

TLEF Research Insights

The Legal Problems of Renters Summary

Insights from *How People Understand and Interact with the Law*

The
Legal
Education
Foundation

Insights

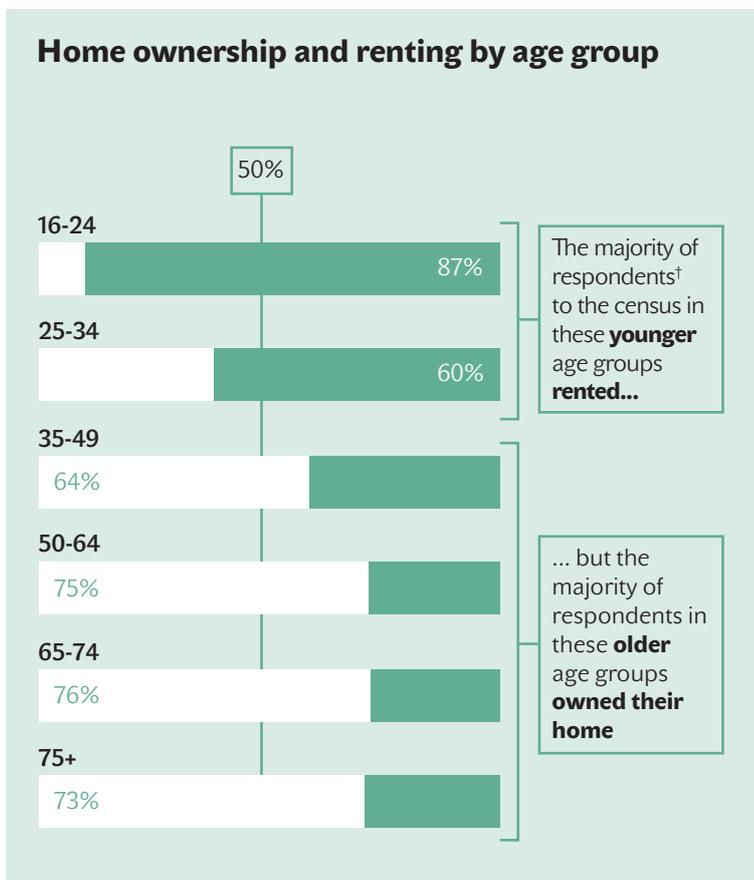
- **Over a third of all households in England and Wales were rented** according to data from the last census. The ability of renters to resolve housing-related legal problems is a major issue for society.
- The renters **most likely to experience housing-related legal problems** are the young, single parents, and unmarried couples with children.
- Legal problems with rented housing take **a long time to resolve**: half lasted more than a year; a quarter were still unresolved after two years.
- Renters are more likely than those living in other types of accommodation to have **higher levels of non-housing-related legal problems** – such as with domestic violence, divorce, welfare benefits and personal injury.
- Those **renting privately (rather than in the public sector) were the most likely to have non-housing-related legal problems**; the least likely were those who owned their homes outright.

Background

The 2011 Census showed that there were 8.3 million rented households in England and Wales (36 per cent)¹. Renters represent a large and growing proportion of the population – the percentage of the population who own their own homes fell between 2001 and 2011.

For those aged 25 to 34, the percentage of owner occupiers fell from 58 per cent in 2001 to 40 per cent in 2011. This suggests a decline in first time homebuyers, who would usually be within this age group. Overall, the majority of those responding to the census aged between 16 and 34 rent their homes. As such, the ability of individuals to understand their legal rights as tenants and resolve the legal problems that they may experience in relation to renting is an important issue.

This research is based on data from the 2010 and 2012 waves of the English and Welsh Civil and Social Justice Survey Panel, the only nationally representative survey of people's experience of legal problems over time ever conducted in England and Wales.



