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The role of landlords in shaping private renters' uneven experiences of home: towards a relational approach

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Abstract

Informed by the sociological analysis of Rex and Moore, our qualitative interviews with private renters across the UK highlight the myriad of ways in which landlord behaviour impacts the wellbeing of their tenants and their ability to make their rented house a home. Whilst this is a contractual relationship governed by the market, it is also one characterised by informal codes, judgements, and discretion. We argue this micro-level approach, centred on social relations, offers insights for our understanding of both the dynamics of private renting and tenants' uneven experiences of the sector.

Keywords

Home, Private Landlords, Private Renting, UK, Social Relations, Wellbeing

Introduction

The private rented sector (PRS) in the UK has grown significantly over the last 15 years, and now houses 1 in 5 households. Alongside this growth, the sector has become more diverse. Once associated with students, migrants, and young professionals it is now also home to rising numbers of low-income households, families with children and other vulnerable groups (Cole et al., 2016). This phenomenon has also been witnessed in an international context as welfare states have been rolled back in favour of market-based solutions to the 'housing crisis' (Byrne and Norris, 2019).

This burgeoning PRS has not been without consequence. Governments across the UK have acknowledged challenges facing tenants, including (un)affordable rents, tenancy insecurity, and poor property conditions (see for example, Hoolachan et al., 2017; McKee et al., 2020; Spratt, 2022). This has prompted a suite of government consultations and legislative reforms

designed to raise standards in the sector, albeit in different ways in different parts of the UK (Marsh and Gibb, 2019). Differing political ideologies, which then inform different understandings of the problem and necessary solutions have been a decisive factor behind the diverse legislative frameworks that have emerged in the UK context (McKee et al., 2017). Whilst Scotland has had open-ended tenancies, powers to create rent pressure zones, limits on annual rent increases, a national landlord registration scheme, and a ban on letting agent fees for several years now (Livingstone et al., 2018), governments in other parts of the UK have made varied progress during their own journey of reform. Whilst learning from other national contexts is important, we argue a focus solely on housing law runs the risk of missing another equally vital part of the picture, namely the relational aspect of private renting and how this fundamentally shapes tenants' lived experience.

It is around this pivotal issue of tenant-landlord relations that our paper seeks to make its contribution. In doing so, we illuminate the crucial role private landlords play in shaping their tenants' experiences of renting, thereby adding to the burgeoning international evidence on this topic (see for example Desmond, 2016; Byrne and McArdle, 2020; Bate, 2021; Power and Gilon, 2022). In particular, we emphasise the continued relevance of the classic sociological analysis of Rex and Moore in their 1967 book *Race, Community and Conflict: a study of Sparkbrook*. Amongst their many key contributions was their emphasis on the market relationship at the heart of the PRS and how this shaped tenant-landlord relations. The sector was relatively understudied by housing scholars at this time and their analysis was pivotal in highlighting how it differed from other tenures. Moreover, their micro-level approach illuminated the informality, moral judgements, unwritten codes, and imperfect communication that characterised tenant-landlord relations and how this “developed outside and apart from the formal law of the larger society” (1967: 141). Crucially, they also drew

attention to the unequal nature of this relationship, arguing that ‘the landlord’s superior market position’ make it more likely their interests ‘will emerge first’ (1967: 139), and that the landlord also has the ‘power to discriminate according to his own whims’ (1967: 38). Overall, their work was critical in shaping how we understand tenant-landlord relations, and as we will argue, remains highly relevant to our understanding of the contemporary context.

To achieve our aims the paper is split into four sections. The next section reviews the key literature in the field, before offering further detail about the research design and empirical data underpinning this paper. This is followed by a discussion of the key findings emerging from the study, followed by a conclusion which argues that private tenants’ experiences are shaped by the individual social relationship they have with their landlord. This relationship is not simply governed by contract, but also characterised by informal codes, judgements, and discretion. This in turn can lead to uneven and variable experiences for renters.

The housing crisis and tenant-landlord dynamics

The housing crisis is a global phenomenon with major international cities facing residential struggles due to the rising costs of living and lack of housing supply. As Madden and Marcuse (2016: 1) note this is manifest in rising levels of homelessness, forced evictions, unaffordable housing, and displacement. To understand the crisis, they argue, we must ‘refocus the debate’ and draw insights from political economy regarding the role of the state and the broader economic system (2016: 5). Within OECD nations, a key shift is the rising number of households renting from a private landlord. Many of these spend significant proportions of their income on rent, and struggle to keep a roof over their head. Desmond, writing in the US context, highlights the international dimension to these challenges:

There are moving companies specializing in evictions, their crews working all day, every weekend. There are hundreds of data-mining companies that sell landlords tenant screening reports listing past evictions and court filings. These days, housing courts swell (2016: 4).

