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Slum landlords, substandard housing, and property inspections

An empirical analysis of the enforcement of the Dutch Housing Act

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Outline

- > Substandard housing and rogue landlords
- > Governments fight the problem
- > Empirical analysis of the enforcement of the Housing Act
- > Effectiveness?



Definitions

Substandard housing

- › Housing that poses a risk to the health, safety or physical well-being of its occupants and its neighbors and visitors.
 - In a Dutch context: violations of Housing Act

Rogue landlords / Slumlords

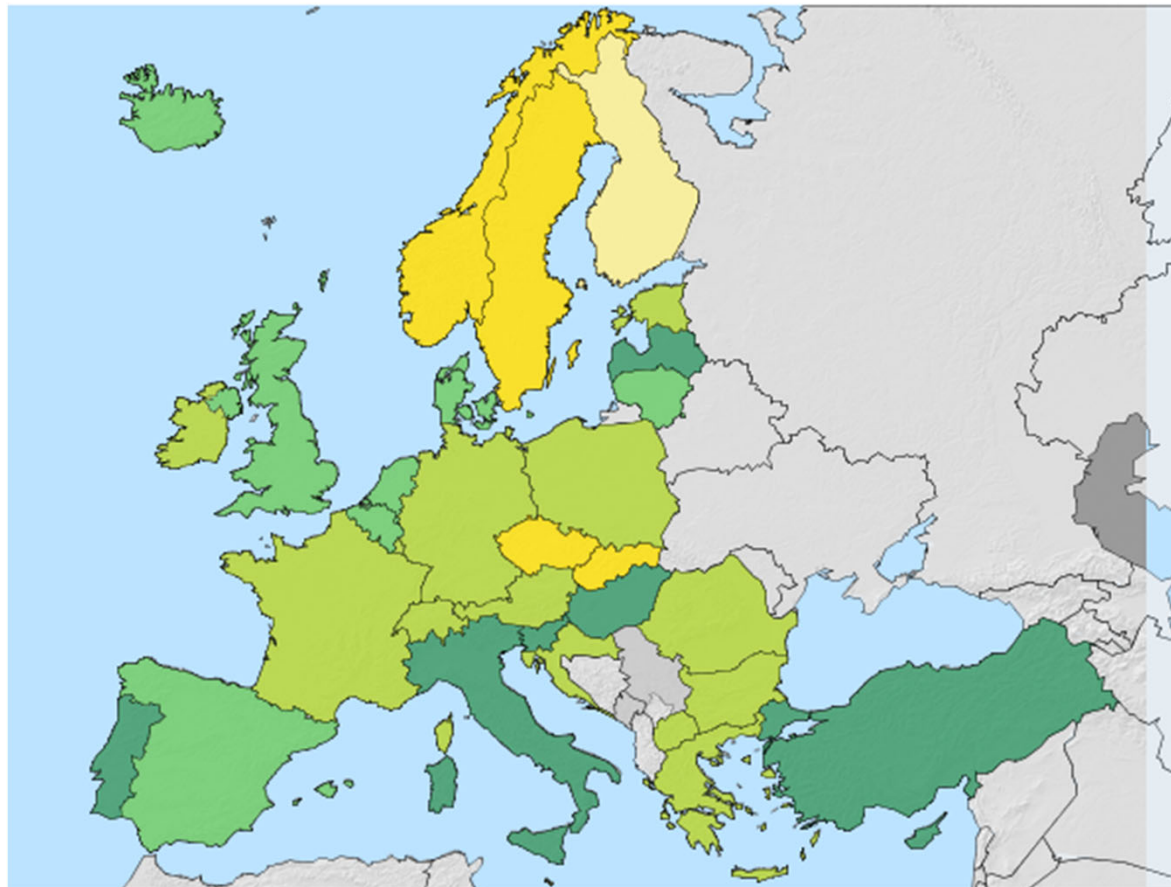
- › Own more than one substandard building
- › Repeat player (Galanter 1978)
- › Rack-renter / excessive rents
- › Drug dens / cannabis farms
- › Intimidation of tenants etc

Share of total population living in a dwelling with a leaking roof, damp walls, floors or foundation, or rot in window frames of floor – EU-SILC survey

ethods

%
Total Total

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Legend

4.7 - 5.0

5.0 - 10.0

10.0 - 15.0

15.0 - 20.0

20.0 - 39.0

Not available

Exceptions: CY, LU, IS, IT, TR, MT, PT, FR, CH, MK, DE, IE(2015)

Minimum value:4.7 Maximum value:39.0

The indicator is defined as the percentage of the total population living in a dwelling with either:

