

CLAHRC Research Summary

Tracing absentee private sector landlords



Approaches to identifying & tracing absentee or 'uncontactable' private sector landlords

A local authority perspective

Context

An absentee landlord is one who cannot be identified or easily contacted by the tenant or organisation(s) who deal with housing management matters such as local authorities.

Tracing & contacting absentee landlords is often critical to addressing problems faced by tenants & the wider community.

Absentee landlords, especially 'problem or rogue landlords', "create numerous social, legal and health and safety problems in localities" (Shelter, 2013: 3).

Not only are tenants affected but "poor quality, overcrowded and dangerous accommodation let by rogue landlords can result in a ripple effect of wider problems in the local community such as noise problems; sanitation issues for whole roads; greater fire risk; council tax and benefit fraud and anti-social behaviour" (Department for Communities and Local Government, 2016).

What was the aim of the project?

In 2017, CLAHRC NWC Public Health Theme conducted a 'very rapid review' of the academic & policy evidence to identify the most effective approaches by which local authorities can trace absentee private landlords.

The review contributed to local decision-making & the design of the most effective initiatives that can address the problem of absentee landlords. The review also contributed to broadening the current evidence base on this subject area.

It supports our 'Neighbourhood Resilience Programme' that we are implementing in 10 relatively disadvantaged neighbourhoods across the NWC geography.

What we did?

To gather the available evidence rapid searches were conducted using the Web of Science databases, University of Liverpool's Library database & the Google Scholar search

engine to identify literature sources relevant to our subject area. A range of academic & 'grey' policy literature was extracted & reviewed.

Our approach was pragmatic: we were not aiming at a comprehensive review due to tight timescales & limited staff resources. Very rapid reviews are focused on a narrowly defined research topic. They are designed as a 'quick turnaround' process, uncovering evidence that informs decision-making & practical actions in our 10 research neighbourhoods.

How did we involve people?

Residents & stakeholders identified the need for this review. The findings have been used in our neighbourhoods by residents & stakeholders to tackle absentee landlords.

What we found and what does this mean?

Some absentee landlords are difficult to trace because they live outside the UK.



Others conduct their affairs through letting agencies, making direct contact difficult.

Unscrupulous landlords may deliberately attempt to conceal their identity from tenants, communities & public authorities to avoid detection or scrutiny.

While some landlords once traced are willing to co-operate, in certain cases Councils & other partners are compelled to take enforcement action to tackle the negligence of certain owners.

Councils can trace absentee landlords in various ways. The Town & Country Planning Act 1990 allows Councils to request information from occupiers or anyone receiving rent, regarding their interests in a property.

The Local Government (Miscellaneous Provisions) Act 1976 permits a Council when exercising a function conferred to it by "any enactment ... to have information connected with any land" (Section 16) including occupiers, freeholders, mortgagees or lessees.

Where "freehold and leasehold titles have been registered", ownership information can be requested from HM Land Registry (Town Centred, no date). The Land Registry, however, can only provide owners' names & their previous addresses.

Absentee landlords who are company directors can be traced by consulting the Register of Companies.

Local authorities can use internal sources of information to trace

absentee landlords including: Council Tax records; the Housing Benefit System; Housing Waiting/Needs List; Homelessness Persons Unit Information System; & Housing Advice Records.

Searches of local authority Environmental Services Department information systems can identify records of properties where nuisance, noise or environmental problems have been reported & the owner(s) previously contacted.

Councils can also contact utility companies or the emergency services who may have records of contacts made with landlords.

Other tracing methods include:

- contacting tenants to access any information contained in tenancy agreements which can be used to identify landlords;
- employing tracing companies or organisations who offer to find or track down 'missing' landlords.

The Housing & Planning Act 2016 will introduce into England a database of rogue landlords & letting agents that can be accessed by local authorities. This becomes operational in October 2017.

What next?

This research summary will be used by residents & partners to inform the development of resilience actions in NWC neighbourhoods.

References

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What is NIHR CLAHRC NWC?

The Collaboration for Leadership in Applied Health Research & Care, North West Coast is a partnership between universities, NHS, councils, other stakeholders & the public.

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<http://www.clahrc-nwc.nihr.ac.uk/index.php>