

Domestic abuse in the PRS: a matter of life and death

A quarter of all women will experience domestic abuse and with an increasing number of families living in the PRS it is something you, as landlords, may have to deal with. With potentially fatal consequences to turning a blind eye we share new guidance on how to support your tenants.

A mother murdered in her own home and the house set alight, another mother beaten to death as the tenant next door tried to record the attack as evidence of noise nuisance. This is the reality of domestic violence in rental homes.

Yes, domestic abuse is by no means an issue purely for the rental sector, but following a brutal murder in a rental home in Wiltshire two years ago the RLA was approached to help develop guidance for landlords.

It is now working with the Domestic Abuse Housing Alliance (DAHA) which is running a two year PRS project to promote awareness.

No-one is expecting landlords to physically intervene in abusive situations, but in the wake of the tragedy the RLA has worked with the alliance to provide advice to landlords on where to go for help.

The Domestic Abuse Bill is making its way through Parliament. One of its aims is to make it everybody's moral responsibility to take the issue seriously, with landlords forming part of an improved response.

Turning a blind eye – and the consequences

In February 2016 tenant Timothy Down tried to record what he thought was evidence of noise nuisance, when he heard “serious,

heavy banging” coming from the flat next door.

In fact, it was his neighbour, Natasha Bradbury being murdered.

During the murder trial he told the court he didn't call the police because he rang his father who advised him ‘not to get involved’.

This is not an uncommon attitude, but a decision that, in this case, had fatal consequences. Fellow tenants, neighbours and landlords may be scared of reprisals, embarrassed in case they have got it wrong, see it as a private matter that is none of their business, but the price for this reticence can be high. People, especially women can, and do, die.

The facts

One in four women in England and Wales will experience domestic violence and abuse in their lifetime and 8% will suffer domestic abuse in any given year according to the Crime Survey of England and Wales 2017/18.

Two women a week are killed by a current or former partner and 130,000 children live in homes where there is a high risk of domestic abuse

The RLA is aware that domestic abuse is as likely to happen in the PRS as any other form of housing, and private landlords are not legally required to act or report domestic abuse. However, the consequences of ignoring a situation could be fatal and

the RLA is encouraging members to:

- Take domestic abuse seriously,
- Not ignore potential signs,
- Respond to any approach for assistance.

What is domestic abuse?

Domestic abuse is broadly defined as any ‘incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between partners or family members over 16’. This can be psychological, physical, sexual, financial or emotional.

Signs your tenant could be a victim of domestic abuse

Landlords or agents can sometimes be the first to spot the signs, either directly by disclosure from the tenant or indirectly by a third party such as police. However, there can also be other indicators such as unexplained damage to the property, reports of loud noises, banging or shouting.

My tenant has reported they are the victim of domestic abuse. What do I do now?

Offer to call the police

Landlords need the tenant's consent to call the police or any other body that may be able to help, such as a local domestic abuse support service.

CASE STUDY: ANDRAYA LYONS

Mother of two Andraya Lyons was murdered by her abusive partner Anthony Porter (pictured) following a Christmas party in December 2016.

Porter, aged 32, was sentenced to life after he beat her to death, poured paint in her mouth and then started a fire to cover his tracks at their rented home in Drew Street, Swindon.

There was a history of violence towards 39-year-old Andraya and she had told Porter the relationship was over that evening following more aggression and threatening behaviour.

Later that night he broke into the house and killed her.



This is a very sensitive area and one that private landlords cannot just impose without the tenant's consent - unless there's an imminent risk to their safety. Again, landlords are not legally obliged to report domestic abuse, but this is always something you should consider and respond to.

The minimum response should be that the tenant is provided with local domestic abuse services and the number for the National Domestic Violence Helpline, available 24 hours a day. This helpline can also provide landlords information on local services to pass to the tenant.

If you think there may be an imminent risk even if the perpetrator has left the property, call the police.

Help the tenant stay in the property
Domestic abuse is the biggest cause of homelessness amongst women.

Where possible assist and support the tenant to stay in their home.

In some circumstances the victim may feel unable to return to their home either in the immediate or long term - for example if the perpetrator stays in the locality.

If the tenant cannot return their support worker will be able to assist them to access alternative housing and you should be kept informed.

Landlords are advised to be flexible in terms of contractual arrangements

and consider the practicalities of accepting a surrendered tenancy where this is appropriate, and it is not safe for the tenant to continue to live there. Legal advice should always be sought in these circumstances.

Allow extra security measures to be installed

This can be critical to allow a tenant to stay in their home and sustain their tenancy. Although it should always be established who will maintain such items.

What about the practicalities?

When abuse includes physical abuse or intimidation there can be damage caused to the property. Damage as a result of domestic abuse should be noted and photographed and wherever feasible charged to the perpetrator. Where appropriate the landlord or agent may take direct action against the perpetrator and report the damage to the police.

What does this mean for the tenancy agreement?

Landlords should work with the tenant and support services if the tenant wishes to have an abusive partner removed from a tenancy agreement. There will be joint legal

obligations to fulfil and it is essential landlords seek legal advice if this is seen as the preferred option.

The tenant may give notice to quit if on a rolling periodic tenancy and request a sole tenancy when the joint tenancy ends. This should always be put in writing.

It is also advisable to find out if the tenant has sought advice before accepting the notice - the tenant will need to consider the implications of sustaining the tenancy on their own which includes the financial responsibility. Landlords should seek advice before making a decision.

Victoria Watts of the DAHA said: "We welcome the opportunity to work in partnership with the RLA to help raise awareness of domestic abuse to landlords and to get the message out that support is out there.

"We don't expect landlords to act as the police or victim support officers but essentially it's everybody's responsibility to help and not to ignore signs with the backup of knowing that support and assistance is available to both tenant and landlord." 🏠

FURTHER INFORMATION

- National Domestic Violence Freephone Helpline - 0808 2000 247. This helpline is available 24 hours a day, 365 days a year
- Victim Support - www.victimsupport.org.uk
- For information and advice for children and young people, visit www.childline.org.uk or telephone ChildLine free on 0800 11 11.
- Domestic Abuse Housing Alliance, www.dahalliance.org.uk

