



---

*ENSURING FAIRNESS FOR TENANTS & RESIDENTS*

# A MANIFESTO FOR CHANGE

October 2021



[www.taroetrust.org.uk](http://www.taroetrust.org.uk)



## MANIFESTO FOR CHANGE 2021

### Manifesto Principles:

To simplify the set of changes required, a set of broad principles are proposed that complement specific actions and make it clear what TAROE Trust stands for.

1. National housing policy should be tenure neutral enabling rented accommodation in the regulated sector to be a “sector of choice” and not one of last resort.
2. Housing options should be available where supply of truly affordable housing meets demand.
3. Rented accommodation and any associated communal areas within the regulated sector should be safe, decent, fuel efficient and appropriate to meet household needs.
4. Landlords should provide high quality, efficient and effective repairs, maintenance and customer services that are compliant with all legislative and regulatory obligations.
5. Rented accommodation should offer long term security of tenure.
6. Tenants and residents, including independent tenant and resident groups, should have a right for their voices to be heard and respected by their landlord and responses to tenants and residents made promptly and transparently.
7. All tenants and residents should have opportunities to be effectively involved in shaping landlords’ strategic objectives and service delivery and for engagement to take place on an equal and proportionate basis with tenants and residents.
8. There is an urgent need for effective and proactive consumer regulation to protect the interests of all tenants and residents and to obtain fair resolution of complaints and redress when things go wrong.
9. Tenants’ rents and/or service charges should not be subsidising new housing supply, retrofitting of properties or other non-housing related activities. They should also not include costs of rectifying defects in design/specification, construction, and warranty.
10. Landlords should take into account the equality and diversity needs of their tenants and residents, and should strive to promote diversity in all that they do.

## Manifesto actions:

Item	Area	Action	Commentary
1a	Increased housing supply	A restructuring of housing supply systems which result in different development and funding arrangements that ensure increased availability of rented homes and more equitable outcomes, including more housing available at truly affordable rent levels.	<p>This may involve increased housing capital subsidies, and/or more innovative solutions in which the sector represent a sound and stable focus for public investment.</p> <p>It should not involve revenue funding of new supply where some people on limited income levels are meeting a disproportionate burden of funding new supply due to structural failings of the housing system.</p> <p>We will look to explore options and opportunities for how this could be delivered.</p>
1b	Increased housing supply	Review and identify options that bring increased numbers of Empty Homes back into occupation.	<p>2.6% of England's housing is currently vacant (MHCLG: Oct 2019) of which circa 225k are long-term vacant. Research and initiatives to bring these properties into occupation need to be explored and implemented. This is likely to involve funding initiatives that bring vacant properties up to a lettable standard and represents an appropriate asset investment. Local authorities should also be entitled to retain 100% of the receipts from any empty homes disposals in their ownership and be required to reinvest receipts to ensure reinvestment in truly affordable rented housing on a least a 1-for-1 replacement basis.</p>
2a	Sector of choice	A review of rent setting methodologies currently in place and establishment of a new system that allows	<p>New definitions of affordability are required, which make housing truly affordable. For instance, "affordable" should mean housing</p>

		landlords to offer rents at truly affordable levels.	costs are no more than 35% of net household income.  Research into “living rent” models is required.
2b	Sector of choice	Abolition of fixed term tenancies to provide stability and long-term security.	There may be benefits derived from increased flexibilities in the housing system. However, the existing approach to offering fixed-term tenancies is arbitrary and creates instability within a system of imbalanced power relations.  Administratively the periodic review of fixed term tenancies is burdensome and costly.
2c	Sector of choice	Review the Right to Buy policy to remove features that lead to unfair outcomes, such as discount levels and access to the right by others.	Many local authority tenants (or former tenants) have benefited from accessing this right. However, the system should allow local authorities to retain 100% of the proceeds of sale for reinvestment in new and truly affordable housing for rent (‘social rent’ or new replacement “living rent”). The policy should ensure at least one-for-one replacement and remove some of the inherent injustices to the housing system that this policy currently creates.  The true and full costs of homeownership should also be set out clearly in advance of any purchase.
2d	Sector of choice	Promote exploring the establishment of a “Tenant Incentive Scheme” that provides capital grants to all regulated housing sector tenants to enable those who can afford to buy properties on the open market to do so.	This initiative would effectively establish a “portable discount” for tenants, assisting those to access homeownership whilst freeing up truly affordable rented properties for others.