Yet as Walker and Seraj writing in the UK context highlight insecurity can also be an everyday, hidden occurrence. Private renters, they note, live in a ‘state of perpetual insecurity, with few checks or safeguards’ (2016: 12). This is echoed by the investigative journalist Vicki Spratt (2022: 37) in her book *Tenants*: ‘If you do not own your own home in Britain, precarity is a fact of life. It comes in the form of rent rises, eviction notices and knowing that, ultimately, your landlord has control over the one place in the world you should feel safe’. These themes are further reverberated in the academic literature, which evidences the negative impacts of private renting on tenants’ wellbeing due to their inability to put down roots, feel settled and make a “home” (Easthope, 2014; Hoolachan et al., 2017; Oswald et al., 2022). The inter-disciplinary literature on home is vast and has already been widely reviewed. Evidence suggests key positive benefits include ontological security, social status, provision of a “safe haven”, and control/autonomy over living arrangements and/or the living space. The absence of these in turn has potentially negative impacts on wellbeing (for an over-view of key debates see, Blunt and Dowling, 2006; Rolfe et al., 2023).

Whilst there is growing openness to tenancy reform and regulatory intervention across the UK (see Marsh and Gibb, 2019 for an over-view), landlords in England, Wales and Northern Ireland (NI) can currently still ask their tenant to leave once their initial tenancy has ended (often between 6-12 months), and without having to give any rationale under the ‘no fault’ clause.¹ These renters lack the open-ended tenancies enjoyed by their neighbours in

Scotland, and other European countries such as Germany, the Netherlands, and the Nordic countries (Walker and Seraj, 2016). Rent regulation has also proved to be a practical and political challenge to operationalise at a time when the cost of living has reached historic highs and the number of working poor has increased (Gibb et al., 2022). Whilst governments across the UK recognise the need for reform, regulating a market relationship is not easy. Not least as this is far from a relationship of equals (Chisholm et al., 2017; Byrne and McArdle, 2022). At a time when competition in the housing market is high, landlords can afford to be particular about who they rent to and at what price point. Whilst legal remedies do exist for reporting properties in poor conditions², seeking recourse through legal avenues can be time-consuming and tenants can be reluctant because of the potential for a revenge (or retaliatory) eviction (Chisholm et al., 2020), which occurs when a landlord evicts a tenant who complains and/or seeks repairs. Local authorities who are tasked with enforcement action in the UK also often lack the resources to act against the worst offenders. Even finding out who the private landlord is can be a challenge in some areas due to a lack of low-level geographical data (Orford and Harris, 2020).

This all reinforces Rex and Moore's (1967) classic analysis of private rented accommodation being a commodity: a means of investment designed to generate profit. Typically, it is the private landlord that decides what condition they will let the property in, how much they will invest in its maintenance, and how much money they will let it for, and to whom. Some of these decisions may be influenced by the local housing market context, but there is also considerable landlord discretion and judgement involved. For example, research highlights a continued reluctance to let to homeless households and/or those in receipt of Housing Benefit or Universal Credit - social security benefits that provide help with rental costs. Research with landlord's links this to 'perceptions of risk' and heightened concerns about rent arrears,

property damage, and the need for more hands-on tenancy management (Reeve et al., 2016: 21). Similarly, surveys with landlords in England highlighted over 40 per cent were less likely to consider letting to those without a British passport due to the Right to Rent legislation, which requires landlords to check the citizenship status of their tenants (Mykkanen and Simcock, 2018: 4). Qualitative research also notes continued barriers being faced by families with children, those with pets, and individuals with protected characteristics under the UK Equality Act (Soaita et al., 2020). Similar challenges are also noted internationally (see for example, Desmond, 2016; Maalsen et al., 2021).

It is therefore perhaps not surprising that a recent international evidence review highlighted a key role for private landlords in shaping their tenants' ability to make a home (Rolfe et al., 2023). Understanding how landlord behaviour impacts the wellbeing of their tenants is where our paper seeks to make its contribution. In doing so, we focus on tenant-landlord relations, highlighting the role of discretion, flexibility, and judgement. As Byrne and McArdle (2022: 139) note: 'the tenant and landlord are not merely equal parties to a contract, nor are they atomised market actors. They are tied together in a relationship which is both a social relationship and a power relationship'. Yet as Lister (2004b: 521) asserts tenant-landlord relations are 'not guided by "rules" as in a strict business agreement but are based upon social interactions.' Comprehending these inter-personal dynamics at the micro-level, we argue, is critical to understanding how tenants' frame their decision-making as they navigate the PRS. But it also tempers the macro-level focus of political economy arguments, which can at times lack empirical nuance. The next section of our paper outlines the design of our project before moving on to consider the emerging themes from our data.

Research design

Our qualitative study involved 53 in-depth remote interviews with private renters across the UK during spring 2021. In epistemological terms we were interested in renters' lived experience and how this impacted their wellbeing. Families with dependent children, people living with disabilities or illnesses, low-income households, ethnic minority groups, people in receipt of means-tested benefits, and people over 65 years old are at particular risk of housing-related harms (Rhodes and Rugg, 2018). Purposive sampling was carried out to ensure that a quota of people from these various household types and characteristics were included in the research (Table 1). This study aimed to explore not only how wellbeing is detrimentally impacted by living in the PRS but also how it is enhanced. We were also interested in whether the impact of housing on wellbeing exists across different income brackets. We therefore intentionally sampled across both lower- and mid-income brackets. Targeted recruitment and sampling were carried out by an external research company.

