



Position Statement June 2008

The Tenant Regulator

Professor Martin Cave's Review of Housing Regulation recommended that there should be 'cross-domain' regulation for social housing. Cave concluded that it is vital that all tenants receive good quality service through a regulation system which is where possible similar for all types of provider.

On October 15th 2007, the Minister for Housing (then Yvette Cooper) announced the decision to establish an independent, stand alone body - the Office for Tenants and Social Landlords, also known as the Tenant Services Authority (TSA), which will be implemented through the Housing and Regeneration Bill, (currently at the committee stage in the House of Lords).

The TSA will be operational at the end of 2008 and will take on the regulatory functions of the Housing Corporation and is intended to be an independent regulatory body with powers to protect the interests of tenants.

The TSA will also register providers (owners) of social housing. Initially this will be restricted to Registered Social Landlords (RSLs). The draft Queen's speech announced the government's intention to use the forthcoming Community Empowerment, Housing and Economic Regeneration Bill to extend the powers of the new social housing regulator to cover local authority landlords and their tenants.

According to the Government the bill will give all social housing tenants, regardless of who their landlord is, greater choice, protection and influence over how their homes are managed. Whilst this is welcomed we believe waiting for another Parliamentary Bill creates unnecessary delay and that council tenants and landlords could be included within the scope of the regulator from its outset.

The Community Empowerment, Housing and Economic Regeneration Bill is not likely to come into effect until 2011, two years after regulation of housing associations and their tenants has been established.

ARCH's View

ARCH **welcomes the principle of the TSA** which will promote better services for tenants. ARCH is a member of the Cross Domain Advisory Panel on social housing, where we are campaigning on behalf of stock retained authorities on this issue. We believe that retained landlords should help to influence the shape of the new tenant regulator and that our

tenants should have access to high quality services. **We are concerned that the initial inception of the TSA does not cover local authority tenants.**

We believe that **our tenants should have the same rights and protection as RSL tenants.** The Bill presents the Government with an ideal opportunity to implement from its inception Prof. Cave's vision of a single tenants' regulating body.

The current proposed **two-tier system** will mean that our tenants will not have the same rights as their neighbours. In many areas local authority tenants are residents of the same streets and estates as their RSL neighbours, yet for the next two years they will not have the same protection rights. ARCH believes **this is fundamentally unfair and disadvantages our tenants** and gives housing association tenants greater choice, protection and influence than their local authority neighbours.

We therefore call on the Government to amend the Housing and Regeneration Bill to include council landlords within the scope of the TSA from its inception.

The later addition of council landlords and tenants **risks local authorities being treated as an 'add-on' regulation activity**, which has the potential to hinder the development of an effective partnership between councils and the tenant regulator and to further perpetuate inequality for local authority tenants.