

HSHAWB 18 Propertymark

Senedd Cymru | Welsh Parliament

Y Pwyllgor Llywodraeth Leol a Thai | Local Government and Housing Committee

Bil Digartrefedd a Dyrannu Tai Cymdeithasol (Cymru) | Homelessness and Social Housing Allocation (Wales) Bill

Ymateb gan: Propertymark | Evidence from: Propertymark

Senedd Local Government and Housing Committee Consultation into the Homelessness and Social Housing Allocation (Wales) Bill
Response from
Propertymark June 2025

Background

1. Propertymark is the UK's leading professional body of property agents, with 19,000 members representing over 12,800 branches. We are member-led with a Board which is made up of practicing agents and we work closely with our members to set professional standards through regulation, accredited and recognised qualifications, an industry-leading training programme and mandatory Continuing Professional Development¹.

Summary

2. The Homelessness and Social Housing Allocation (Wales) Bill ("the Bill") has been referred to the Local Government and Housing Committee ("the Committee") for Stage 1 scrutiny of the general principles of the Bill. If passed, the Bill will:
 - Expand access to homelessness services and provide additional support to those who need it most.
 - Widen responsibility to certain specified public authorities to identify individuals who are homeless or at risk of homelessness and respond effectively.
 - Prioritise allocation of social housing to those most in need.

Question areas

The general principles of the Homelessness and Social Housing Allocation (Wales) Bill and whether there is a need for legislation to deliver the Bill's stated policy objectives, which are to:

- **Expand access to homelessness services and provide additional support to those who need it most.**
3. Propertymark demonstrated our support for many of the provisions in the Bill from our response to the Welsh Government's White Paper on Ending homeless in Wales². We were supportive of providing additional support to those who need it most and acknowledged that local authorities should produce Personal Housing Plans (PHP) which would allow local housing authorities to highlight solutions to specific barriers to housing and reduce the individual threats to homelessness people may face. However, we also highlighted that for this to be effective, local housing authorities will have to be resourced accordingly to provide adequate PHPs that would support individuals and their families at risk of homelessness or need additional support.

¹ <https://www.propertymark.co.uk/>

² <https://www.propertymark.co.uk/static/d5cbc27c-db29-4b37-9788ad64bfe23bda/Welsh-Government-White-Paper-on-ending-homelessness-in-Wales-Propertymark-response.pdf>

4. We would also encourage local housing authorities to improve engagement with landlords and their agents to better enable them to sign post people at risk of homelessness to the private rented sector (PRS) when social housing is not available especially as the PHP should consider location and accessibility needs of the applicant.
5. We also welcome the Bill as an opportunity to enhance social housing provision and increase the proportion of social housing allocated to homeless households and care leavers. The Bill also provides clarity that housing associations cannot unreasonably refuse referrals from local authorities, which we welcome. We would also encourage local housing authorities to improve engagement with landlords and their agents to better enable them to sign post people at threat of homelessness to the PRS when social housing is not available especially as the specific needs of some vulnerable people should consider location and accessibility needs of the applicant. We also welcome the removal of the intentionality test and priority need test.
 - **Widen responsibility to certain specified public authorities to identify individuals who are homeless or at risk of homelessness and respond effectively**
6. Propertymark welcomes the provisions in the Bill which will make responsibilities of public bodies clearer and will encourage greater collaboration including from health boards, local authorities including social services. This will include a range of responsibilities including identifying those at risk of homelessness, referring at risk individuals and families for further support and identify risks and barriers to housing. This approach acknowledges that homelessness is not solely a housing issue but often intersects with health, social care, and other public services. However, local authorities and the Welsh Government should seek to improve communication with private landlords and their agents to support them in the aims of the Bill.
 - **Prioritise allocation of social housing to those most in need.**
7. Propertymark recognises that the PRS in Wales has grown considerably. According to the 2021 Census, the proportion of households in Wales renting privately increased from 14.2% in 2011 to 17.0% in 2021³. This growth reflects broader housing trends, where home ownership has become less accessible for many, and social housing supply has not kept up with

demand leading to a greater reliance on the private rental market.