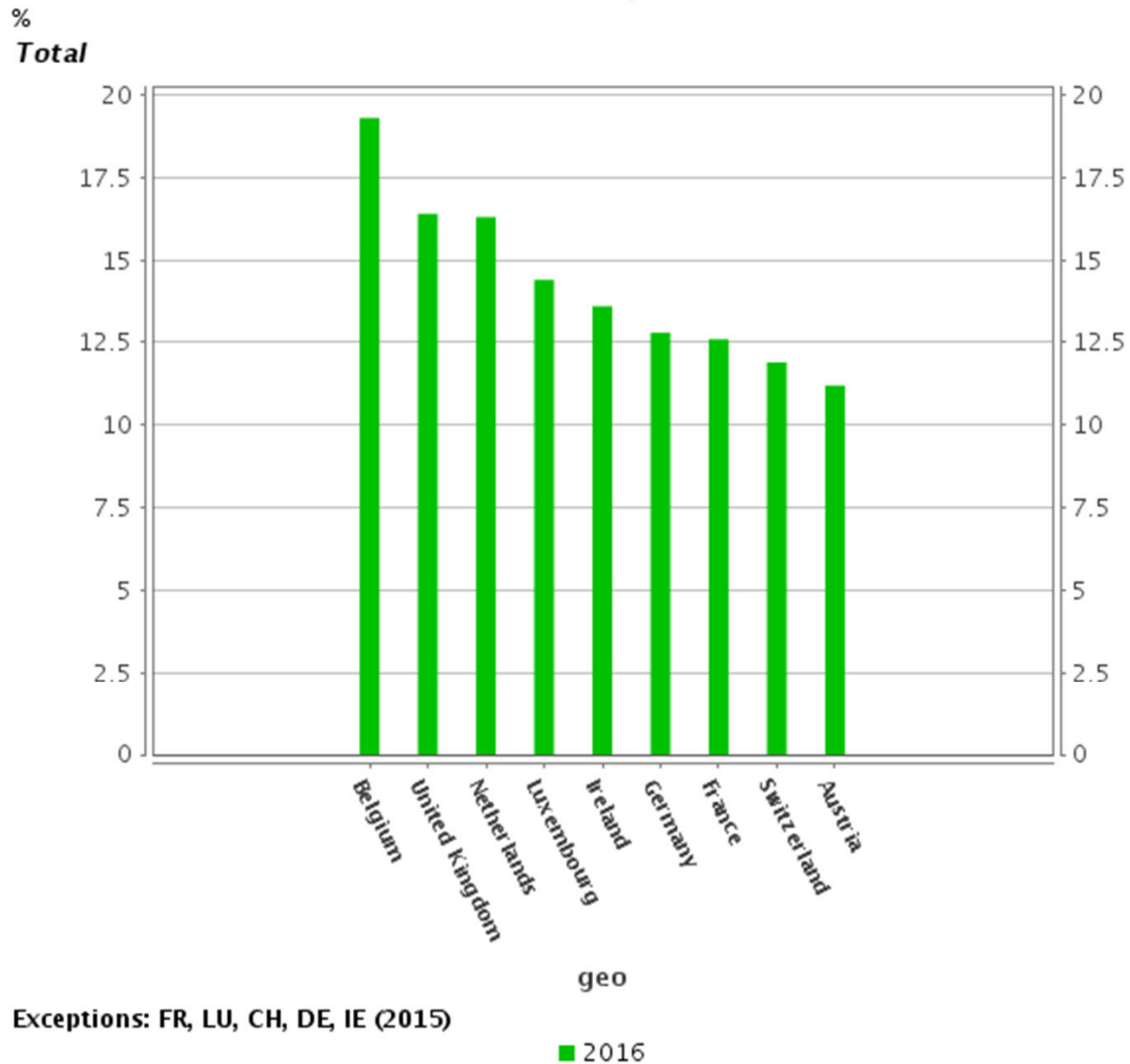
- a leaking roof, or
- damp walls / floors/ foundation, or
- rot in window frames or floor.

Source: Eurostat



Share of total population living in a dwelling with a leaking roof, damp walls, floors or foundation, or rot in window frames of floor - EU-SILC survey

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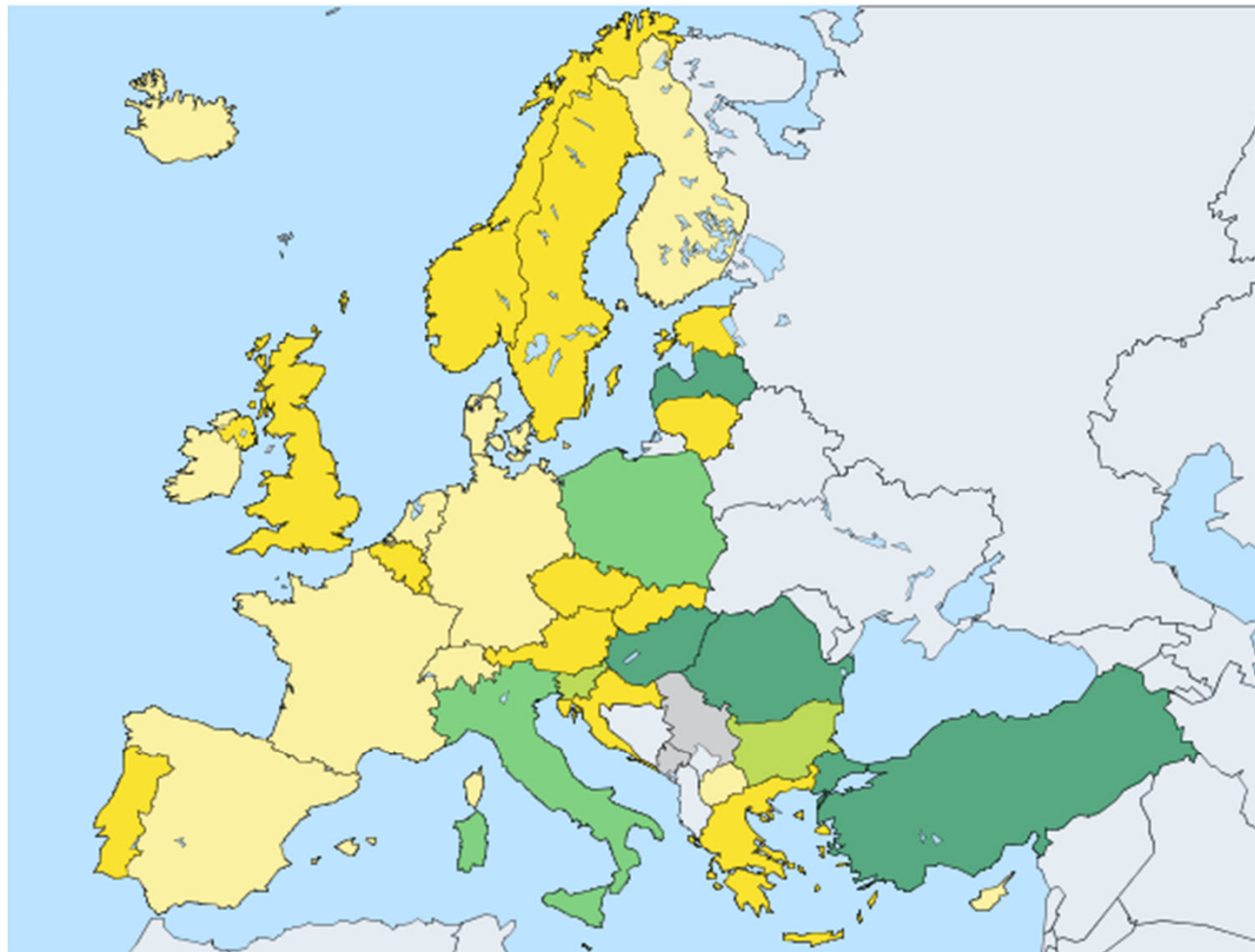
Severe housing deprivation rate by tenure status

