

LONDON TENANTS FEDERATION SUBMISSION

UK Parliament Levelling Up, Housing and Community Committee's

Call for Evidence: **The Regulation of Social Housing**

21.12.21

London Tenants Federation (LTF) brings together borough, neighbourhood and London-wide federations and organisations of tenants (including leaseholders)¹ of social housing providers (both council and housing association). Our membership also includes the London Federation of Housing Co-operatives and the National Federation of Tenant Management Organisations.

Each of our members has its own membership comprising local tenants and residents' associations, tenant managed organisations and co-operatives. LTF has been in existence since 2002.

Our main focus is engaging our member organisations and their members, in London-wide strategic housing, regeneration and planning policy.

We have engaged in most Examinations in Public of the London Plan. We respond to regional and national consultation relating to housing, planning and regeneration. At times, we are invited to engage in London Assembly, Housing and Planning Committee meetings.

We have strong links with other London community and voluntary sector organisations that also have an interest in housing, regeneration, planning and community-related issues.

Our submission draws on our members' meetings and conference discussions held at various times and, refers to London Tenants Manifesto for a Positive Future for Social Housing in London (published in January 2021). We have responded to most of the questions set by the committee.

1 How widespread and serious are the concerns about the quality of social housing?

While clearly not all social housing landlords fail in their duty to properly manage and maintain tenants' homes, problems relating to the quality of social housing, are sufficiently widespread to cause serious concern.

Problems for both council and housing association tenants include poor-quality maintenance, failures to deal promptly with individual and communal repair issues, shoddy workmanship, poor tenant consultation, tenants finding it difficult to get their complaints responded to or adequately dealt with. At times tenants find they are being blamed themselves for issues that landlords are

¹ When referring to 'tenants' we mean both tenants and leaseholders (as set out in our Articles of Association)

actually responsible for. We feel this is fed by disrespect for, and negative stereotyping of social housing tenants.

Health and safety issues may not always be very obvious, but (according to Inside Housing 21.10.21) [a new survey of 106 housing associations by the National Housing Federation has found that 61 landlords have discovered dangerous materials on their blocks since Grenfell.](#)

Numerous changes / major works may have occurred to social rented homes since their construction. Little or no information is held on this in the public domain, few tenants will know the extent to which compartmentalisation may have been breached in these works.

Tenants often struggle to access the information they want about their homes and the decisions that are being made on their behalf. This is much worse for housing association tenants who have no access to freedom of information.

Opportunities for tenants to shape the delivery of services is weak and, too often, consultations are little more than tick-box exercises, excluding proper debate.

Complaint's systems are long and arduous, with many tenants being ground down and or giving up before even attempting to access the Ombudsman. In fact, the use of complaints procedures appears to be a control mechanism to wear tenants down, make them give up and go away.

Even where complaints are acknowledged there are often failures to change methods of operation to prevent similar complaints having to be made again.

See here a link to - [Six Years to get a bathroom leak fixed. Housing Association Tenant describes complaints procedures](#) - a video from a special meeting that LTF arranged with the London Assembly Housing Committee members for their enquiry into tenant involvement in decision-making post-Grenfell in 2018

Transparency and accountability are also incredibly weak.

From 1998, in the promotion of council stock transfers to housing associations, tenants were told that the quality of management and maintenance of their homes would be far higher if they opted for stock transfer. Tenants were also told that housing association landlords were far more tenant-friendly.

While this has been disproved time and again, the worst example we have seen is the Eastfields estate in Merton. Merton homes were stock transferred in 2010 to what is now Clarion Housing Association in 2010. The homes are in horrendous condition, as has been highlighted in local and national (via ITV's David Hewitt) media.

However, social landlords' failures to address serious issues of mould, damp and infestation of mice, rats and cockroaches are not uncommon in housing association or local authority estates. We have attached a list of 31 articles from local newspapers that highlight similar situations in 2 ½ months of October, November and part of December (from p 9).

Housing associations mergers, with a focus on developing new homes including market and intermediate, often appear to be at the expense of existing social housing tenants. Many feel that their housing associations have moved far from their original social objectives.

Where local authorities are developing new homes, this tends to occur through the demolition of existing homes – either whole estates or parts of estates.

