

A response from Leeds Tenants Federation to the Tenant Services Authority: building a new regulatory framework.

About Leeds Tenants Federation

Leeds Tenants Federation is a resident-led organisation representing over 66,000 households across tenures in the city of Leeds, campaigning on housing issues and representing the views of local communities in strategic decision-making. We have a membership of over 1100 individual residents and 142 affiliated residents groups. Our membership is open to all residents who support our aims and we take innovative action to seek the views of people seeking social housing as well as those already holding a tenancy. We are represented at national policy-making level and take part in decision-making in city-wide and regional forums.

A New Regulatory Framework

Leeds Tenants Federation welcomes this opportunity to comment on the TSA's proposals for a new regulatory framework. We share the views expressed by many residents in the National Conversation that there are some excellent registered landlords who lead the way in providing top quality services, but that there are also some very poor landlords who are content to do the minimum and who continue to regard tenants with little respect. The TSA needs to provide a regulatory framework that encourages the best landlords and provides a firm stick to chasten the worst housing providers.

Co-Regulation

We welcome the proposal that tenants have a leading role to play in regulation and look forward to the development of Tenant Scrutiny among housing providers. We have been promoting tenant-led scrutiny to registered landlords in Leeds over the last two years and we offer our well-regarded independent tenant inspection services to housing providers. However, we have been struck by the reluctance of social landlords to resource their residents to act independently or to allow the Federation, as an independent resident organisation, to scrutinise their services. While all the landlords we work with have initiated some level of tenant inspection, none have invited an outside agency to support that inspection process and not one has enabled those tenant scrutinisers to trigger restorative action. It is very easy for housing providers to say they have involved tenants in setting service standards and in monitoring performance; but it is a completely different thing for housing providers

to do this in a manner that allows residents to act as representatives of their community, that allows them to make informed judgements and that encourages them to be challenging and confident in their dealings with housing officers.

Response to Proposed Standards

We would like to comment on the following standards:

Quality of Accommodation

We note that the Decent Homes standard sets a very low threshold for the quality of social rented accommodation and that there are many landlords – in the retained council sector and among ALMOs – who will not bring their stock up to standard by 2010.

Tenant Choice and Customer Service

This standard is open to a wide variety of interpretation and does nothing to prevent the worst landlords continuing to provide restricted services and a tick box approach to resident involvement. We believe that stronger wording is needed here: ‘tenants should determine’, not ‘help determine’; customer service should be ‘excellent’ not ‘good’.

Repairs and Maintenance

We welcome the recognition that repair response times need to reflect the significance of the repair to the tenant; we also welcome the importance given in this standard to getting it right first time. However, there is a potential conflict of interests between the landlord and the tenant in interpretations of inconvenience and waste that we feel the TSA needs to recognize. Standards of work, quality of materials, and opportunities for meaningful resident involvement in the selection of repairs contractors all need to be promoted through regulation.

Neighbourhood and Estate Management

We were struck by the absence of any mention of tenant expectations, tenant satisfaction or the significance to tenants in the wording of this standard and we regard this as one of the most important landlord functions. Such is the dissatisfaction with neighbourhood management that Leeds Tenants Federation is actively urging residents groups to explore the options for taking over management of estate services and consider further options for community control. This standard needs to acknowledge that ‘estates’ are now multi-tenure, mixed communities, that work with other agencies is essential and that residents have a key role in promoting a well-maintained environment. It is right that local standards accompany this

national standard, since the most deprived estates will need the most input and need to see dramatic results.

Anti-Social Behaviour & Safety

We welcome the focus on providing victims with on-going information and support and the TSA's recognition that tenants need to feel their landlord is taking action. That means that landlords need to take preventative and corrective action against all perpetrators who threaten the safety of their tenants; to that end we suggest that the final paragraph gives the wrong impression and it is not helpful to portray tenants specifically as perpetrators of ASB. We support the addition of local standards in this area and feel that they should complement the opportunities in the Policing & Crime Bill 2009 to ensure local accountability for all community safety partners. Local residents should set the priorities and the targets for their housing provider in maintaining a safe and secure neighbourhood.

Tenant Empowerment

We regard this as the weakest standard in its current wording. It suggests that tenants are the passive recipients of their landlord's involvement strategy rather than the people who demand involvement and say how they want to be involved and in what decisions. The aim of involvement should indeed be empowerment and that implies a change in power relationships with the outcome being a partnership of equals. We believe this standard should include an obligation on housing providers to promote opportunities for residents to manage, control and own their own homes and housing service.

Allocations

This standard attempts the impossible: to balance choice against availability and in the context of an acute shortage of affordable rented housing may set an unachievable goal. The TSA may think it is important to give guidance on exclusions from housing registers to ensure that housing providers give consideration to issues of social justice. We are struck by the absence of a separate standard for the **management of empty properties** and feel that the TSA should be acting to encourage excellent performance in turnaround times and lettings standards.

Tenure

The concern expressed by the housing charity Shelter over the increasing number of repossessions carried out by Housing Associations suggest that this is indeed an area where the TSA should seek to regulate and we would support a standard on rent arrears and repossession action. We are very aware of the potential impact of proposals from the Chartered Institute of Housing for annual reviews of tenants' circumstances and the persistence of proposals to means-test access to social housing. We welcome the commitment of the TSA to championing security of tenure.

Governance

We are concerned that good governance is often depicted to the board members of housing providers as acting in the interests of the company rather than in the interests of the tenants. We would urge the TSA to draft a governance standard that directs housing organizations to regard tenant satisfaction as their goal, and to be guided by the values of social justice. In that light we question that lack of any standards relating to equality. There is still much progress to be made among housing providers in ensuring equality of access and equality of outcome and this, in our opinion, is an area where regulation would be beneficial.

Conclusion

Leeds Tenants Federation believes that the TSA is listening to residents and has incorporated many of their concerns in these standards. However, the TSA should not assume that all landlords will respond to light touch regulation, or that there are not still major conflicts of interest between tenants and landlords. We feel that the current wording of the standards on tenant choice and customer service, and tenant empowerment are particularly weak. We feel there is a case to suggest that additional standards on repossession action, exclusions, managing empty homes and equality are all needed. We look forward to an increased role for residents in co-regulation and hope that we can rely on the TSA to promote forcibly the rights of tenants to be resourced to act independently, and to achieve collectively a real partnership of equals with their landlords.

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