¹ Office for National Statistics, 2011 Census: Detailed Characteristics on Housing for Local Authorities in England and Wales Release. Released 28 June 2013. Available at: <http://www.ons.gov.uk/ons/rel/census/2011-census/detailed-characteristics-on-housing-for-local-authorities-in-england-and-wales/short-story-on-detailed-characteristics.html>

[†]**Explanatory note:** Respondents to the census are referred to as Household Representative Persons. The concept of a 'Household Reference Person' (HRP) was introduced for the 2001 Census, replacing the traditional concept of a "Head of Household", to allow the production of statistics for a whole household, based on the characteristics of one person. The HRP is chosen based on their age and economic activity, and is the oldest full-time worker in most households.

Summary of findings

Renters' housing-related legal problems

One in ten people who rent their homes experiences legal problems relating to their accommodation.

Legal problems are not distributed evenly throughout the rented sector, with some renters more likely than others to suffer them. The groups most likely to be affected are the young, single parents, and 'cohabitants with children'.

had no greater understanding of the law around renting than those in other types of housing.

Many renters didn't realise that their housing problems were legal issues, with 47 per cent of respondents characterising them as 'bad luck'. Only 15 per cent of renters saw them as legal problems.

Nearly three-quarters of those with rented housing problems tried to resolve them on their own or just took informal advice; 6 per cent did nothing at all. Of those seeking professional help, 5 per cent sought it from the advice sector; 5 per cent from a solicitor; 11 per cent 'from another type of adviser'.

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Rented housing problems take a long time to resolve: nearly half were still going on after a year, and more than a quarter were still unresolved after two years. The research authors conclude that their impact is 'felt both widely and deeply'.

The research uncovered a widespread lack of awareness of the rights and responsibilities of landlords and tenants among the general population. Those living in rented accommodation

At 73 per cent, the percentage of those with housing difficulties trying to resolve them on their own is high compared with the comparable figure (59 per cent) for those with other kinds of legal problems.

Respondents found legal problems relating to rented housing harder to understand than other types of problem, such as problems with owned housing.

Summary of findings continued

Renters' non-housing-related legal problems

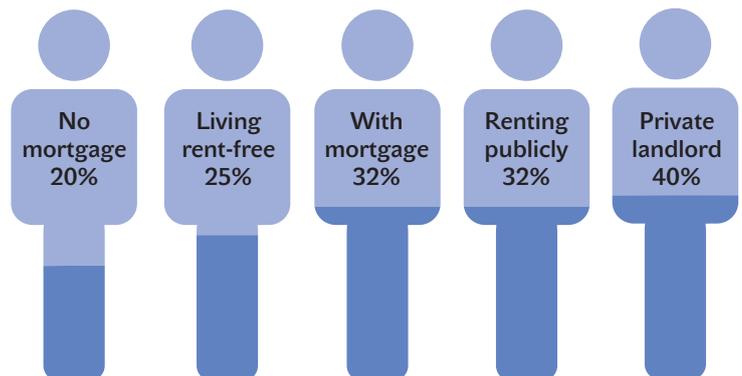
A key finding from the study is that private renters had the highest levels of social welfare law problems which were not directly related to their housing, such as domestic violence, divorce, welfare benefits and personal injury.

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The group least likely to have social welfare problems were those whose mortgages were paid off (20 per cent); followed by those living rent free (25 per cent). At 32 per cent, the proportion of those with a mortgage having social welfare problems was similar to that for those renting publicly.

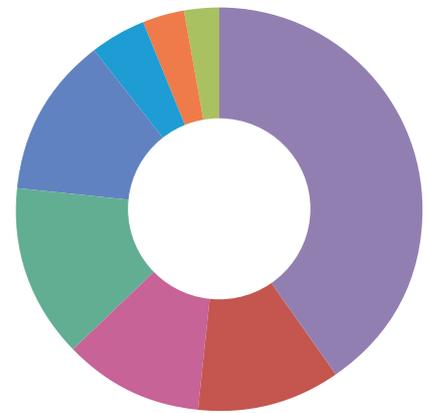
People experiencing social welfare law problems



Highlighted statistics

How renters characterise legal problems

- 47 per cent, bad luck**
- 16 per cent, social
- 15 per cent, legal**
- 13 per cent, bureaucratic
- 13 per cent, moral
- 5 per cent, criminal
- 4 per cent, private
- 3 per cent, family/community