% of total population

Tenant, rent at market price

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Legend

0.6 - 5.0

5.0 - 10.0

10.0 - 15.0

15.0 - 20.0

20.0 - 46.0

Not available

Exceptions: CY, LU, IS, IT, TR, MT, PT, FR, CH, MK, DE, IE(2015)

Minimum value:0.6 Maximum value:46.0

The severe housing deprivation rate corresponds to the share of the population living in a dwelling which is considered as **overcrowded**, while also exhibiting at least **one of the housing deprivation measures**.

Housing deprivation is a measure of poor amenities and is calculated by reference to households with a leaking roof, neither a bath, nor a shower, nor an indoor flushing toilet, or a dwelling considered too dark.

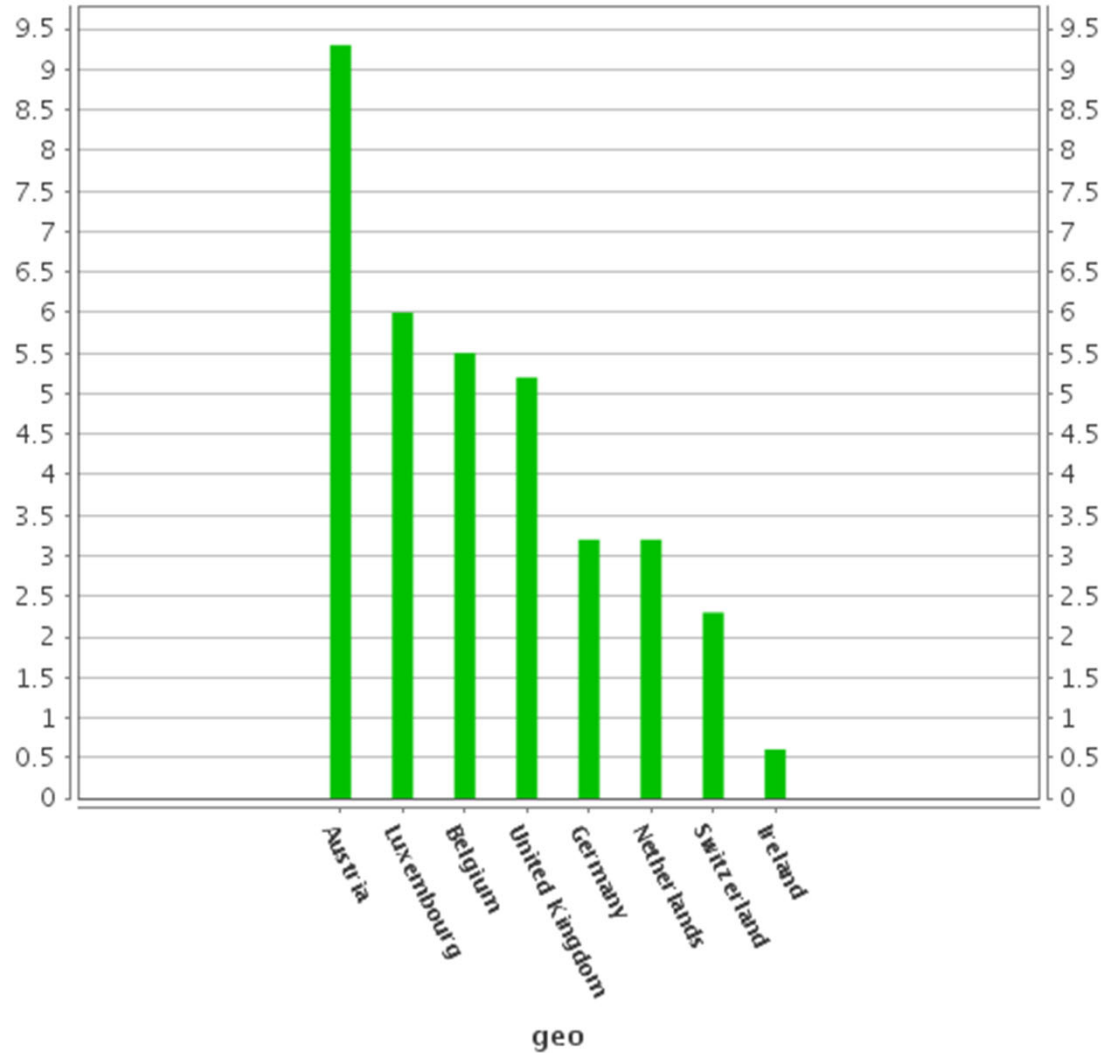


Severe housing deprivation rate by tenure status

% of total population

Tenant, rent at market price

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Exceptions: LU, CH, DE, IE (2015)

