



## Northern Ireland Assembly

### COMMITTEE FOR SOCIAL DEVELOPMENT

Please use this form to submit written submissions in relation to the Houses in Multiple Occupation (HMO) Bill. Return to

[committee.socialdevelopment@niassembly.gov.uk](mailto:committee.socialdevelopment@niassembly.gov.uk) by Tuesday 6 October.

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Organisation: (if applicable)     Sans Souci Residents Association (SSRA)    

Date:     6<sup>th</sup> October 2015    

Sans Souci Residents Association (SSRA) is open to membership of all residents of Sans Souci Park and the surrounding area. With 2000 beds of Purpose Built Student Accommodation on its southern aspect, and many private HMOs, bedsits and rented flats in the area, SSRA recommends legislation whose clear intention is to encourage:

- Good quality housing for all;
- Clear duties for **all** landlords AND tenants;
- Protections for domestic ratepayers; and
- Pride in place and community.

New legislation should prevent poor quality housing provided purely for the profit of landlords (be they private landlords, public sector providers, investors or universities). New laws would provide safeguards for landlords and tenants, neighbours and communities. This people-focussed approach provides the best possible opportunity for improving the long-term sustainability of equal, peaceful, integrated and healthy residential communities across Northern Ireland. A comprehensive and transparent set of statutory definitions is required (for example, of the term 'HMO'), so as to close loopholes and unintentional adverse consequences which arise from legislation and policy.

#### **EXEMPTIONS FROM LICENSING: PROTECTING RESIDENTS**

Elsewhere in the UK, universities are excluded from registration requirements, if they comply with a statutorily recognised Code of Practice. However the relevant ANUK Code of Practice for student accommodation to which Queen's University subscribes addresses neither:

- Anti-social behaviour (ASB); or
- Respect for local residents and communities.

SSRA recommends that HMO licensing exemption should only be provided to student accommodation providers who demonstrate compliance with a code of practice which (as well as other required standards and requirements) has in place an **effective and proven** commitment to supporting and enhancing local community, as well as **effective** disciplinary procedures for addressing anti-social behaviour. Exemptions should be regularly reviewed. The experience of local residents should be a relevant factor. SSRA experiences a significant and persistent problem caused by anti-social behaviour from both Queen's University student residences and private sector landlords in the area, who are not taking appropriate action to combat the problem.

## **SECTION 11: SATISFACTORY MANAGEMENT ARRANGEMENTS**

Sub section 11(c) should be amended to ensure that “suitable” cannot be inappropriately interpreted in the context of the legislation: “...whether any proposed management structures and funding arrangements are suitable.”

**would read:** “...whether any proposed management structures and funding arrangements are suitable and where relevant proven to deliver the licence conditions.”

## **SECTION 14: DUTIES OF TENANTS SHOULD BE PRESCRIBED**

The drafting of Section 14 should **require** the local council to include, in licensing conditions (including licence renewal), legal obligations for tenants, punishable if breached by a fine of up to £5000. Normally these will include reasonable access, care of fixtures and fitting, refuse and fire safety compliance. **These conditions should also include** respect for neighbours and community, and respect for the landlord’s anti-social behaviour guidelines (which should also be a requirement for the landlord to provide).

It should not be an option for a tenant to decline these conditions. (Section 14(5) and Sub section 14(6) as drafted appear to constitute a loophole in this regard: Sub section 14(5): “ But an HMO licence may include a condition imposing a restriction or obligation on a person named in it (other than the owner or managing agent) only if that person has consented to the imposition of the restriction or obligation.” Sub section 14(6): “An HMO licence may not include conditions requiring, or intended to secure, any alteration in the terms of any tenancy or other occupancy arrangement under which any person occupies the HMO.”

## **SECTION 13: AMENITY SPACE**

Our society has made huge advances in housing provision. All permanent homes need living space for basic amenities – rubbish storage and disposal, access, drying clothes, space for children to play, space for planting, space to sit and socialise outdoors.

Section 13,14 and all other relevant HMO legislation must be examined to ensure the department and local councils are required to ensure **all** these parameters are covered, if people living in HMOs are to maintain decent living standards. Otherwise individual tenants and communities are inadequately protected. Rubbish will accumulate in our back alleys; black bins will be stored outside front doors on the public footpath; washing will be draped over front walls and out of windows; crowds of young men will gather on street corners; and children will play too close to busy roads. Section 13 as drafted appears geared to maximum cramming, to the detriment of individual tenants’ quality of life, and the character of the local area. Section 13 is inadequate.



### **UNDERSTANDING THE CONTRACT**

In these times of increasing migration, landlords should be required to provide certified translations of HMO tenancy agreements in the native language of the person(s) signing it. The landlord should also ensure that all tenants understand, through face-to-face communication through a suitably qualified interpreter, when they are signing up to its conditions.

Conversion of properties to HMOs can both be a profitable development opportunity and provide a decent standard of housing for students, young people, migrants and people on low income. If legislation is too lax, the standard of housing provision can be sub-standard, and there can be an adverse impact on the settled population of ratepayers. Character and amenity of an area can be changed for the worse by high concentrations of HMOs, because of high transient population density, breakdown of community and drop in school enrolments, litter, and illegal and crammed on-street parking. Developers who 'land bank' properties (where permission for HMO license is denied make residential streets unsuitable and unsafe for family living, and change the character of an area. The role of legislators is crucial in providing the best possible statutory framework for the entire population, ensuring that neither the developer, the landlord, nor the unreasonable resident has precedence.

### **OVERPROVISION – SECTIONS 8.2(d), 12 and 20.4**

Ray Farley's submission rightly states that over-provision of HMOs is a major issue for areas such as South Belfast where communities are being swamped by student accommodation, hostels, and HMOs, and refers to the subject area plan in the recently announced Belfast Urban Area Plan. His position is supported by SSRA: "Overprovision of Houses of Multiple Occupancy is unjustifiable in any circumstances. Current proposals for c6000 new student bedspaces around Belfast City Centre are in the planning process. If even some of these are approved, they will have impact on 'HMO need' in Belfast. When it comes time to renew HMO licenses, the housing need profile will likely have changed dramatically. Excluding the overprovision test at renewal time makes no sense: and will only serve to undermine the Councils contributions to addressing housing need."

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