

SEFTON LABOUR GROUP

NOTICE OF MOTION

TO BE PUT TO THE COUNCIL MEETING ON 19 JANUARY 2023

Moved by: Councillor Jen Corcoran

Seconded by: Councillor Carla Thomas

Housing Benefit Discrimination

This Council notes that: -

- It is already very difficult to access housing for people on low income/in receipt of benefits due to scarcity of social housing and high rents in the private sector that often exceed local housing allowance. It is on this basis that the Council is being proactive in seeking to help meet the housing needs of local people through the new Council Housing Programme and Sandway Homes. This approach is in parallel with the work being done with other local providers to maximise the amount of affordable housing in the borough. However, the private rented sector plays a critical role in helping to meet our housing needs and will continue to do so in the future.
- Even where people's income (through benefits or otherwise) is sufficient, they also often face 'housing benefit discrimination'.

Council further notes that housing benefit discrimination takes the form of:-

- Overt discrimination

Where properties are listed as 'No DSS' or 'no housing benefit' applicants.

There have been two County Court cases brought against residential lettings agents which have found rejecting tenancy applications because the applicant is in receipt of housing benefit was unlawfully indirectly discriminatory on the grounds of sex and disability.

- Covert discrimination

Indirect ways in which landlords and letting agents effectively exclude applicants on housing benefit, including but not limited to:-

- Insisting on a guarantor or excessive upfront rent payment;
- Imposing affordability checks that automatically fail benefit recipients/those on low income;
- Pointing to exclusionary insurance company/mortgage lender rules;
- Pointing to landlords' 'personal preferences';
- Being stonewalled by agents.

Despite the illegality of housing benefit discrimination in certain situations, research conducted by Cllr Jen Corcoran between October and December 2022 shows that

over 65% of rental listings in Sefton on OpenRent exclude 'DSS applicants'. This figure rises to 75% in Southport. *

This Council defends the right to decent housing, as demonstrated by the commitment to social housing, and will work to eliminate housing benefit discrimination from Sefton by asking:-

That Officers of the Council:

- Explore the possibility of making amendments to the Landlord Licensing Scheme to allow for us to revoke a landlord's licence on the basis that they are no longer considered 'fit and proper' on the basis that a court of law has determined that the licence holder has:

'practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business'

That the Leader of the Council writes to the Secretary of State for Levelling Up, Housing and Communities to request:-

- An increase in Local Housing Allowance in line with real market rents;
- More powers to tackle housing benefit discrimination, including power to prohibit landlords requiring guarantors/excessive upfront rent from tenants;
- The establishment of a government backed Deposit Guarantee Scheme for private tenants; and
- Additional resources to allow the Council to enforce any new powers in this regard and to: -
 - Establish, promote and resource a system for public to report instances of housing benefit discrimination, and for council officers to investigate and respond; and
 - Record and publish data on issue of housing benefit discrimination.

Furthermore, we call on Elected Members to:

- Publicly endorse ACORN's campaign "Yes to DSS"; and
- Make constituents aware of the community union ACORN and encourage them to join with a view to establishing a Sefton branch.

**Open Rent website findings based on available properties to rent within 7km of Sefton, then 7km of Southport as search terms, sorting by accepting DSS tenants.*