In such circumstances, even before potential demolition is mentioned, tenants may suffer years of repairs and maintenance neglect. This would appear to be designed to persuade tenants the only way to address the problems is via demolition. Tenants may then suffer years or even decades of repair and maintenance neglect, neighbours being moved from their homes and communities, increased health problems suffered and once demolition or refurbishments commence, the conditions suffered can be intolerable.

Here is an example from [S Lambeth Estate](#). (NB we have encouraged them to make their own submission as they have a lot of information/evidence for the committee.

The following have contributed to the poor conditions that many social housing tenants are suffering:

- Opportunities for participatory tenant involvement in the management and maintenance of their homes are increasingly few and far between. This includes a lack of - collective tenant involvement in decision-making, encouragement of tenants to share, exchange and learn from one another, facilitation of mutual support and development of structures that enable tenants to express stronger voices, supporting collective and effective influence.
- This is particularly, although not exclusively, the case in respect of some of larger housing associations. Housing Associations' practice of using individual and consumerist ways of engaging tenants, leaves a majority isolated, despite likely experiencing problems similar to others. Housing associations' and, increasingly, councils' selection of individual tenants to sit on their boards, panels or forums is simply poor involvement practice. Worse still, these tenants are told they have no remit to couch the views of others nor feedback to them.

See the video here of [a tenant describing her housing association's 'secretive' and 'tokenistic' tenant representation](#). This is also from LTF's involvement in the London Assembly Housing Committee meeting on tenant involvement in decision-making post-Grenfell.

- Social housing tenants living in street properties are often physically isolated from others, with neighbours potentially being private owners or renters. They find it difficult to deal with issues of poor management and maintenance of their homes. One London council street property tenant has told us that work carried out to her home that was supposed to make it warmer, actually comprised just of provision of heaters but no proper insulation. There was a lack of monitoring and supervision of the works and feedback reports and no follow up conversations. The tenant is nearing pension age and can feel cold air coming into her home through gaps in the walls. She and other street property tenants she has made contact with feel they were treated as 'outcasts' despite being tenants of their homes for 30 to 40 years. There is a risk in cases such as this that low-income tenants will also suffer fuel poverty.
- Deficiently democratic, accountable and transparent decision-making practices has grown in the local authority sector, starting with the loss of committee structures from 2000. We note that housing committee meetings (especially when tenant representatives were members) were lively, open and transparent. Tenants could lobby the committee members and send deputations. Many more councillors were actively involved in decision-making, meetings were open to public scrutiny including via a watchful local press.

This is another video from our meeting with the London Assembly Housing Committee meeting and its investigation into tenant involvement in decision-making post-Grenfell – [A resident scrutiny board whose members cannot criticise their landlord in public](#).

- Years of outsourcing of day-to-day and major repairs have often left tenants having to deal with the shoddy workmanship from contractors and sub-contractors who it seems, have no proper overseeing from clerks of works employed directly by social landlords.
- LTF produced a document entitled '*problems with landlord contractors*' for our members six years ago, as a result of the large number of complaints being reported to us.
- Policies on developing 'mixed and balanced communities' included in the existing decent homes standard have impacted negatively on London working-class social housing tenants - tenant and leaseholder displacement and homes demolished to provide more expensive housing for wealthier middle-class households.

- Social landlords too often accept the lowest bids from contractors, resulting in poor quality work. On 04.06.18 Rebecca Rees a partner at Trowers & Hamlin's comment piece in Inside Housing 'We need a radical rethink of procurement in the wake of the Hackett Review' said "relying on lowest prices can result in flawed contracts, adversarial relationships and poor-quality outcomes."
- 2. What is the impact on social housing providers' resources, and therefore their ability to maintain and improve their housing stock, of the need to remediate building safety risks and retrofit their homes to make them more energy efficient?**

Despite cries of financial hardship from large housing associations, their financial situation is generally financially secure. Inside Housing reported on 17.01.21 that Clarion, for example, had seen its net surplus rise by 29% to £100m despite forking out a further £18.6m in fire safety costs.

This is supported by tenants' rent increases of CPI + 1% since 2021. The English Housing Survey's [Household Resilience Survey, Wave 3](#) (October 21) reported that rents in the social housing sector rose on average from 27% of household wages pre-pandemic to 37% a year later and is still at 34%.

The impact of this likely increased numbers of social housing tenants being forced into greater financial hardship and debt.

The failure by central government to provide sufficient funding to support the delivery of new homes means that tenants rents are footing the bill for new homes, at the expense of the maintenance of their homes.