■ 2016



Fight against rogue landlords

United Kingdom

- › Banning orders› ban a person from letting housing in England or engaging in letting agency or property management work (Jackson 2016)

Belgium

- › Rogue landlord / rack-renting is made a criminal offence



Dutch Housing Act

- › Repair notices subject to a penalty (2007)
- › Administrative enforcement action (2007)
- › Administrative fines (2015)
- › Closure orders (1997-2015)
- › Management control orders (2015)
- › Expropriation order (1997)



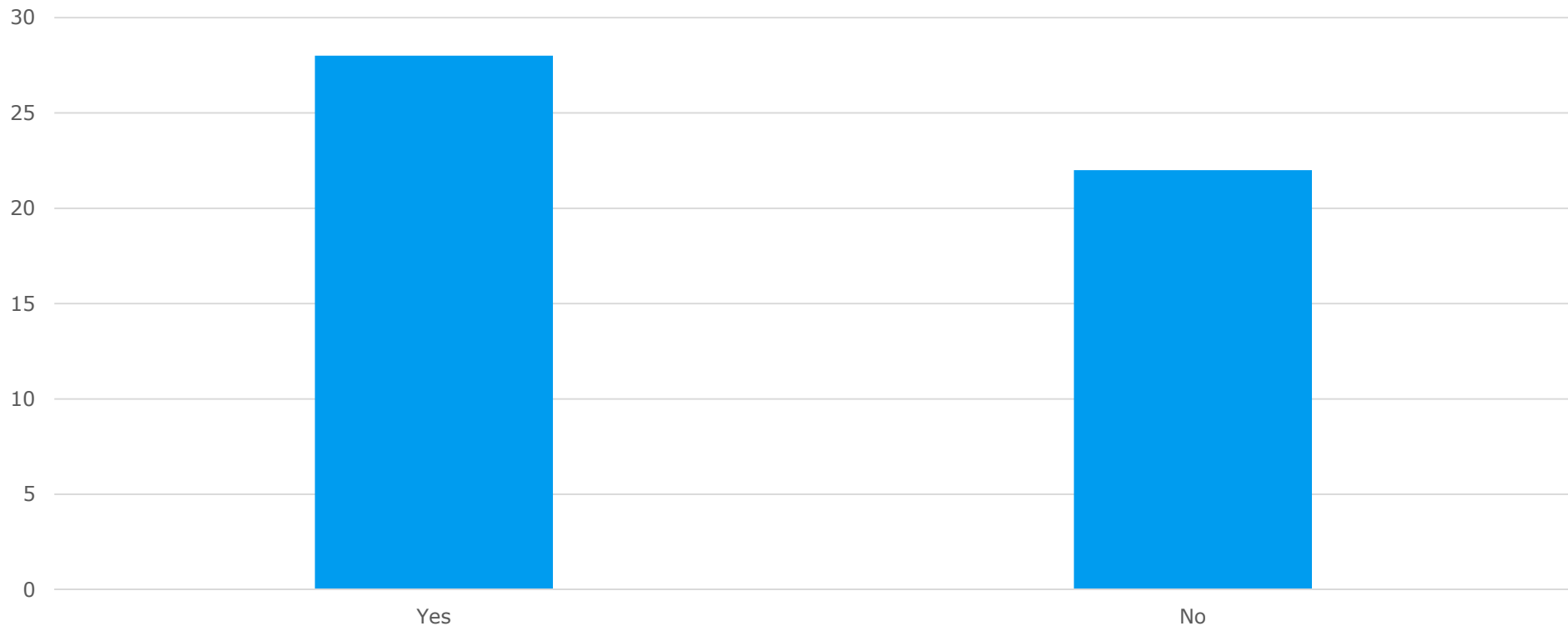
Empirical analysis

- › Analysis of policy documents of 50 local authorities
- › Survey among 50 local authorities
 - About use of instruments in 2015 & 2016
- › 25 interviews with practitioners
- › 7 discussion meetings with practitioners with field visits



