

The Housing Bill Explained

**William Fleming
Head of Tenant Priorities**

Purpose of the Bill

Improving value, supply and conditions in housing by:

- Modernising regulation of social housing
- Reforming Right to Buy
- Strengthening private landlord regulation
- Strengthening powers to deal with disrepair

Parts 1-10: modernising the regulation of social housing

- Creating the **Scottish Housing Regulator (SHR)** as an independent body to regulate social landlords:
 - Focussed on the interests of tenants, homeless people and other service users.
- Transferring to the SHR (with modifications):
 - Regulatory functions exercised by Ministers, including powers to regulate the governance and financial health of Registered Social Landlords (RSLs).

Parts 1-10: modernising the regulation of social housing

- Providing for a **Scottish Social Housing Charter** to set outcomes that all social landlords must deliver for their tenants.
- Giving the SHR new functions to regulate housing activities of social landlords and encourage improved performance by:
 - Reporting on landlords' performance against the Charter
 - Requiring improvement plans
 - Setting performance improvement targets
 - Undertaking inquiries and issuing enforcement notices.

Parts 1-10: modernising the regulation of social housing

Key elements of new regime:

- Stakeholder consultation and Parliamentary scrutiny in setting Charter outcomes.
- SHR annual assessments of landlords' performance driving self-improvement.
- SHR interventions focussed on poor performance and risk.
- Assuring investors and lenders.

Part 11: reforming the Right to Buy

- Ending RTB for new social housing:
 - Encouraging improved supply.
- Ending RTB for new tenants to social housing:
 - Safeguarding more existing stock.
- Reforming designation of pressured areas:
 - Providing local control and more flexibility.

Part 12: amending private landlord registration

- Helping local authorities ensure that all private landlords apply for registration:
 - By increasing their powers to require information and increasing the maximum fine for not registering.
- Providing more information to tenants and neighbours:
 - About applications for registration and landlords found to be not fit and proper.

Part 13: amending the Housing (Scotland) Act 2006

- Strengthen existing powers for local authorities to ensure owners look after their own properties, in relation to:
 - Maintenance powers
 - Repayment charges
 - Enforcement powers.

Part 13 amending the Housing (Scotland) Act 2006 to:

- Giving local authorities discretionary power to require landlords to comply with relevant planning requirements before they can obtain an HMO licence.
- Giving Ministers powers to extend HMO licensing to other types of multi-occupied accommodation where there is a problem with standards.

Part 14: miscellaneous

- “Marker provision” on protecting unauthorised tenants:
 - To be amended at stage 2 to reflect the views of the Local Government and Communities Committee and the outcome of further consultation with stakeholders.
- Providing for service men and women to establish a “local connection”:
 - In terms of their eligibility for social housing in areas where they have lived or worked.

Development of policy

- Firm Foundations
- Consultation on Implementing 2006 Housing Act
- Regulation Sounding Board
- Draft Housing Bill
- Private Housing Issues: Housing Bill Consultation
- Review of Landlord Registration
- Private Rented Sector Strategy Group
- Bill Sounding Board

Indicative Parliamentary Timetable

- Jan – June: Stage 1 (Committee takes evidence on Bill, then Parliament debates support in principle).
- Sept – Oct: Stage 2 (Committee considers detail of Bill and possible amendments to it).
- Oct: Stage 3 (Parliament debates final approval of Bill).
- Nov: Royal Assent (Bill becomes Act).
- 2011: Commencement (Act's different provisions come into force at different times).

Possible implementation milestones

- Autumn 2010: Informal discussions on Charter and preparations for new SHR.
- Early 2011: RTB and PRS reforms into force.
- April 2011: SHR established.
- Summer 2011: Statutory consultation on Charter.
- Autumn 2011: Parliamentary scrutiny of Charter.
- April 2012: Charter into force.