Our participants were offered the choice of an online or telephone interview. Although our use of remote methods was in part a pragmatic response to the Covid-19 lockdown period in the UK at the time our data was collected, it was also a positive choice and reflects our previous experience of using remote qualitative methods across a range of housing-related projects. Remote methods not only allow us to reach a geographically dispersed population more quickly and easily than traditional in-person approaches, but it can also be more convenient for participants than having to travel to an interview. Such an approach can of course have impacts for digital inclusion by excluding those who do not have ready access to an internet enabled device. We sought to mitigate this by offering a choice of interview format. The majority opted for an online interview, which perhaps highlights how the

lockdown period in the UK accelerated both citizens' digital literacy skills and their comfort in using video-conferencing platforms.

Our research was given ethical approval by the University of Bristol and informed consent was sought from all participants. Once the interviews were completed, they were transcribed and coded thematically in the qualitative data analysis software package QSR Nvivo. Both *a priori* codes and *a posteriori* analytical categories and themes were used. The *a priori* codes were developed with reference to existing literature on how living in the PRS both can enhance and detrimentally impact wellbeing. The *a posteriori* codes and emergent themes were developed independently by two researchers and later synthesised. This paper focuses specifically on the theme of landlord/tenant relationships, the findings of which are reported in the section that follows. Participants have been anonymised; where known, their age, annual household income and national context (e.g. residing in Scotland, Wales, England, Northern Ireland) are noted. The findings of our study are reported in the section that follows.

Table 1: Socio-demographic characteristics of tenant participants

Characteristics	Number of participants	% of total participants
Nation		
England	21	40
Scotland	16	30
Wales	8	15
Northern Ireland	8	15
Total	53	100
Age		
18-34	24	45
35-54	9	17
55-70	20	38
Total	53	100
Gender		
Female	29	55
Male	24	45
Total	53	100
Household Income p/a		
<£20k	23	43
£20-34k	14	26
£35-49k	7	13
£50k>	9	17
Total	53	100
Ethnicity		
Asian/Asian British/Scottish/Welsh/Northern Irish	8	15
Black/Black British/Scottish/Welsh/Northern Irish	4	7
White Other	3	6
White British/Scottish/Welsh/Northern Irish	38	72
Total	53	100
Other		
Children at home	18	34
Long-term health issues/disabilities	6	11

Tenant-landlord relations and their impact on private renters

Our data illuminates the myriad of ways in which landlord behaviour impacts upon the wellbeing of their tenants, and their subsequent ability to make their rented property a home. The nuances of these impacts will be explored under the three sub-headings: repairs, conditions and not ‘rocking the boat’; flexibility with rents, tenancy length and personalisation; and discrimination, exclusion, and moral judgements.

Repairs, conditions and not ‘rocking the boat’

As Spratt (2022: 133) notes, whilst estimates on the prevalence of poor conditions in the PRS vary, in England alone ‘somewhere between 1 million and 3 million privately rented homes pose a serious and sometimes potentially lethal risk to the safety and health of the tenants who live in them’. It is therefore perhaps no surprise, that amongst the renters we spoke to poor property conditions and the unwillingness of their landlord to complete repairs were key sources of tension. It not only undermined renters’ enjoyment of their property, but for some also had knock on effects for their health due to issues like damp, mould, thermal discomfort, and physical hazards. A recurring theme was a lack of control to get matters resolved, and the time involved spent trying to prompt their landlord into action, often to the detriment of their own mental health:

I rang [my landlord], and I was like, “I have no hot water and heating” and her response was “well what do you want me to do about that?” [...] I’d be able to tell that they’d read my message but then they’re not responding. It would just go on for ages, and it used to make me really upset (P27, aged 30, income <£20k, England).

These findings are consistent with the wider PRS literature, which emphasise repairs and property conditions as pivotal factors impacting upon renters’ wellbeing (Chisholm et al.,

2020). Crucially, however, not all relations between landlord and tenants in our sample were characterised as negative. Tenants spoke highly of landlords that communicated well with them, who were responsive to their requests for repairs, and who invested proactively in the maintenance of the property:

I'd say it is a pretty good relationship. There's been a few things that needed sorting out that she's been pretty prompt in getting back to us and just updating us [...] and (she) seems pretty happy to be making updates if they're necessary to the flat, and I think that's been quite refreshing (P22, aged 23, income <£20k, England).

Yet, even when participants praised their landlord it was evidently still a highly unequal relationship. Despite initially reporting being satisfied, further probing highlighted some tenants simply did not want to raise legitimate issues or escalate complaints where issues remained unaddressed because of the risk of damaging the relationship with their landlord. Whilst the fear of a 'revenge eviction' is a longstanding theme in the PRS literature the focus has traditionally been on tenants being evicted for requesting repairs or making complaints (Smith et al., 2014). Our data suggests additional nuance, as this fear existed even when the relationship between the landlord and their tenant was described positively. Moreover, consideration of this relationship framed renters' concerns regarding possibly having to move to another property. The 'imagined alternative' of experiencing a negative tenant-landlord relationship in another tenancy was in turn a powerful driver to accept the status quo. Occasionally it was driven by tenants' variable experiences of private renting, including current and prior landlord relationships, but often these fears were framed by popular media portrayals and stories from friends and family. Some felt it was easier to put up with a less than ideal situation than to face the alternative. As one Northern Irish tenant articulated, a