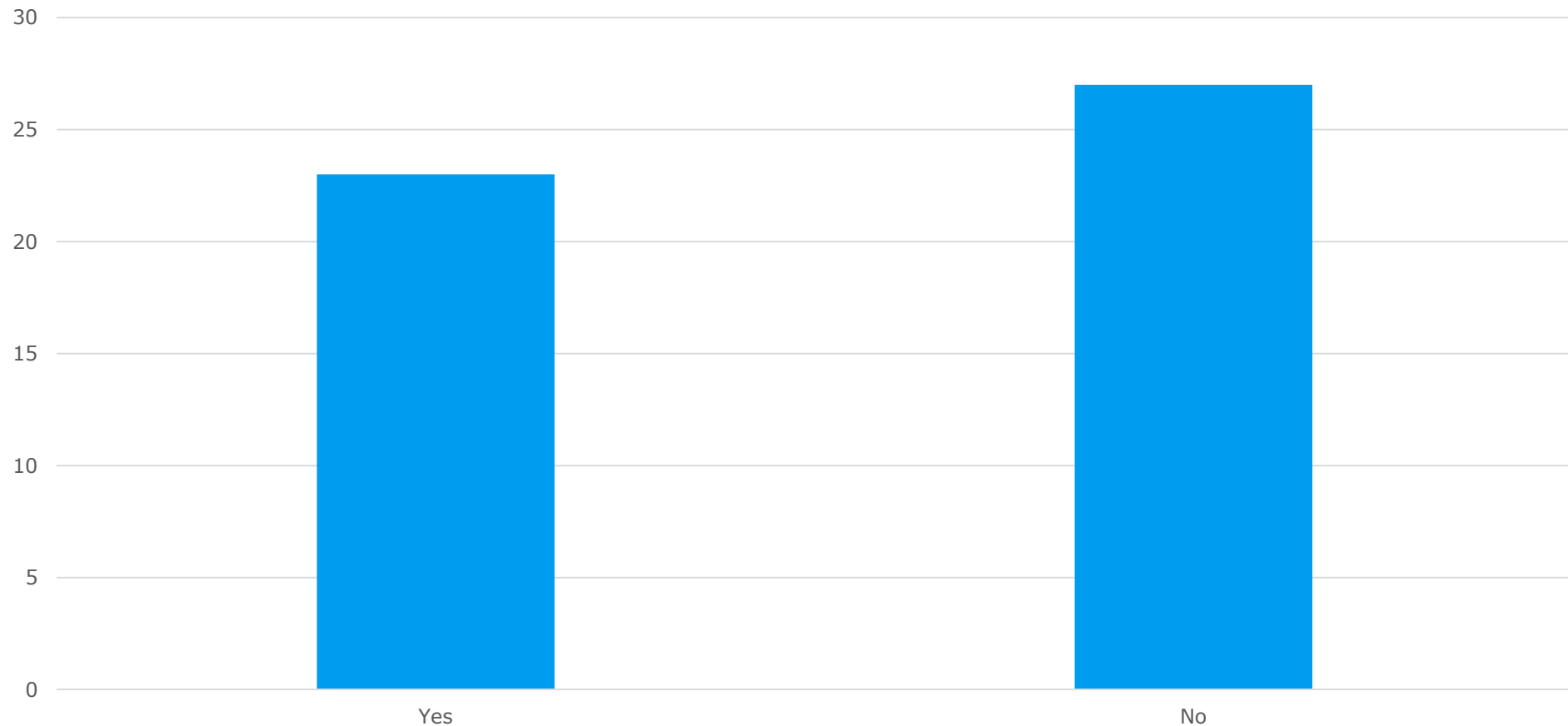
Policy document analysis (2015 & 2016)

Does the local authority report problems concerning rogue landlords? (n=50)



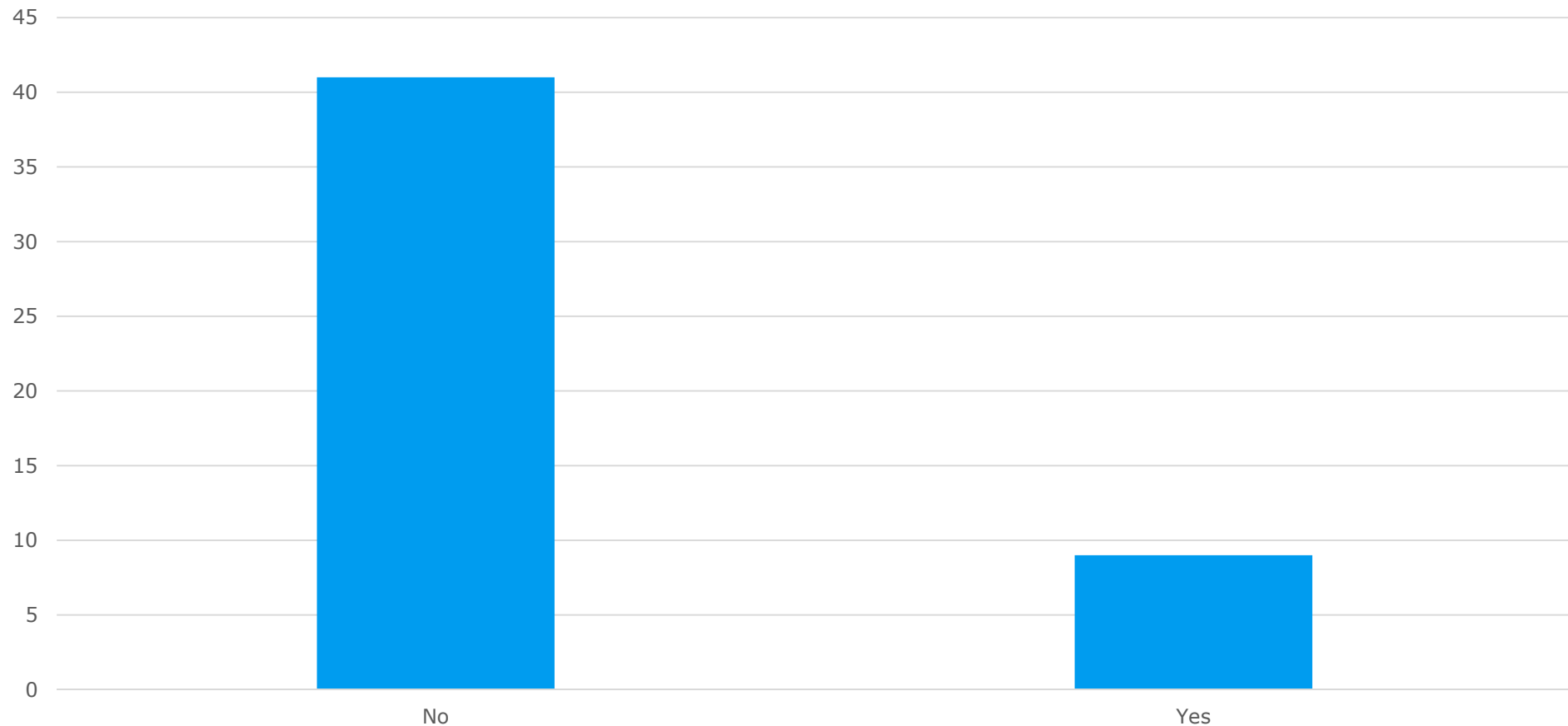


Does the local authority have a policy plan to tackle rogue landlords? (n=50)