2e	Sector of choice	Legislation enacted that abolishes the use of Ground 8 by landlords in possession proceedings.	This provides landlords with a mandatory right to possession when arrears pass a certain threshold, even where such arrears may be attributable to benefit payment errors. This approach runs contrary to the objectives of the sector to provide affordable and secure homes.
2f	Sector of choice	Tenants of housing associations to have the Right to Manage to take control of their housing management.	Whilst this will not be for everyone, there is inherent value for some in being able to take greater control of their housing management.
2g	Sector of choice	Abolition of squatting as a criminal offence.	This is a costly and unnecessary piece of legislation. It is largely designed to protect the interests of property speculators sitting on empty properties.
3a	Reversal of stigma	Adoption of new terminology for the sector, to be referred to as the “regulated housing sector”.	<p>All bodies involved in the regulated housing sector should do more to highlight its inherent value, and the positive function it has in society.</p> <p>Landlords encouraged to move away from use of the term “customer” when the term “tenant”, “resident” or “leaseholder” is more applicable. Whilst there may be limited circumstances where there is a non-tenancy/lease relationship, it otherwise undermines the legal status of the Tenant / resident and suggests power to exercise choice when not available. Use of the term ‘tenant’ only in formal tenancy related action also further stigmatises this term by affording it only negative associations.</p>
3b	Reversal of stigma	Promotion of positive role models and narratives about the sector, such as	

		that highlighted by the work of the 'See the Person' campaign.	
4a	Tenant Voices	Research to be undertaken, and backed by the sector, in which tenants and residents are asked and options identified for how a platform for tenants' voices to be heard at a national policy level could be established.	<p>The views and experiences of tenants and residents are heterogenous. However, there are limited avenues through which tenants' voices can be heard at a national, policy-making level.</p> <p>We believe there is significant room for additional channels to be established that increase understanding and influence of tenants and residents in the regulated housing sector on housing policy and believe formal research should be commissioned to identify potential solutions to this issue.</p>
4b	Tenant Voices	Regulatory obligation that Boards ensure tenants and residents have a strong voice at all levels of a landlord's decision-making processes, including but not limited to the board room and within a landlord's wider shareholding.	<p>This does not necessarily mean that all Boards must contain tenants or residents, but there could be an assumption in favour of this, alongside a requirement for landlords to demonstrate how tenants and residents influence decision-making and publication of outcomes achieved. This includes the proposed regulatory requirement for tenants and residents to be consulted in the development of a landlord's corporate strategy prior to its approval and to identify how such input has influenced its content.</p> <p>We also believe that all landlords should be required to recognise and support collective tenant representation.</p> <p>There is also potential for an increased role for tenants and residents in shareholder arrangements or mutual models (i.e. through rights of tenants and</p>

			<p>residents to have shareholding ownership in housing association landlord ownership structures which give an increased role for such in key organisational decisions). There is recent case law (<i>Lehtimäki and others v Cooper [2020] UKSC 33</i>) that suggests shareholders must have a more significant role in future decision-making of charitable organisations. This could include requiring Boards to (1) propose pay structures subject to a binding shareholder vote; (2) mandatory requirement to produce an ESG (environmental / social / governance) report which includes, the requirement to report on their impact in tackling climate change and again subject to a binding vote.</p>
4c	Tenant Voices	<p>Government to launch a Tenant Empowerment funding programme that enables tenants and residents, and formal tenant and resident groups, to access funding, training and advice.</p>	<p>There were commitments in the Social Housing White Paper to introduce and launch a new programme of funding. This should support:</p> <ul style="list-style-type: none"> <li>• how tenants can engage with their landlords more effectively</li> <li>• guidance for tenants on their rights and responsibilities</li> <li>• how to establish formal tenant groups</li> <li>• tenant/landlord mediation</li> <li>• fund establishment of a bank of good practice for effective tenant engagement and empowerment</li> </ul>
4d	Tenant Voices	<p>Formally constituted tenant and resident groups to have a “right” to be heard by their landlord through consumer regulation.</p>	<p>Landlords to be placed under a regulatory obligation to assist in the promotion of collective tenant representation and the rights of tenants to self-organisation to enhance tenant/landlord co-production, enhance</p>