‘model tenant’ was one that did ‘not need anything’ or ‘rock the boat’ by complaining (P31, aged 37, household income £20-34k). These norms of expected behaviour were repeated by several other renters, who described being mindful not to appear too demanding in case they were judged negatively by their landlord. This act of performing the ‘good tenant’ has also been noted in the international PRS literature, which suggests it is not simply a UK phenomenon (see, Power and Gilon, 2022):

I don't want to be that tenant that's always on the phone because I'm not really, unless it's something significant like the shower broke, so I did ring them about the shower. But if anything, it's like the guttering fell down when we had that horrendous wind the other week so me and my brother-in-law put it back up. Things like that, I'm more than happy to do because I know she's got to pay for somebody to come out and do that, so I am happy. But then on the other hand then I don't want to keep on either because like I said, I don't want her to say, I can't put any more money into this property now, I want to sell it (P24, aged 31, income > £35k-50k, Wales).

I just learnt to live with the mould [...] I had a good relationship with my landlady, and I didn't want to sour that, I didn't want her turning around and saying right, you've got a month to get out [...] it's the lesser of two evils (P21, aged 46, income <£20k, England).

As these quotes highlight, for some tenants their decision not to complain was also influenced by personal judgements about their landlord's ability to meet the cost of repairs. Discretion and judgement are therefore not solely the preserve of the landlord but are tools that tenants may also use to manage their tenancy. The emergence of these informal solutions echoes the

analysis of Rex and Moore (1967: 141), ‘that a system of norms, a code of conduct relating to landlord-tenant relationships developed outside and apart from the formal law of the larger society’. In their study of 1960’s Sparkbrook they highlighted an ‘informal’ agreement between landlord and tenant in which renters would move on when asked, regardless of having been served a formal notice to quit or not. This informal understanding was essential to maintaining the flexibility of access within the rooming houses, but it also reflected a lack of understanding of the legal process between landlords and their tenants. Our data suggests a similar informal understanding when it comes to seeking redress around poor conditions/repairs. It was often easier for tenants just to accept the status-quo or move on rather than to assert their legal rights. Whilst Rex and Moore (1967: 139) acknowledged that such an informal code could emerge from either side, they argued that ‘the landlord’s superior market position and the fact he is not likely to be divided against himself make it more likely that his will emerge first and be imposed’. Over fifty years on, this assessment still rings true. Competition in the housing market means tenants often have little bargaining power, especially in areas of high demand. If they do not accept the property in its current condition, there will be other tenants desperate for housing that will. The housing crisis and the structural inequalities it has created, means renters are often in competition with each other for housing, which in turn makes it more challenging for them to come together and agitate collectively for change. But on their own, as individuals, trying to seek redress and assert their tenancy rights is not always easy to achieve. They are divided against each other.

Despite enhancements to tenants’ rights over the last decade our data suggests many renters are still unaware of their right to repair, or who to seek help from should they have an issue with their rented accommodation. The quote below was from an individual reflecting on their lack of knowledge about how to navigate a difficult situation with their landlord:

I just didn't really know where I stood or who to talk to or anything [...] it was a really weird situation, all around. He'd keep ringing me about paying him rent, even after I paid him and stuff like that (P13, aged 27, income <£20k, Scotland).

Similar findings have been reported in other studies with private renters conducted in recent years (see, McKee et al., 2020; 2022). In a national context where the regulatory system relies on tenants self-reporting their issues this is problematic. Moreover, even those who do seek redress find that it is not always an easy nor straightforward system to navigate, as the extended quote below emphasises. Yet what this quote also brings to the fore is the importance of relational factors in shaping tenants' experiences, which often over-shadow and take precedence over discussions of the law:

I had a look online and it said to just phone Environmental Health so that's what I did. I wrote them an email of like a list of every single thing that was wrong with this house [...] So the landlord then came out, and it was the first time I'd ever met him, he then came out and had a look with his builder and arranged some of the work. They did some of it, but obviously the bigger stuff like the insulation and all the damp and stuff they've left, and he just said, "look I'm sorting it all out, can you just sign the thing to say that it's going to be fixed", because if they don't have something within so many days, he would then have to pay a fine I think it was. So, we signed it because we were under the impression that it was all going to be done, and then we just never heard anything back [...] And I could take him to court, but it's going to cost me loads of money to do that, and realistically what am I going to gain from it, I'll probably get an eviction notice. So, it's all in the landlord's favour, it's never in the tenant's favour (P23, aged 25, income £20-34k, Wales).

It would seem therefore that when the ‘the dwelling-place itself is a market place’ tenants are always going to be dependent on the ‘whim’ of the landlord (Rex and Moore, 1967: 278). This sentiment rings true in the current period just as it did in 1960s Sparkbrook. Moreover, as we noted earlier, enforcement in the UK typically falls to local authorities, who often lack the resources to take forward effective action against those landlords that fail to meet their responsibilities. In the absence of minimum standards, it therefore comes down to landlord ‘choice’ as to how much they invest in the property and the condition in which they let it, which is in stark contrast to the regulatory expectations upon social landlords where there is much greater scrutiny of their performance and services. So, whilst we are witnessing growing numbers of low-income and vulnerable households living in the PRS they enjoy significantly less protections than they would as social renters. This in part is what has prompted UK housing charities to advocate for greater investment in affordable housing as a solution to the housing crisis (JRF, 2021).