Does the local authority refer to the new instruments in the documents? (n=50)



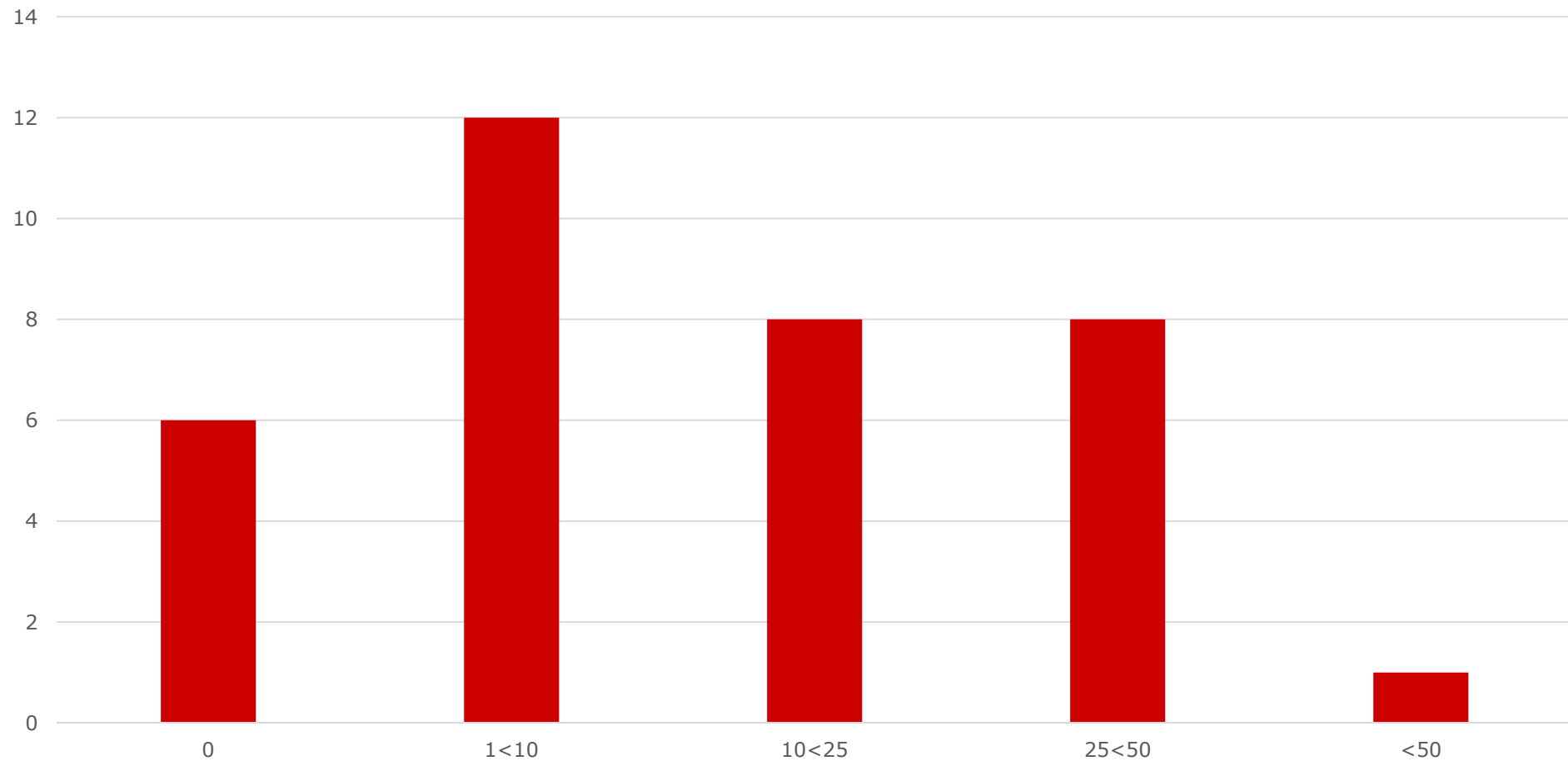


Quantitative analysis (2015)

