

Written Evidence: London Councils - Renters' Rights Bill: Asylum Accommodation

London Councils is the collective of London local government, the 32 boroughs and the City of London Corporation. They come together through London Councils to work in collaboration to deliver their shared ambitions for London and Londoners.

Overview

London is home to an estimated 2.7 million private renters. Privately rented properties now account for 31% of homes in the capital, much higher than the next closest regional average of just over 19%. Home ownership is unaffordable to many Londoners and there are extremely long waiting lists for social housing. As a result, having access to a safe, secure, and affordable private rental property is vital for many Londoners.

The Renters' Rights Bill represents a major step forward. London Councils welcomes many of the measures included in the Renters' Rights Bill and we support the government's aim to deliver a fairer, more secure, and better quality private rented sector (PRS). In the context of London's severe housing pressures, growing homelessness crisis, and lack of available PRS properties, there are several areas where we are seeking further policy action from the government.

In addition to the content within the written evidence London Councils has previously submitted on the Bill, we ask that government considers how the Bill can ensure inclusion of Home Office accommodation within its provisions to ensure asylum seekers and refugees benefit from the same protections. It is important that the Bill does not give rise to a 'two tier' system in which a small minority of rogue landlords may be incentivised to procure poor quality PRS accommodation for use as asylum accommodation.

In addition, people within asylum accommodation face particular vulnerabilities shaped by their precarious living and legal situation which the Bill should recognise. This includes the destitution criteria to receive section 95 support; reliance on Home Office contractors to accommodate and provide meals; the mental and physical effects of displacement including likely trauma experienced in someone's country of origins and during journeys to the UK; short-notice moves within the asylum estate; and the inability to work while in the asylum system.

Standards in Asylum Accommodation

- Extensive feedback provided by London local authorities across the last 12 months has highlighted evidence of overcrowding, lack of ventilation and natural lighting, lack of communal space, poor food quality, leaks, rodent infestations, fire safety concerns, bedbugs, mould and damp. Room sizes and overcrowding were particularly recurrent issues raised. London Local Authorities have shared that some HMO dispersal properties have been found to be unlicensed or in breach of their licencing conditions.
- In one recent case, a London borough reported 12 different bed bug infestations in a hotel in their borough. Response from Home Office and contractors has been slow, and the detrimental impact on the physical and mental health of residents has been significant.

- In another case, one London borough has shared that 10-12 men have been sharing hostel dorm rooms for over two-years. A recent inspection found that several of the rooms in the hostel violated space standards.
- Fire Safety is a further key area of concern; In two separate fire incidents in asylum hotels in London boroughs in March this year, neither borough was informed that a fire had occurred within hotels in the borough.
 - Owing to the fire damage, residents were moved into hotels in neighbouring boroughs. This caused significant disruption to the schooling of children, and raised broader issues around the assurance and oversight of fire safety standards and procedures across asylum hotel accommodation.
- We welcome that some progress has been made in the sharing of intelligence on standards between Home Office and London boroughs. However, capacity issues in the assurance team has prevented this work being scaled up and enforcement action is often slow when issues are identified in the inspection reports. We understand a number of barriers remain in implementing effective enforcement action including the subcontracting model of Home Office providers, lack of capacity in Home Office assurance, and misalignment between HO and LA standards. Extending the provisions of the bill to asylum accommodation would assist creating uniform standards and give statutory bodies greater powers to take enforcement action.
- London boroughs have also raised concerns with us regarding the pathways for people living within asylum accommodation to raise issues and make complaints. Migrant Help is subcontracted by the Home Office to monitor and respond to issues and complaints. However, boroughs have shared that responses are slow, residents spend hours at a time waiting to get through via the helpline, and in some instances we have seen evidence that complaints have not been recorded. We therefore call for the provision of an independent ombudsman to be extended to asylum accommodation to ensure independent oversight and timely resolve of issues. People with precarious immigration status are often less likely to report issues out of fear for the impact on their asylum claim. Having an independent body give people seeking asylum greater agency and trust in the system.

Key asks and suggested amendments

- The Bill extends Awaab's Law from the social rented sector to include the private rented sector. In order to ensure the same protection for people seeking asylum, the bill should be extended to Home Office contracted accommodation (both contingency and dispersal accommodation).
- The Bill makes provision for a Decent Homes Standard to apply to the private rented sector. The Bill should be amended to extend the Decent Homes Standard to asylum accommodation as above.
- The Bill introduces a new Ombudsman to protect renters' rights. The Bill should be amended to introduce a commitment to ensuring the Ombudsman is accessible to those within the asylum system given the current issues with the reporting and recording of complaints.

Other factors to consider

- Council resources are already extremely stretched. London boroughs' overall resources are 20% lower in real terms than in 2010, and London Councils forecasts a funding shortfall of

£700m for London local government in 2025/26. The government should therefore commit to a full new burdens assessment for local authorities in relation to the Bill to ensure they are sufficiently resourced to meet the new legal duties it creates. Councils will need significant additional funds and resources to be able to implement their new duties and carry out enforcement. This will be essential to ensuring the Bill succeeds in boosting standards.

- Consideration of obstacles facing refugees in accessing the PRS sector. This includes particular vulnerabilities around exploitation risks and a higher likelihood that refugees will reside in poor quality accommodation and often face overcrowding. Government must also grapple with the need for funded move-on accommodation options for people leaving the asylum system. This should include investment in Local Authorities and VCS organisations to help provide deposits and first month's rent. To increase housing supply, lessons should be drawn from the Local Authority Housing Fund used to house people arriving via Afghan resettlement and Ukraine schemes.