Introduction
1. Overall members of East Ayrshire Tenants and Residents Federation (EATRF) welcome the content of the Bill. We will focus our response in the following sections:
   • Ending the Right to Buy on new supply housing and for new tenants
   • Introduction of the Scottish Housing Regulator
   • The development of the Scottish Social Housing Charter
   • Measures to improve the private rented sector and owner occupied properties
   • Other issues we feel need consideration and improvement

Right to Buy
2. We welcome the proposals to end the Right to Buy (RTB) on all new supply housing and for new tenants. It is our view that although the RTB has benefitted many people in our communities and across Scotland, in many areas this has been detrimental to the social rented housing sector in terms of:
   • There is a limited supply of good quality family homes for rent
   • Some houses purchased through the RTB are now rented out in the private sector and are not effectively managed or maintained, causing nuisance to communities in terms of anti-social behaviour that is difficult to address and problems to the tenants and wider community in terms of lack of investment and maintenance in these properties

3. We agree that in some cases it may be beneficial to communities in terms of protecting the numbers of rented houses, to suspend the RTB in pressured areas or for specific house types and consider that devolving this to local authorities should speed up the process and make local decisions relevant to local areas. However we feel that tenants’ organisations and the potentially affected tenants should be involved in all discussions relating to any proposals to suspend the RTB in such cases and in the final decision.

Scottish Housing Regulator
4. We are pleased to see that the Scottish Housing Regulator will be an independent board and will regulate both housing association and local authority landlords.

5. We consider it is vital that there is tenant representation on the Board and that effective and regular feedback mechanisms are put in place to ensure communication between the Board and tenants organisations.

6. It is our view that tenants organisations and tenants should agree and be given clear details of the service standards that landlords should be delivering on and are regularly involved in the monitoring of all aspects of the service at a local level – not just when the SHR is in the area carrying out an inspection.
7. We would also like some clarification on how the SHR will be funded and how it will be accountable to tenants and tenants organisations.

**The Scottish Social Housing Charter**

8. We consider that the introduction of such a Charter should only be beneficial to tenants and landlords and should ensure that all landlords provide equally high levels of service to their tenants and factored owners.

9. Firstly Tenant Participation should be integral to all aspects of the housing service and should be regulated, monitored and supported by the SHR and in particular we consider that the Charter should focus on among others:
   - Allocations
   - Tenancy Management
   - Estate Management
   - Repairs and Maintenance
   - Capital Programme / Housing Investment Plans
   - Progress on achieving the Scottish Housing Quality Standard
   - Rent Setting / Rent Policies
   - Regeneration
   - Value for Money

**Allocations**

10. In terms of Allocations we are concerned that landlords either do not consider the detrimental impact that housing some difficult tenants will have on communities or continually move “bad tenants” from one house or area to another. We are concerned that the Government’s aim to abolish homelessness by 2012, while admirable does not take into account the negative effects that housing some people will have on communities and other tenants / residents, this is in particular reference to Anti-Social Behaviour and drug dealing. It is our view that in some cases the Homeless legislation is abused by people who “queue jump”.

11. The practice of concentrating allocations based on need does not allow for movement within the stock and we consider it unfair that “good tenants” wishing to move to another area or house type are often unable to move as they are considered to be “adequately housed”.

12. We also consider that there needs to be more support available in terms of managing tenancies of young people.

**Tenancy Management**

13. It is our view that landlords should have increased powers to deal with anti-social tenants and tenants who continually breach their tenancy agreements in order that the problems endured by many communities can be dealt with quickly and efficiently.

14. The increased powers to deal with the private rented sector are welcomed and also need to be enforced quickly and effectively.
**Estate Management**
15. We would like to see more monitoring of estate management services and consider that all landlords in an area should have a positive and joined up approach to this. This should include the effective management of open spaces, gardens, communal areas such as back courts, closes, controlled entries et al as well as tenancies.

**Repairs and Maintenance**
16. More effective repairs and maintenance services are required in many areas and we feel that tenants should be getting better value for their rent money in relation to these services.

17. This should be evident in the work carried out the external fabric of the houses as well as internally.

**Capital Programme / Housing Investment Plans**
18. The SHR needs to look at how landlord capital programmes / housing investment programmes are being delivered to ensure tenants receive a good service, improved amenities and value for money.

**Progress on achieving the Scottish Housing Quality Standard**
19. As above

**Rent Setting / Rent Policies**
20. The SHR needs to look at landlord rent setting profiles and structures and how this has been in agreed with the involvement of tenants and tenants’ organisations.

**Regeneration**
21. Where regeneration projects are taking place in an area the SHR should be looking at tenant participation within this, ensuring that the money made from land sold or transferred out with the ownership or control of the landlord that the money made from this remains with the landlord for the benefit of existing and future tenants.

**Value for Money**
22. It is our view that the Housing Revenue Accounts of local authorities should be “ring fenced” and remain within the housing account for the benefit of existing and future tenants.

23. We also consider that local authority housing departments’ should not be unfairly burdened in terms of the payments made to central council services such as finance, legal et al. The SHR should therefore be ensuring that rent payers money is only used to the “actual” services used and not to subsidise other parts of the Council.

24. Value for Money should underpin all decisions taken in terms of service delivery and investment programmes and the SHR needs to look at this along with tenant representatives.
Improving the Private Rented Sector and Owner Occupied Properties

25. We are very pleased to see the inclusion of measures to address the issues within the private rented sector in particular. If the government is serious about “creating sustainable mixed communities” this will only be achieved if local authorities and other Social Landlords have increased powers to deal with poor private landlords and problem private tenants. In many of our communities we suffer the consequences of poorly managed / factored private properties.

26. We welcome the principal of social landlords being able to carry out work to privately owned properties and billing owners for the costs – however owner occupiers may need some flexibility in payment methods and access to grant funding for more significant works.

Other issues

27. In terms of the Governments aim to safeguard social housing for future generations it is our view that the Government needs to increase the level of investment available to local authorities and housing associations to build new houses for rent and significantly improve current homes, in particular to deal with issues such as:
   - Dampness
   - Insulation
   - External fabric of the buildings
   - Controlled entry doors in flats and multis

28. Landlords and tenants organisations also need increased influence / powers and / or be more able and willing to deal with the effective management of communities in terms of environmental standards, open spaces, services delivered by other departments such as cleansing, street cleaning, roads et al.

East Ayrshire Tenants and Residents Federation

1st March 2010