use of stock/tackle under-occupation; but for some also “better conversation” with tenants about responsibilities
3. **The Place Makers** – strong antipathy to FTTs; view their role as ‘place making’ rather than ‘people shaping’

Little evidence of FTTs impacts on tenant behaviour...

"I'm just the same. So not really, it hasn't changed my behaviour to think I've got to behave a certain way because I don't want my tenancy to be taken over. I know that whatever their rules is, it's not targeted on me."

Minor exception...

“ You don't want to spend vast amounts of money decorating and then you might have to get up and leave it but, as I've said, I personally don't see no reason why I would not get another five years' tenancy. I don't like the fact of the five years' fixed tenancy.”

Most FTT tenants mildly to moderately anxious ...

“I'm trying not to think too much about it... at the minute. I think I'll feel quite nervous but, at the same time, I don't think I've really got anything to be nervous about... I just don't think I'm a bad tenant. When I've been in arrears with my rent, I phone them up and always kept them in the loop about things.”

For some the comparison point was with PRS...or homelessness...

“personally, [the FTT is] not negative... because at least I know it is not a private landlord... so it's a bit more comfortable... a bit more homely than being in a private let”

But for others FTTs were a cause of considerable distress...

"Yes, because then [with an open-ended tenancy] you know you have a place to be and it's for life... Psychologically... I have my home, I'm here, unless something drastically - unless I can't pay my rent or anything, no one is going to make me move... when you're younger, you can see yourself moving and moving different places but as you get older, you need to be settled. Housing, a roof on top of your head, that should be something that really as an older person doesn't have to worry about."

Some took comfort from procedural safeguards...

“...he just said that when it's near the five years, they will look into your situation... Say, for instance, you get in rent arrears or you are a nuisance to your neighbours... then apparently they'll let you know if they feel that they won't extend your tenancy.... they said that they wouldn't just get up and say to you, 'You can't have the tenancy', because apparently they've got to give you a reason. You can also object against it if you think that they're not right...”

But many had only a vague notion of grounds for non-renewal...

"I think bad behaviour to neighbours and stuff like that and not paying your rent, maybe."

"I don't see what difference it makes if you're a nuisance or you're not paying your rent or whatever, then obviously even without the five years' tenancy, you can get evicted just the same, even if it's a lifetime tenancy, you still can get evicted. So, I don't really see the point of it but it's not really up to me."

Ethics: rise in income

"Actually, I think there should be more buildings, social housing, because if you work very hard and to better yourself, why should you be removed from your home?... So, I think there should be more building instead of penalising people because they are better off."

"No, I don't think that's fair. I just think that whatever their rent is set, as long as you pay it, that should be it."

"its like...pushing people to be lazy"

Ethics: job search or volunteering

"I just don't agree with forcing people into volunteering, I think especially volunteering for jobs and things like that, I don't really think it's the landlord's place or anything to do with your tenancy. I think it's more the Jobcentre, if you know what I mean, rather than your landlord." (lone parent with two children, south of England)

"that's not fair, definitely not... I don't think it's a reason to end someone's tenancy, if they're not looking for work. I don't think it's a valid reason. I think it's daft" (lone parent with one child, north of England)

"Regardless of you not looking for work, at the end of the day, I don't think anybody, because I've been there, I don't think anybody should be thrown out on the streets..." (older single man with experience of homelessness, north of England)

Ethics: under-occupation

"it's a really, really big thing to move and your home is your security and it can make you very vulnerable to have to move...But I also understand that it's only fair that you... I understand that this would be also a good house for a family and if I was just one person here, then it could house a whole family." (single female tenant, south of England)

Conclusions

- No evidence that FTTs impact substantially on tenant behaviour (positively or negatively), but they *do* shift the power balance towards landlords with respect to ASB/rent arrears
- The main impact of FTTs is to instil varying levels of anxiety in social tenants, and to cause real distress to some
- The Government should *not* bring into force the relevant sections of the Housing and Planning Act 2016 that would compel LAs to use FTTs in almost all new lets
- If brought into force, there should be complete exemptions for older people, those with disabilities, and other vulnerable groups, and LA should have the ability to offer 10 year tenancies to all new social tenants
- Policy makers should note the lack of support for ending tenancies because of lack of job search activities/a rise in income; 'pay to stay' barely more popular. Views more mixed on under-occupation as a ground for non-renewal