Renters legal problems, compared with those with mortgages

Problem type	Neighbours	Debt	Benefits	Divorce	Relationship breakdown	Domestic violence
Mortgage	8%	4%	3%	2%	2%	1%
Renting privately	11%	9%	8%	4%	6%	3%
Renting publicly	16%	10%	7%	0.7%	3%	2%

How people resolve legal problems

<h1 style="font-size: 3em; margin: 0;">73%</h1> <p>renters tried to resolve problems alone</p>	<h1 style="font-size: 3em; margin: 0;">35%</h1> <p>renters seeking advice wanted rights explained; but only 25% succeeded in that aim</p>	<h1 style="font-size: 3em; margin: 0;">5%</h1> <p>renters sought advice from law firm</p>	<h1 style="font-size: 3em; margin: 0;">60%</h1> <p>respondents did not know solicitors could help with housing problems</p>
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Conclusions and next steps

There is a general lack of awareness of the role that the law can play in resolving housing problems. This is concerning, as it means that a large and growing proportion of the general population may be failing to have their rights protected. People are so unaware of the law that they attribute the experience of

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Only a small minority of renters (5 per cent) realised that the housing problems they experienced could be resolved by legal means. It is likely that existing demand for legal advice in respect of housing problems only represents a fraction of the true extent of housing related legal problems. Demand for services, is therefore, not a good proxy for the prevalence of legal problems.

The renters who are most likely to suffer legal problems are those who may already be considered vulnerable – young people, single parents, and cohabitants with children. The impact of legal problems on children and young people is something that should be considered when weighing the merits of funding dedicated legal advice and education initiatives for renters.

Conclusions and next steps continued

This study indicates that the potential of the internet to provide renters with advice in relation to their legal problems is not currently being harnessed. Further research is needed to investigate the most effective interventions that harness technology to inform people about their rights. This research should examine whether the under-utilisation of the internet by individuals to access information about legal problems related to renting, compared with other types of legal problem, is a result of renters failing to characterise their problems as legal, or a reflection of the lack of accessible online information.

TLEF's Recommendation

This study suggests that renters are both more likely to experience non-housing related legal problems than other groups and less likely to be able to resolve them. As such, targeted interventions are needed, these should aim at:

- (i) improving the ability of renters to understand when they are experiencing a legal problem,
- (ii) educating renters about their rights in respect of the legal issues that are most likely to affect them, and
- (iii) building the confidence of renters to address these issues using legal means.

About the project

This information is drawn from 'How People Understand and Interact with the Law,' by Prof Pascoe Pleasence, Dr Nigel J Balmer, and Dr Catrina Denvir, published by PPSR, Cambridge 2015. Their analysis is based on circa 4,000 interviews conducted for the English and Welsh Civil & Social Justice Panel Survey (CSJPS); 2010 and 2012.

It was funded by The Legal Education Foundation (TLEF).

About TLEF

The Legal Education Foundation is a grant making trust that promotes legal education to help people better understand and use the law.

Its current strategic plan sets out three programme objectives – to increase public understanding of the law and the capability to use it, to advance skills and knowledge in the legal sector to ensure legal needs are met and to increase access to employment in the law with a particular interest in social mobility and diversity. The Foundation also has a strong focus on the role of evidence and the role of technology.

In 2014-15, the Foundation disbursed £3.7million to a range of organisations working in different social, professional and academic settings across the UK. The majority of these organisations have charitable status. Although only operating as a grant making trust since 2013, the origins of the Foundation date back to a law tutorial firm established in the 1870s. This went on to become the College of Law which, by 2011, was delivering courses to 7,500 students a year at eight centres across England. Following a major strategic review concluding in 2012, the governors of the college decided to sell the education and training business and to devote the monies generated by the sale to endow the organisation as a Foundation.



For more information, or to learn more about this and other projects funded by the Foundation, please visit www.thelegaleducationfoundation.org