The G15 and London Council's 'Delivering on London's Housing Requirement: interim report' suggests that they will struggle to meet the cost of required improvements to fire safety and meeting net-zero as well as delivering the new social rented homes desperately needed in London. They argue for more money from central government, which we would support, but also ask that the government make a 30-year commitment to tenant rent increases of CP1+1% which, given the hardship that this presents to some of the least well-off households in London, is totally unacceptable.

The boroughs with the G15 have consistently failed to deliver the social rented homes needed in London. Despite London Plan Examinations in Public providing evidence that they could deliver 131,237 social rented homes from 2005-19, only 61,572 were delivered.

London's social housing tenants should not have support in footing the bill for these failures.

We are also concerned that some housing association landlords are already talking about 'hard-to-retrofit' social rented homes and are suggesting they would be prepared to sell some homes to meet the cost of retrofitting others. Inevitably this would increase the need for replacement social rented homes.

3. Is the current regime for regulating social housing fit for purpose?

The co-regulatory system just doesn't work. It assumes an equal balance of power and interest between tenants and social landlords when this is just not the case. This means that when things go wrong, tenants find it very difficult to get issues resolved.

There is a lack of regulatory powers at the local level that might enable local authorities – councillors and officers - to take action against housing associations.

We believe the regime for regulating social housing will remain inadequate without tenants' rights being integral to all strategic decision-making and housing management structures including on health and safety. Tenants should have rights to organise collectively and to take a full and equal role in the decisions (enshrined in legislation) made about their homes from the local to national level.

Individual tenant satisfaction/perception surveys (as announced by the Regulator of Social Housing – Dec 21) are an insufficient and patronising way for tenants to assess how effective their landlords are in dealing with a range of issues and particularly on health and safety. These are no substitute for tenants being able to collectively make assessments through access to information and independent advice, the opportunity to scrutinise and have face to face discussions with landlords.

[London Tenants manifesto for a positive future for social housing in London, Chapter 2 – safe, well designed and managed homes](#), proposes more serious and effective ways of achieving safety in social tenants' homes.

We suggest that housing association tenants should have the same rights as council tenants under an expanded FOI Act, have the Right to Manage and to Transfer (including being able to switch to a local authority or tenant led landlord), secure tenancies, the Local Audit and Accountability Act, the Public Sector Equalities Duty and the Gunning or Sedley rules around consultation.

All social housing tenant households should also have the right to a secure, well-maintained social rented homes of a suitable size enshrined in law.

We feel that social landlords should not be allocated grant funding to deliver new social rented homes unless it is proven that they are delivering a good

service to existing tenants and are facilitating good quality tenant involvement in decision-making.

LTF proposed this in a list of 'asks' of the London Mayor in our submission to the London Assembly Housing Committee's investigation into tenant involvement in decision-making, post-Grenfell.

We note however that in September 2021 the largest allocation of grant funding for new homes that was allocated by the Mayor of London's office, was to Clarion Housing Association, shortly after public revelations of their extremely poor management of the Eastfield Estate. Many saw this as rewarding poor management of social rented homes.

4. How clearly defined are the roles of the Regulator of Social Housing and the Housing Ombudsman?

5. Does the current regime allow tenants to effectively resolve issues?

No. The suggestions in response to question 3 and others from [London Tenants Manifesto for a positive future for social housing](#) would be much more effective.

6. Do the regulator and ombudsman have sufficient powers to take action against providers?

We are not convinced that the processes are adequate, as highlighted in our response to question 3.

7. Will the reforms proposed in the social housing White Paper improve the regime and what progress has been made on implementing those reforms?

Despite the proposals in the green paper for addressing the issue of fire safety, negative stereotyping of social housing tenants and provision of an effective voice, these are missing or inadequate in the green paper.

Regarding fire safety, the fundamental democratic deficit at the heart of the Building Safety Bill is the absence of social housing tenants and residents' voices (via democratic and accountable organisations from the local to national level). The proposals in the draft Bill were overwhelmingly shaped and influenced by the landlord sector, and by extension, building owners and managers, developers, fire risk assessors and enforcement bodies. It was a clear watering down of the government's promises to implement the Grenfell Inquiry recommendations and residents' interests are still at risk of being ignored or trampled on.

