

Margaret Burgess MSP  
Minister for Housing and Welfare  
The Scottish Government  
St Andrew's House, Regent Road  
Edinburgh, EH1 3DG

23 April 2013



## **Preserving Scottish tenancy rights**

We are writing to you to raise our serious concerns about the proposal to introduce 'probationary' or 'introductory' tenancies, which would erode hard won tenants' rights and destabilise the social housing sector. Security of tenure was only achieved in 1980 after years of arduous campaigning by tenants groups and should not be lightly surrendered.

We strongly oppose the proposal to introduce a 'probationary tenancy' for all new social tenants. At a time when we should be focused on mitigating the welfare reforms and ensuring best use of available housing stock for those who need it, fundamental changes to tenancy rights would place an unnecessary burden on social landlords. We are also concerned that probationary tenancies would create a 'two-tier' rights system where new tenants do not have the safety and stability of a secure home.

A secure tenancy should be valued and where necessary, tenants should be supported to sustain their homes and to be responsible tenants and neighbours. We do not however, believe that the way to deal with any bad conduct from a minority of tenants or to deal with rent arrears, is to put everyone 'on probation'. In our experience, tenancy issues arise when people and families are experiencing financial or personal hardship or lifestyle changes, not necessarily when they are 'new' tenants. It is unclear what the evidence is for the need for reform, what problem it seeks to address or whether this measure would be effective in practice.

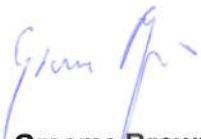
Because of the clients we work with, we are more than aware of the problems that can be created by anti-social behaviour and how critical an issue this is across the sector. Anti-social behaviour is a blight on communities and we would support any moves to develop the tools that landlords and others have to tackle these issues quickly and effectively. We want to continue to engage constructively on what the solutions might be to ensure the safety and security of all tenants.

We feel this proposal would penalise new tenants if implemented and could impact disproportionately on vulnerable individuals and families. We are also very concerned about the potential impact which homelessness, or the fear of it, can have on the wellbeing and education of vulnerable children.

We believe it is a mistake to follow the lead of English landlords and introduce mandatory probationary tenancies; we will campaign vigorously to defend the rights tenants currently have. This controversial proposal has met a very mixed reaction across the sector and we urge that you reconsider making this fundamental change to the Scottish tenancy regime.

We would welcome the opportunity to discuss this issue in more detail.

Yours sincerely



**Graeme Brown**  
Director, Shelter Scotland



**Martin Crewe, Director**



**John Dickie, Head**



**Jackie Brock, Chief Executive**




**Jim Harvey, Director**



**Margaret-Ann Brunjes, Director**



**Robert Aldridge, Chief Executive**



**Satwat Rehman, Director**



**Judith Robertson,**  
Head of Oxfam Scotland



**Peter Kelly, Director**



**Alastair Cameron, Chief Executive**

Scottish Churches  
Housing Action



no room for homelessness!



**David Liddell, Director**