			<p>accountability, and deepen democratic engagement in housing policy and practice. This includes the provision of financial and staff resource support.</p>
5a	Consumer regulation	<p>Ensure the promises made by Government in the Social Housing White Paper are implemented in full, including a return to proactive consumer regulation that offer extensive “rights” to tenants and routinely inspects service quality.</p>	<p>A comprehensive set of promises have been made by Government in the Social Housing White Paper. These are welcomed, and if implemented should significantly strengthen consumer regulation. These promises need to be delivered, and TAROE Trust will work to influence the implementation of this ambitious programme to ensure it is delivered.</p> <p>TAROE Trust would also like to see the abolition of Section 108 of the 2015 Deregulation Act which requires public bodies and regulators to promote economic growth and take regulatory action only where this is ‘needed’ and ‘proportionate’. This should not be assessed only through the lens of economic growth but through achieving consumer protection objectives.</p>
5b	Consumer regulation	<p>An honest and transparent system of monitoring tenant satisfaction should be implemented that is transparent and follows a consistent methodology.</p>	<p>Government and the Regulator of Social Housing has committed to introducing a new system of Tenant Satisfaction Measures. This is positive and welcomed.</p> <p>Landlords also need to adopt a more honest and transparent approach in communicating their work, and particularly around satisfaction and performance consumer metrics.</p>
5c	Consumer regulation	<p>Legislation passed that incorporates consumer and regulatory protections into all tenancy agreements.</p>	<p>Landlords routinely take legislative action against tenants within a system where there is an imbalance of power and</p>



			resources. Providing tenants with strengthened consumer rights in their tenancies would, to an extent, re-address this balance of power.
6a	Building safety	TAROE Trust wants to ensure that the new building safety regime, such as through the Building Safety Bill and other associated legislation and regulations, are implemented effectively.	The new system should place tenants and residents at the heart of decision-making. There should be transparency to the system, with information available to enable tenants and residents to make informed decisions, feel secure in their homes, and the ability to take action when safety is compromised.
6b	Building safety	There are many tenants and residents that continue to live in properties that are not safe. Whilst Government has met the costs of some remediation, it is not sufficient and more needs to be done to ensure no tenants and residents in the regulated sector are forced to live in homes that are not safe.	It is a national scandal that so many tenants and residents continue to live in unsafe homes, and more action and funding is required to remediate these terrible circumstances.
6c	Building safety	All landlords be required to exercise “sensitive lettings” practices that take into account the current and anticipated future household needs particularly in high-rise buildings.	This will need to be assessed on a building specific basis and require consistency with new building safety requirements.  It may involve exercising approaches that prevent households with particular needs from being allocated properties above a particular floor for instance, and without impacting on an applicant’s rights to housing.
7a	Housing Standards	There needs to be a thorough review of the Decent Homes Standard which brings it in line with	Standards need to align with other legislative systems and be thoroughly enforced.

		tenant and resident expectations, incorporate challenging environmental and sustainability standards, and provide for aspirational standards to be set by landlords.	Tenants' rents should not be utilised to "test" out new sustainable technologies.
7b	Housing Standards	Tenants and residents need to have a role in the scale and design of new building standards, which need to reflect modern forms of living.	New buildings need to have increased space standards, be thermally efficient, and be equipped with modern facilities suitable for a digital world.

## FURTHER DETAILS ON TAROE TRUST

TAROE Trust is a charity formed in 2013 out of the former national tenant representative organisation, Tenants and Residents Organisations of England (TAROE). It has been established to further charitable objects which can be summarised as follows:

- The relief of financial hardship by providing free advice and assistance on housing issues to persons who would otherwise be unable to obtain it.
- To promote social inclusion for the public benefit among people who are excluded from society or part of society by:
  - Providing advice and assistance and building capacity on housing matters
  - Working to promote the needs of people who are socially excluded and to raise awareness of those needs among housing providers, service agencies and the general public
  - Researching links between housing and social exclusion and publishing the useful results thereof
- To develop capacity and skills among members of socially and economically disadvantaged communities which evidence deprivation in such ways that they are better able to identify, and help meet, their needs in housing related matters in particular and to participate more fully in society.