Flexibility with rents, tenancy length and ‘personalisation’ of the home

Figures from the property website Zoopla highlight the average UK rent for newly agreed lets has now reached a 14-year high, with renters paying nearly £1000 per month (Burrige, 2022). The economic fallout from the Covid-19 pandemic coupled with an emerging cost-of-living crisis has also created a growing gap between rent levels and incomes (Spratt, 2022). This has left many households worried about how they will pay their rent, including many of the tenants we interviewed. In these difficult economic times, renters were keen to emphasise the value of having an ‘open channel of communication’ (P18, Scotland) and ‘personal contact’ (P19, England) with their landlord, and how this was vital to building trust on both sides. This also proved to be important during the initial emergency Covid-19

lockdown in the UK during 2020, when peoples' ability to move was restricted, yet they were simultaneously facing significant reductions in their income due to furlough, reduced hours, or redundancy (see also Soaita, 2021). Several participants who had been in this situation described how their landlord had been willing to be flexible, for example by allowing a reduced rent or deferring payment until later when the tenant was in a more financially secure position. For most tenants this was very welcome:

We were actually approached by our landlord probably a couple of weeks into lockdown, and they were quite proactive [...] and they reduced our rent to probably about 60 per cent (P44, aged 33, income £20-34k, England).

It was not however a form of flexibility enjoyed by all our renters, as one lamented: 'the whole payments thing, no, there was no review there was nothing. It was as if the pandemic wasn't happening in terms of our payment' (P47, NI). Others commented that a payment holiday was not necessarily that helpful, because it resulted in them still accruing debt and simply kicked worries about eviction a few months into the future:

There was a lot of things on the news saying they wouldn't kick you out, they couldn't throw you out over the pandemic if you didn't pay your rent [...] but when everything tries to get back a little normal, you're still going to owe that money (P50, aged 57, income £20-34k, Wales).

Ultimately, tenants remained at the 'whim' of their landlord in terms of being granted flexibility, again underscoring the power imbalance at the heart of their relationship. We see a similar pattern when we look at the willingness of landlords to allow their tenants to

personalise the property, which is important to making a home. Whilst some landlords were amenable (within reason), some renters still expressed frustration at the limited and superficial level of personalisation permitted:

In terms of furniture and things like that I guess we don't feel like we've got that much choice, it's more adding things on top of what's already there, and have the same conversations about if we were wanting to put things up on the wall it's got to be a certain fitting and we've got to ask for permission before we do it [...] we can't paint anything or decorate anything, so it is just adding to what is already there (P22, aged 23, income <£20k, England).

Interestingly, whilst some renters clearly valued being able to make their property 'homely' they were also mindful they could be asked to leave at short notice, and so did not necessarily want to invest too heavily in redecoration. The quote below from a renter in Wales (P23) highlights the innate tensions here: 'it is homely now, but at what point do you draw the line on spending [...] what's the point in spending the money for him to turn round when you're not in a contract and say you've got to go' (aged 25, income £20-34k). Moreover, it also captures the way in which autonomy and control are interwoven with housing tenure.

Historically, the emphasis in the PRS has been on protecting the landlords' investment and not facilitating the tenant to make a home. Whilst good practice guidance encourages landlords to be more open to such requests, landlords' willingness to do so clearly remains variable in practice.

Finally, and in-keeping with the wider literature on the PRS, our renters also described how the uncertainty about when they might be asked to leave the property further undermined their ability to feel at home:

I think when you do rent you're always aware that it's always a possibility, if you fall on difficult times then it's not a charity, you know, somebody is in it for the money at the end of the day [...] So, there is always that chance that you could be asked to move on (P14, aged 49, income >£50k, England).

Whilst tenants in Scotland have had their tenancy rights strengthened in recent years, at the time of our data collection landlords elsewhere in the UK could still issue a 'no fault' eviction once the initial tenancy ended. This was a real source of anxiety for some tenants and made planning for the future more challenging, as the quote from a renter in Wales captures: 'It's not your home, it's someone else's home, someone else's property [...] I mean don't get me wrong, I love the house, I love where it is, but it's not mine' (P36, aged 50, income <£20k). The decision on when to end the private tenancy remains firmly with the landlord; even in Scotland where renters enjoy open-ended tenancies they can currently still be asked to leave under certain prescribed grounds, which includes the landlord wishing to sell the property or move back in. Private renters therefore lack the more secure tenancy rights enjoyed by social renters, who unless they breach the terms of their tenancy, typically enjoy a home for life.

Tenancy rights were not however the only factor shaping renters' perceptions of security. Affordability of the rent was another key dimension that impacted their ability to remain in the property, and indeed the local area more broadly. This was a particular challenge for tenants living in highly pressurised housing markets (e.g., London) and those in receipt of housing benefit who are expected to pay the difference between what their benefits cover and the actual cost of their rent. Tenancy reform alone is therefore unlikely to fully resolve

renters' sense of precarity in a context where the cost of living continues to rise out-of-sync with household incomes:

It is becoming increasingly difficult to find something I can afford on my wages. I've had to gradually move further out of the centre, because I can't afford to live where I was living before, and a lot of the housing is just going so quick, it'll be advertised and then within that day it can be taken, if it's within a certain price range or location (P39, aged 34, income <£20k, England).