- > Survey among 50 local authorities

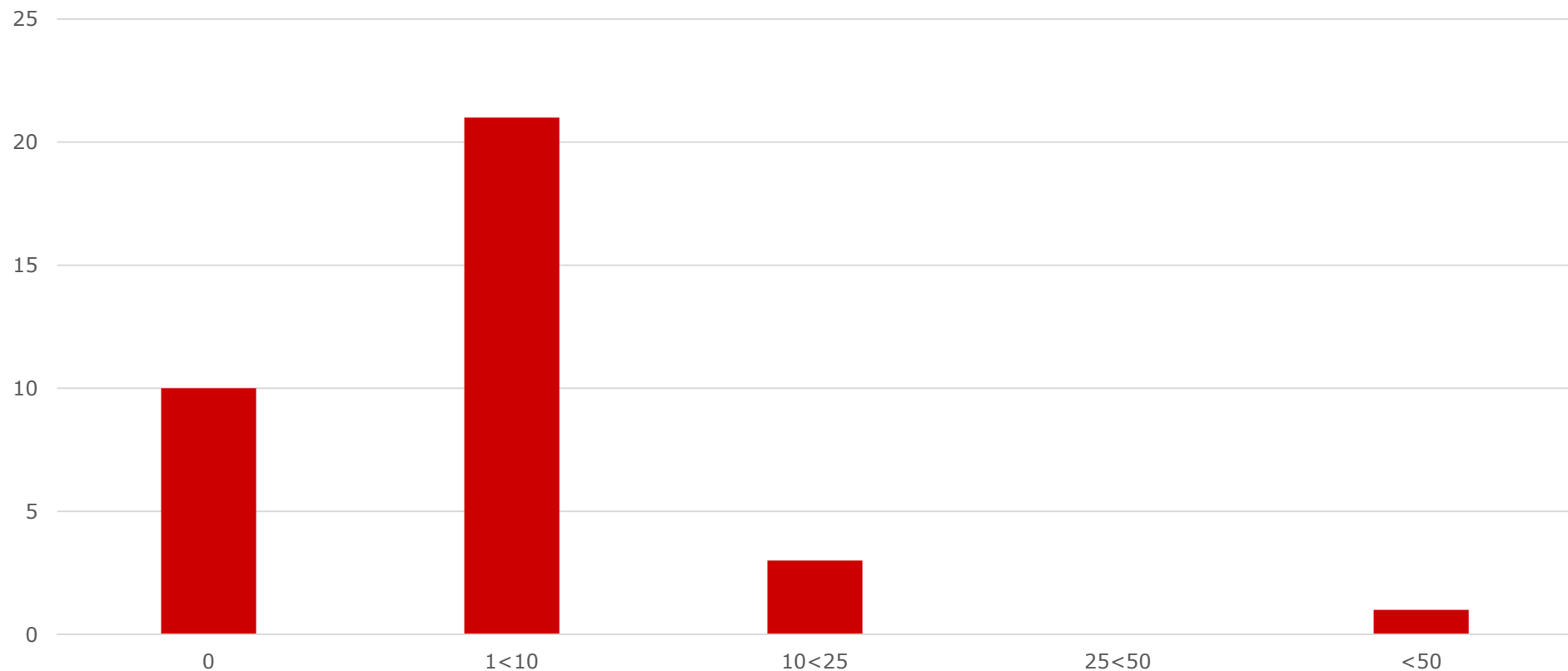


How many times did the local authority issue a repair notice? (n=35)