7. What changes, if any, should the Government make to the Decent Homes Standard?

The government should consult thoroughly with tenants /particularly tenants' organisations at all. Consultation with tenants was absent in the development of the 2004 and 2006 decent homes standards.

It has failed to fully involve tenants in its recent review of the standard.

LTF asked for representation on the review body. We were advised 'no' since our organisation is London-, not nationally, based. We noted that the G320 and G15 housing association landlords were both London based, but were engaged in the review.

Any new standard must come with guaranteed funding from the government to cover costs and with no strings attached (unlike the situation that occurred previously when tenants and or councils had to opt for stock transfers, PFI or ALMOs should they have insufficient funds to meet the standard).

8. Should the Decent Homes Standard be amended to include energy efficiency and other means of mitigating climate change, and if so, how?

See response above.

9. Should all providers of social housing, not just councils, be required to register with the regulator?

10. What challenges does the diversification of social housing providers pose for the regulatory system?

We would like to see that all institutions that exert direct influence on tenants' homes and neighbourhoods are accountable to tenants through democratic structures that operate in an open and transparent fashion ([See section 1.7 of the London Tenant Manifesto – a positive future for social housing in London](#)).

Yours sincerely

Pat Turnbull and Pauline Hutchison
LTF Regional Representatives

List of links to 31 articles in local press in London focused on the poor conditions in social housing tenants' homes over a period of 2 ½ months – October, November and part of December 2021.

- [S London mum with 5-week-old baby and 6-year-old in damp \(severe mould\) throughout her **Lambeth** council flat with holes in floor, in which her son's foot has been trapped on multiple occasions. He has skin conditions – insect creep from the gaps in the floor.](#) 17 December 2021
- [Southwark mum left living in mouldy flat with damp up to her waist and broken window screwed shut \(**Guinness Trust**\). She lived in a flat for almost 6 years and then was moved to another flat also with damp.](#) 17 Dec 21
- [Vulnerable mum and baby forced to live apart from dad stuck in council flat with no heating or hot water for a month \(**K&C council**\)](#) 26th Oct 2021
- [Vulnerable man – fell through floor of his 'hell hole' **Hackney** council flat would rather sleep on part bench.](#) 21 Oct 2021
- [Single mum of 3 with black mould in her \(**Clarion HA in Merton**\) 1-bed flat \(Sadler Close\). Family of 4 share one bedroom – son has asthma caused by the mould.](#) 13 Dec 2021
- [Mum forced to sleep in living room with disabled daughter after ceiling of her **Westminster** council flat collapses.](#) 14 Dec 2021
- [Horror of London \(**Peabody estate - Southwark**\) where 7 ceilings have collapsed.](#) 9 Dec 2021
- [Peabody Estate Westminster – where ceiling has collapsed and children rotate bedrooms because there is so much damp.](#) 15 Oct 2021
- [Autistic man's **Westminster Peabody** flat let unable to use his toilet for 6 months as it leaks into neighbour's home.](#) 11 Oct 2021
- [Westminster Peabody estate – thick black mould from nearby drainpipes. Water seeping through brickwork, flooding the estates path. Water flows down the stairs because of poor drainage.](#) 2 Oct 2021
- [London family stuck in mould infested \(Let Sell property managed by **Waltham Forest council**\) where leaks are so bad that they have an umbrella stuck to the ceiling in the bathroom. Tenant and wife both disabled](#) 13 Dec 2021
- [Mum badly burnt after pipe burst \(in **Westminster** council flat\) and flooded daughter's bedroom with boiling water](#) 08 Dec 2021
- [Mum living in rodent infested **Westminster** flat – eating food with cupboards strewn with droppings](#) 08 Dec 2021
- [Survivors of abuse living in a **Housing for Women** block of flats in **Lewisham** - with broken doors fear their safety. Communal doors have been broken for years.](#)

Homeless people occupy the hallways at night – leaving smell of faeces and urine. Residents also suffer smell of rotting food in their flats as bins (below their flats) are always overflowing. There are also issues of anti-social behaviour including eggs being thrown on balconies and fire risks with lighted cigarettes are dropped from balconies onto floors below, lack of fire alarms and damp and mould. Lifts often don't work. 25 November 2021