The council said to me when I was [previously] claiming the housing benefit "you can't afford to live there, you need to find somewhere cheaper" so I had a look around and I said, "I haven't got anywhere cheaper, it's more!" (P26, aged 62, income >£50k, England).

This insecurity had real negative impacts on wellbeing. It was also a source of frustration with some tenants' keen to emphasise that longer tenancies also deliver benefits for landlords, in terms of reduced churn and the associated costs of redecoration. Nonetheless, as this section has highlighted, tenant-landlord relations remain highly individualised with perceptions of security driven by more than just the law. Those tenants with landlords that were willing to being flexible, open, and responsive reported more positive experiences overall. This underscores the key role of landlord behaviour, but it also emphasises the voluntary nature of it, which is a potential barrier to raising standards across the sector more systematically.

Discrimination, exclusion, and moral judgements

As Rex and Moore (1967: 38) described in their seminal work the private landlord ultimately ‘has the power to discriminate according to his own whims’. Several decades later, and despite stronger equalities legislation being in place, this remains an inescapable feature of the sector in the UK. As Walker and Seraj summarise:

Discrimination on almost any grounds – whether race, gender, class, or family structure – goes largely undetected in the private rented sector. It is almost impossible to prove, because a landlord is not obliged to give a reason for selecting one tenant over another, and legal redress is limited [...] private renters have no choice but to compete with each other for a roof over their head, trying to win the favour of a private individual, who, with a bit of discretion, is at liberty to exercise any prejudice they might harbour (2016: 13).

Whilst discrimination can affect a range of different groups, the most frequent noted in our study related to low-income/being in receipt of social security benefits. As one participant recalled, after being turned down for a property due to her pregnancy and reduced earnings, this can have significant consequences:

[My] pregnancy wasn’t particularly planned, I was living in a house share at the time [...] Then when we did find somewhere [...] it was a private landlady [...] she felt it was too much of a risk for us to move in with her, because my partner’s self-employed and I was in my first year of teaching, so on a low wage, I guess. So, in the end she just said no after like quite a few months of giving her lots of information. So, that’s the challenges that we faced really [...] It was obviously really annoying. It made me feel quite vulnerable being pregnant [...] Also, just annoying that she didn’t

really take into the account the fact that we had references from previous landlords, and that we had always been reliable and sensible and the fact that we were having a family, we weren't going to be partying or anything like that [...] it made me feel a little bit panicky that I wasn't going to be able to sort something out in time for the baby coming (P44, aged 33, income £20-34k, England).

This case, which highlights the intersection between low-pay and protected characteristics under UK equalities legislation, was not unique, with other renters also describing wariness of disclosing they were in receipt of social security benefits, or on a zero-hours contract. It reflects the increasing prevalence of pre-tenancy assessments, including credit checks and affordability tests. Introduced to enable landlords to make a judgement about renters' financial risk, they can lead to the exclusion of those on the lowest incomes from accessing housing due to their income being deemed insufficient or because they cannot prove their income. These barriers to accessing housing were a source of real stress for renters who felt hindered in being able to plan their lives, but also stigmatised and judged due to their financial situation:

It's just the stress of it all and whether they let you have it, you know, with your credit checks or whatever. That's another thing see, the credit checks, because mine's not very good my credit history, that goes against you renting, so it could be a possibility I'm homeless and I end up in a hostel, do you know what I mean, so it's very stressful (P36, aged 50, income <£20k, Wales).

They can't advertise it as "no DSS" anymore but instead, what they'll do is just ask for your income and then, if it's below a certain threshold, then they don't want you

living there (P13, aged 27, income <£20k, Scotland).

Pets have also gained increasing focus within the PRS literature over the last decade with growing calls for governments in the UK to introduce pet friendly tenancies. As our data emphasises, renters with pets can find it more difficult to access accommodation and often pay a higher rent and/or security bond. Many landlords also have flat-out bans on keeping pets altogether leaving their owners with more limited accommodation options as one Scottish renter (P40) reflected: ‘it does hinder me [...] I feel like I’ve kind of trapped myself here by having cats’ (age 25, income <£20k).

Overall, our qualitative data reinforces the arguments advanced by Rex and Moore (1967: 38) in the 1960s that landlords very much have the ‘the power to discriminate according to his own whims’. A further key issue is the increasingly hostile UK immigration system that leaves migrants vulnerable to criminal landlords. Yet the growing use of financial assessments means mechanisms of exclusion may also operate in more subtle ways than they did in decades past, when signs in windows saying ‘no Irish, no Blacks, no Dogs’ were not uncommon (Draper, 2022). In contemporary Britain the cost of renting is now as much a driver of housing insecurity and exclusion as limited tenancy rights.

Given the over-riding emphasis on protecting the landlord’s investment, and minimising their exposure to risk, it is difficult to disagree with Madden and Marcuse’s (2016) argument that home and private renting are in tension. Indeed, this was something tenants themselves were only too acutely aware of, as one English renter reflected:

As much as I think they've been quite open and been very chatty, I've a good relationship with them, they at the end of the day are my landlords who have a contract and hold [my] money (P19, aged 31, income >£50k).