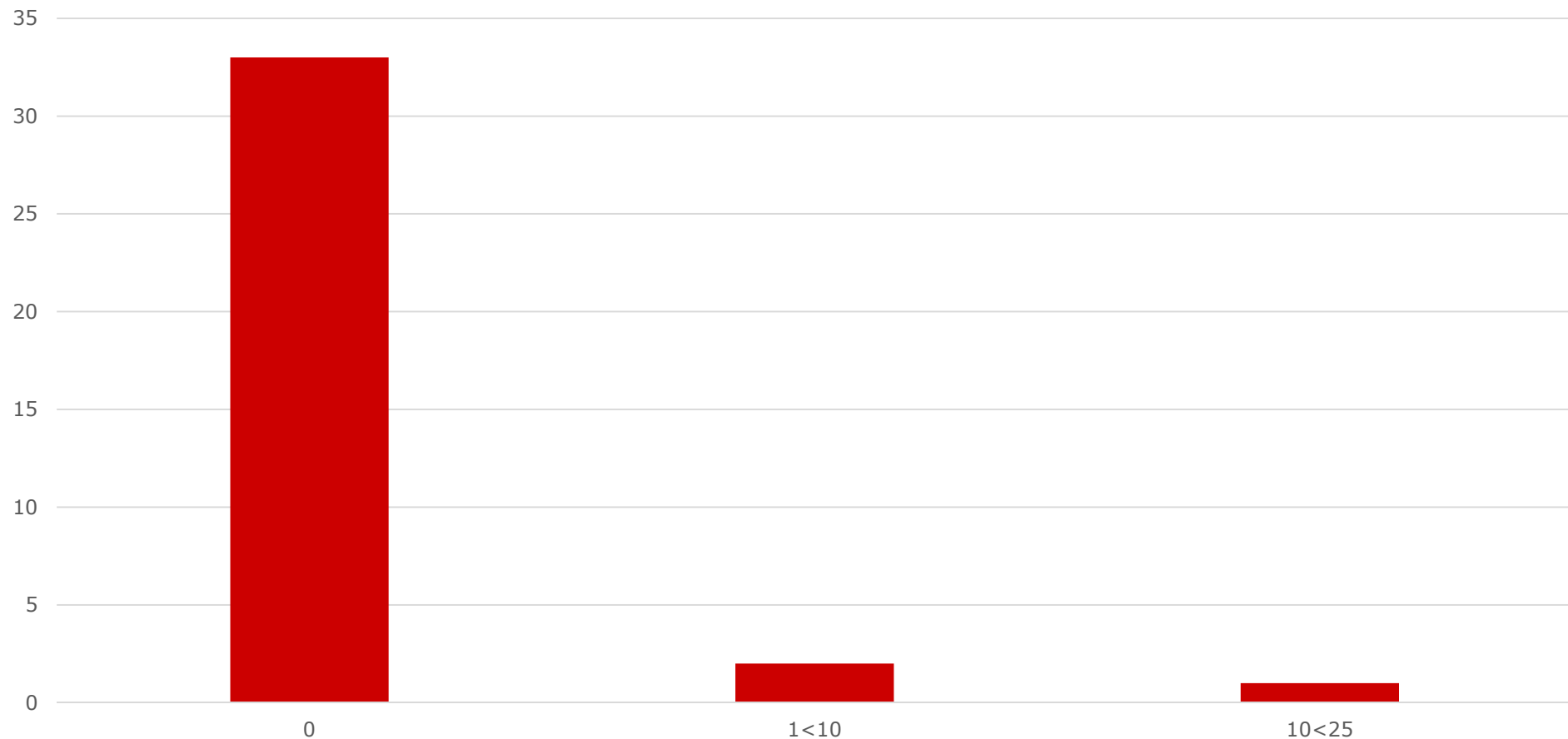


How many times did the local authority take administrative enforcement action?(n=35)



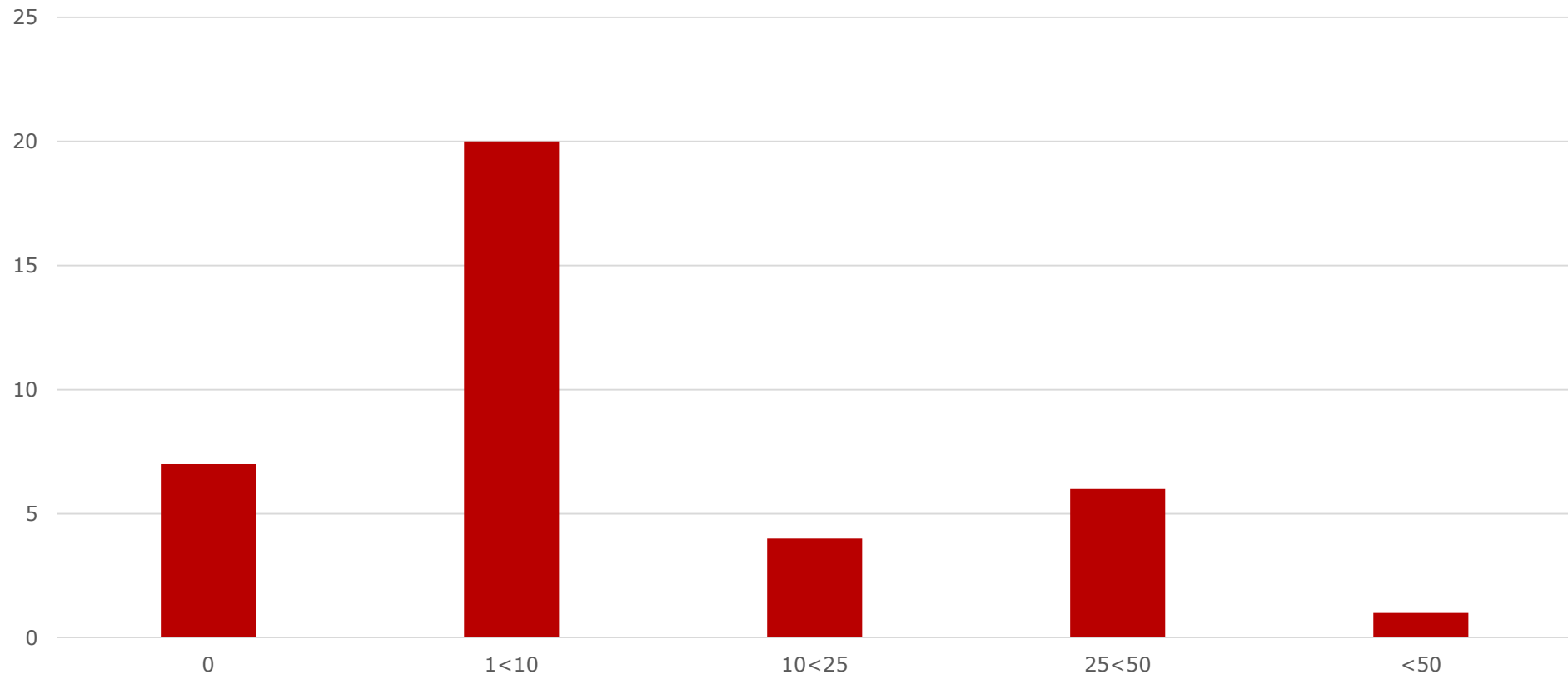


How many times did the local authority issue an administrative fine? (n=36)





How many closure orders because of drug-related activities did the local authority issue? (n=38)





Other instruments

- > Management control orders
 - No local authority used this power (n=35)
- > Expropriation order
 - No local authority used this power (n=35)



Qualitative analysis

- › Interviews & meetings with practitioners
 - Why do you use (or don't use) the instruments?
 - Are the instruments effective?



Results:

- > One-shotters can be addressed with warnings and repair notices
- > 'We just started'
- > Housing Act too difficult to understand and apply



Results II

- › Both the authorities and rogue landlords 'play the system'
 - Authorities develop a parallel system
 - Threaten to use powers, to force landlords into a 'contract'
 - Landlords use tenants as a shield against enforcement
 - Political pressure, media attendance



Final remarks

- › It is too early to draw conclusions on the effectiveness of the legal instruments.
 - Are legal instruments the way to change society?
 - Role of non-criminal law and criminal law?

- › Future research:
 - More empirical work (survey 2016)
 - Comparative analysis (UK, USA, Belgium, South Africa?)