- [70-year-old living in mould ridden Wandsworth council flat with serious bed bug problem.](#) 24 Nov 2021
- [Mum, 27, living in mouldy Lambeth council flat with brown liquid running down the walls. The flat has a number of issues including extensive mould and extensive repairs that have not been resolved despite multiple requests to the council.](#) 18 Nov 2021
- [Family left with no heating or hot water for 3 months and it won't be fixed for ages in Hammersmith and Fulham flat](#) 16 Nov 2021
- [Mum of A2 Dominion flat in Hammersmith and Fulham have never had enough hot water to wash and bathe children.](#) 9 Nov 2021
- [Mum, 14-year-old son and baby daughter living in temp Clarion flat since 2018 in East London – other residents have gradually moved as Clarion say the flats are 'extremely' dangerous.](#) 16 Nov 2021

Because the mum rejected Clarion's options of living in a "crime ridden" estate nearby and out of borough in Walthamstow, Clarion served her a notice of possession order (known as a court order) last March. **She says she was horrified when a senior housing officer reportedly told her in a later meeting: "It's social housing, what do you expect?"**

Communal hallways reek of urine and gone-off food. There are faulty fire alarms and mice infestation. – 12 Nov 2021

- [Mum, 22, living with toddler and baby in Clarion home in Croydon says it is so grim she 'catches 3 mice a day'. Suffers condensation and black mould in bathroom.](#) 4 Nov 2021
- [Family living in mouldy Westminster council flat \(83-year-old and two grandchildren\) with serious insect infestation - in food.](#) 11 Nov 21
- [Vulnerable tenant of a Hackney Wenlock Barn TMO council flat has sought legal advice after complaining for 2 years about the state of his home.](#) Main issues – no heating and sink blocked and leak in kitchen pipe, damp and water (3 inches deep) has spread and all floors are saturated. Electrics remain in use – a serious danger to the tenant. Mould all over kitchen including furniture and cupboards are rotten. The kitchen extractor fan is broken. Bathroom as not working light – mould and damp on walls and basin blocked. Mould and damp also in living room and bedroom. 10 Nov 21

- [Bexley mum, 40, says stress of living with leaks, damp and mould for 7 years in L&Q block in Bexley has caused health problems. Flat has leaks, damp, mould and asbestos](#) 10 Nov 2021
- [London mum \(and three children\) left with no roof for three weeks and forced to pee in bucket \(Bexley council owned home\).](#) 8 Nov21
- [Streatham tenant living in damp and mould-infested property compensated two years after first complaint](#) A Streatham (**Lambeth council tenant**) has won £3500 damages after taking legal action against the council for a second time for poor living conditions. The tenant had been complaining since August 2019 about the damp and mould infested property. 19 Oct 2021
- [Disabled 56-year-old woman 'drowning in black mould makes a desperate plea to Lambeth council for help.](#) Tenant had been complaining for 2 years, they have sent out workers to fix the issue but the black mould remains and has spread across the ceiling of her bathroom. The tenants is housebound apart from hospital appointments. 14 Oct 2021
- [Brentford grandmother living in uninhabitable rat a damp infested Hounslow council house with family of 5.](#) W London disabled tenant who can hardly get down the stairs, feels like a prisoner in her home because of damp, rats and holes in the flooring. She has been witing for 6 years for her house to be made wheelchair accessible. A surveyor who visited her home has labelled the house uninhabitable. The tenant has osteoporosis, arthritis and beathing problems. 18 Oct 2021
- [Widower's flat so damp and mould ridden that pictures fall off walls and floors are covered in wet towels.](#) The 81-year-old has been living in a hotel for 3 months while he waits for **Clarion** to carry out repairs to his mould infested flat in **Merton**. Clarion sent a surveyor to see the property three times but took no action. 15 Oct 2021
- [A family living in mould, damp mice and asbestos in their Hackney council flat for more than 20 years has suffered another devastating blow as their living room ceiling collapsed.](#) 11 Oct 2021
- [Tenants' hell in fly-infested Westminster council flat where lights crackle due to leak in the ceiling and mould developing on walls – for 6 weeks as leak not fixed.](#) 12 Oct 2021
- [Care worker forced to leave home because of rats, damp and mould may not get new property 'until Christmas'.](#) **Clarion** flat with damp, mould and vermin in Merton. Tenant says she is one of many Clarion residents who are being moved into hotels while the housing association decants or completes repairs in properties. She said this is not an isolating incident, this is taking place with every other resident that Clarion is taking control over - why are they failing. 10 October 2021