This is ultimately a market relationship and not based on a social contract like social housing tenants enjoy. Yet it is also a marketized relationship centred on informality, moral judgements, unwritten codes, and imperfect communication. This is what makes it a challenge for governments to effectively regulate the sector and raise standards.

Conclusion

Our paper provides further qualitative evidence to enhance our understanding of the challenges faced by private renters in the UK today. Our sample was diverse and drew in participants from across the income scale. The difficulties we report are therefore not restricted to low-income and vulnerable private renters alone, although these groups do face more acute challenges due to the ways in which housing, work and welfare intersect. The parallels between our findings and those from international studies on the PRS further underscores the relevance of our arguments for other national contexts in which the PRS remains lightly regulated, such as North America, Australia, and New Zealand.

Conceptually, our paper highlights that private tenants' experiences of the sector are shaped by the informal interactions and social relations they have with their landlord. Rex and Moore (1967) astutely noted this in their classic study of Sparkbrook, Birmingham in the 1960s, observing how the market-relationship between the two parties created an asymmetrical relationship. Informed by their micro-level analysis of social relations within the PRS we have sought to further add to the growing scholarship in this field. Usefully,

such a micro-level focus also serves as a counterbalance to the more macro-economic arguments advanced by political economists. Whilst they have made important and valuable contributions to our understanding of the structural drivers of housing inequality and the commodification of home, there is often much less attention to the agency of the actors involved. Yet such a focus is important not only in epistemological terms, but also empirically if we want to fully understand the tenant-landlord relationship in all its complexity and nuance. To date, research with landlords on their motivations and behaviours has been limited (for exception see Pawson and Martin, 2021) and it remains a gap where more research would be welcome to facilitate a better understanding of the relationship dynamics at play. It was unfortunately beyond the scope of our study, which was centred specifically on tenant wellbeing. Similarly, more research on the role of letting agents as potential intermediaries in the tenant-landlord relationship, and how, if at all they change the dynamics at play would also bring welcome additional insights.

Whilst legislative reform to improve renters' rights is important and welcome, we argue, nonetheless, that it can only be the start of the journey of reform. Research continually highlights tenants are not always aware of their rights, nor do they always have the confidence, skills, or desire to enforce them. Housing education and stronger legal protections clearly have roles to play, so that both parties are fully aware of their respective rights and responsibilities and how to enforce them. But Governments also need to recognise that transforming the tenant-landlord relationship is pivotal to raising standards, and that these inter-personal dynamics are not easy to regulate. They are highly individual and fraught with informal codes, personal judgements, and discretionary decision-making. This in part is what drives tenants' uneven experience of the sector. As Lister (2004a: 323) noted nearly two decades ago, delivering 'rights on paper' cannot alone deliver the step-change

required in the British PRS. The situation is even more pressing now given the increasing reliance on the sector to house low-income families, homeless households, and other vulnerable groups. It in turn raises bigger public policy questions as to whether Government's reliance on a for-profit-sector to meet the housing needs of society's most vulnerable is the most appropriate policy solution.

Endnotes

¹ The Renting Homes Act 2022 extends the no-fault eviction notice period in Wales to 6 months from 1st December 2022; the Renters Reform Bill published in June 2022 promises to prevent landlords in England from evicting tenants without reason; in NI legislation to extend the notice period for tenancies is also going through the assembly (BBC News 2022).

² As housing is a devolved policy matter, legislation varies across the UK in terms of private tenants' right to repairs - for a helpful overview see Marsh and Gibb, 2019).

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Data access statement

The participants of this study did not give written consent for their data to be shared publicly, so due to the sensitive nature of the research supporting data is not available.

References

Bate B (2020) Making a Home in the Private Rental Sector. *International Journal of Housing Policy* 21(3): 372-400.

BBC News (2022) Renting: no fault evictions to be banned in England. Available at: https://www.bbc.co.uk/news/uk-61817249?at_medium=RSS&at_campaign=KARANGA

(Accessed 16 August 2022)

Blunt A and Dowling R (2006) *Home*. London: Routledge.

Burridge N (2022) Rents on new lets are rising across the UK but it's a highly localised picture. Available at: <https://www.zoopla.co.uk/discover/property-news/rents-on-new-lets-are-rising-across-the-uk-but-its-a-highly-localised/> (Accessed 20 August 2022)

Byrne M and Norris M (2019) Housing Market Financialization, Neoliberalism and Everyday Retrenchment of Social Housing. *Environment and Planning A: economy and space* 54(1): 182-198.

Byrne M and McArdle R (2022) Secure Occupancy, Power and the Landlord-Tenant Relation: a qualitative exploration of the Irish Private Rental Sector. *Housing Studies* 37(1): 124-142.

Chisholm E, Howden-Chapman P and Fougere G (2020) Tenants' Responses to Substandard Housing: hidden and invisible power and the failure of rental housing regulation. *Housing Theory and Society* 37(2): 139-161.

Cole I, Powell R, and Sanderson E (2016) Putting the Squeeze on ‘Generation Rent’: housing benefit claimants in the private rented sector – transitions, marginality and stigmatisation. *Sociological Research Online* 21(2): 23-36.

