

Housing Development Briefing Note

To: Housing Improvement Board
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 Date: 25th July 2019
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 Subject: Shelter - Evictions by social landlords in Scotland 2016-2018

Background

In July 2019, Shelter published a [report](#) on evictions by social landlords in Scotland between 2016 and 2018. The report provides further information in relation to eviction action by social landlords in Scotland, drawing comparisons that date back to 2013/14 following the introduction of Pre-Action Requirements in 2012.

Main Issues

Some of the key points highlighted in the report are outlined below:

- over the last twelve months, evictions by social housing providers have remained static. In 2017/18 there were 2,267 social sector evictions, compared to 2,276 evictions in 2016/17
- 93% of evictions in 2017/18 were carried out due to rent not being paid, whilst anti-social behaviour accounted for 6% of evictions.
- eviction action has increased in both LA and RSL sectors since 2013/14
- Over the last decade the number of social sector evictions in Scotland have come down by a third since the high of 2008/09 (3,297) but, over the last five years they have increased by 44% to the current level
- UK wide welfare reform has seriously impacted tenants' income and ability to pay rent. The climate in which social landlords are carrying out these evictions for rent arrears is significantly different to that of 2013/14
- The conversion rate between notice of proceedings resulting in a successful court order granted for an eviction has steadily increased between 2013/14 to 2017/18 – more so for local authority evictions. This suggests that local authorities are increasingly only commencing court action when they believe that they have a successful eviction case on their hands

Evictions by West Dunbartonshire Council have also increased since 2013/14 from a low of 8 in 2013/14 to 49 in 2017/18.

	2013/14	2017/18
Scotland	1571	2267
West Dunbartonshire Council	8	49

The WDC figure rose in 2018/19 to 56 evictions (54 for rent arrears), and by the end of Q1 2019/20 there have been 15 evictions (all for rent arrears).

The report makes a number of recommendations including:

- all social landlords should prioritise prevention of evictions and homelessness by adopting precautionary, pre-crisis and crisis interventions, in partnership with a wide range of advice and support services
- early face-to-face contact and involvement, comprehensive written information and advice and a focus on alternative ways to recovering debt should be available to all social tenants before crisis intervention is needed
- an increased focus on reducing the use of eviction actions to manage rent arrears among local authorities and RSL's
- Scottish Government should commit to a review of the operation of pre-action requirements across the social rented sector

What it means for West Dunbartonshire

In terms of the recommendations Shelter make, WDC largely follows the practice recommended for landlords and we share the view that eviction should be the last resort and that a decision to evict a tenant, especially families, must be balanced against other duties and considerations, including the duty of local authorities to reduce and prevent homelessness and to protect children's well-being and future.

Pre-action requirements were intended to reduce the number of evictions in Scotland's social sector, by ensuring there was consistent intervention by all social landlords at the early stages of rent arrears to prevent eviction action. However, after their introduction in 2012 and an initial reduction in evictions, the number of evictions has been increasing. Although this may be driven by welfare reform, we would support Shelter's call for the Scottish Government to review the operation of these pre-action requirements and update and strengthen them if appropriate.

As part of our response to the roll out of Universal Credit, we aim to ensure that we maximise the use of alternative payment arrangements or the Scottish flexibilities and Housing Officers are now playing a more proactive role in terms of assisting tenants address any arrear as early as possible.

Further actions aimed at tackling arrears and reducing evictions being taken forward include a review of our Section 11 best practice protocol and a review of our court action process.