Desmond M (2016) *Evicted: poverty and profit in the American City*. London: Penguin.

Draper J (2022) Was there Anti-Irish Racism in Britain in the Postwar period? *History Reclaimed*. Available at: <https://historyreclaimed.co.uk/was-there-anti-irish-racism-in-britain-in-the-postwar-period/> (Accessed 20 August 2022)

Easthope H (2014) Making a Rental Property a Home. *Housing Studies* 29(5): 579-596.

Gibb K, Livingston M and Berry K (2019) *Overview of Private Rented Housing Reforms in Scotland (SPICe Briefing)*. Edinburgh: Scottish Parliament.

Gibb K, Soaita AM and Marsh A (2022) *Rent Control: a review of the evidence base*. Glasgow: UK Collaborative Centre for Housing Evidence.

Hoolachan J, McKee K, Moore T and Soaita AM (2017) ‘Generation Rent’ and the Ability to ‘Settle Down’: economic and geographical variation in young people’s housing transitions. *Youth Studies* 20(1): 63-78.

Joseph Rowntree Foundation (2021) *Renters on Low-Incomes Face a Policy Black Hole: homes for social rent are the answer (Briefing)*. Available at: <https://www.jrf.org.uk/file/58800/download?token=52fzupQE&filetype=briefing>

Lister D (2004a) Young People's Strategies for Managing Tenancy Relationships in the Private Rented Sector. *Journal of Youth Studies* 7(3): 315-330.

Lister D (2004b) Controlling Letting Arrangements? Landlords and Surveillance in the Private Rented Sector. *Surveillance & Society* 2(4): 513-528.

Livingstone M, Berry K, Gibb K and Bailey N (2018) *Private Renting Reforms: how to evidence the impact of legislation*. SPICe briefing.

Maalsen S, Wolifson P, Rodgers D, Nelson J and Buckle C (2021) *Understanding Discrimination Effects in Private Rental Housing*, AHURI final report no. 363. AHURI: Melbourne.

Madden D and Marcuse P (2016) *In Defense of Housing: the politics of crisis*. London: Verso Books.

Marsh A and Gibb K (2019) *The Private Rented Sector in the UK: an overview of the policy and regulatory landscape*. Glasgow: UK Collaborative Centre for Housing Evidence:

McKee K, Muir J and Moore T (2017) Housing Policy in the UK: the importance of spatial nuance. *Housing Studies* 32(1): 60-72.

McKee K, Soaita AM and Hoolachan J (2020) 'Generation Rent' and the Emotions of Private Renting: self-worth, status and insecurity amongst low-income renters. *Housing Studies* 35(8): 1468-1487.

McKee K, Simcock T and Harris J (2022) *The Challenges of Living in Scotland's Private Rented Sector*. Glasgow: UK Collaborative Centre for Housing Evidence.

Mykkanen N and Simcock T (2018) *The Right to Rent Scheme and the Impact on the Private Rented Sector*. Manchester: Residential Landlord's Association.

Orford S and Harris J (2020) *UK Private Rented Sector Data: briefing paper*. Glasgow: UK Collaborative Centre for Housing Evidence.

Oswald D, Moore T and Baker E (2022) Exploring the well-being of renters during the Covid-19 Pandemic. *International Journal of Housing Policy* (Online Early): <https://doi.org/10.1080/19491247.2022.2037177>

Pawson, H. and Martin, C. (2021) Rental Property Investment in Disadvantaged Areas: the means and motivations of Western Sydney's new landlords, *Housing Studies* 36(5): 621-643.

Power E (2017) Renting with Pets: a pathway to housing insecurity. *Housing Studies* 32(3): 336-360.

Power E and Gilon C (2022) Performing the 'Good Tenant'. *Housing Studies* 37(3): 459-482.

Reeve K, Cole I, Batty E, Foden M, Green S and Pattison B (2016) *Home: no less will do: homeless people's access to the Private Rented Sector*. Sheffield: CRESR.

Rex J and Moore R (1967) *Race, Community and Conflict: a study of Sparkbrook*. London: Oxford University Press.

Rolfe S, McKee K, Feather J, Simcock T and Hoolachan J (2023) The Role of Private Landlords in Making a Rented House a Home. *International Journal of Housing Policy* 23 (1): 113-137.

Rugg J and Rhodes D (2018) *The Evolving Private Rented Sector: its contribution and potential*. York: University of York.

Smith M, Albanese F and Truder J (2014) *A Roof Over My Head: the final report of the Sustain project, a longitudinal study of housing outcomes and wellbeing in private rented accommodation*. London: Shelter and Crisis.

Soaita AM (2021) *Renting During the COVID-19 Pandemic in Great Britain: the experiences of private tenants*. Glasgow: UK Collaborative Centre for Housing Evidence.

Soaita AM, Munro M and McKee K (2020) *Private Renters' Housing Experiences in Lightly Regulated Markets: reviews of qualitative research*. Glasgow: UK Collaborative Centre for Housing Evidence.

Spratt V (2022) *Tenants: the people on the frontline of Britain's housing emergency*. London: Profile Books.

Walker R and Jeraj S (2016) *The Rent Trap: how we fell into it and how we get out of it*.

London: Pluto Press.