8. Propertymark welcomes any provisions in the Bill to improve the allocation of social housing to those that need it the most. Many of these people are currently living in the PRS and might be better served in social housing. The PRS has also undergone significant increased legislation mainly from the Renting Homes (Wales) Act 2016.⁴ Once the Bill has passed, we would strongly recommend that there is a pause on any further legislation in the PRS and the prospect of rent controls are discontinued as this is proving a concern for landlords looking to invest. The PRS is highly regulated, and the Welsh Government must turn its attention to supporting the most

³ [Housing in Wales \(Census 2021\) \[HTML\] | GOV.WALES](#)

⁴ [Renting Homes \(Wales\) Act 2016](#)

vulnerable into suitable long-term housing and improving the enforcement of existing legislation in the PRS.

9. A provision of the Bill that Propertymark particularly welcomes is the provision that requires local authorities to keep and maintain a register of accessible housing for those that require adaptations. This was a recommendation Propertymark made during our evidence to the Local Government and Housing Committee into their inquiry into the Private Rented Sector⁵. What is not clear currently from the Bill, is would such a register include a wider spectrum of housing tenure or would it only include accessible housing for social housing. Ordinarily, we think that the best housing tenure for older people, people with disabilities or anyone else that requires accessible housing would be the social rented sector. However, we have already highlighted that general social housing is in short supply let alone social housing with specific adaptations. Moreover, some tenants may desire accommodation near support networks such as carers or family and this might be within the PRS. Accordingly, we recommend that the register should include all housing tenure including from the PRS.

- **Any potential barriers to the implementation of the Bill's provisions, and whether the Bill and accompanying Explanatory Memorandum and Regulatory Impact Assessment take adequate account of them.**

10. In our White Paper response, we did identify a number of barriers to the provisions in the Bill:

- Many local authorities in Wales are under considerable financial strain especially in housing support and homelessness prevention teams. While the provisions in the Bill are welcome, the added responsibilities under the bill, for example, earlier interventions, broader eligibility and the production of person centres plans is likely to increase strain on resources further. In our response to the Senedd Finance Committee⁶, we called for 'fair funding; for Welsh local authorities due to the increase in demand from enforcement of The Renting Homes (Wales) Act, the responsibilities of new building safety legislation and this Bill will increase the need for additional revenue for local authorities.
- Propertymark also called for increased funding in the Housing Support Grant (HSG), and we welcomed the Welsh Treasury decision to uplift the HSG by £13 million in 2024/25 compared to 2023/24.⁷ We believe that the HSG will need to be adequately increased on an annual base to

unable third sector organisation to continue to support local authorities in homelessness prevention and support.

- Local authorities already have difficulty in recruiting and retaining key officers especially those who have specific technical skills such as those required in the Bill. We are concerned whether local authorities have the capability to implement trauma-informed, person-centred services

⁵ [Senedd-Local-Government-and-Housing-Committee-inquiry-into-PRS-Propertymark-response.pdf](#)

⁶ [Senedd-Finance-Committee-call-for-information-Welsh-Government-Draft-Budget-proposals-202526- response-from-Propertymark.pdf](#)

⁷ [Housing Support Grant to receive £13 million uplift - Cymorth Cymru](#)

for a wider group of people with complex needs. There will likely be a requirement for additional training and cultural change within frontline services to enable better partnership collaboration with other public bodies. Additionally, it is likely that current caseloads will be significantly increased from abolishing the intentionality and priority needs tests, and while we supported abolishing these tests, an understanding in the impact of resources will have to be considered.

11. Central to achieving the aims of the Bill will be a significant increase in the provision of social housing. This will require considerable capital investment funding from the Welsh Government. As the Bill will increase the demand for social housing, without enough investment in new housing stock to meet this demand, there could be longer waiting times and more pressure on available resources. Greater consideration of how private landlords can plug this short-term gap should be considered.

- **Whether there are any unintended consequences arising from the Bill.**

12. We have already highlighted the increased demand on social housing the Bill will create and the additional pressure on local authority resources. This will have to be met with sufficient revenue and capital support. Turning back to our concern over increased social housing demand, it is possible that demand in temporary accommodation may increase. As more people qualify for support, local authorities may be forced to place more households in expensive or inappropriate temporary housing, including hotels or B&Bs. The number of households in temporary accommodation has also seen a significant rise. At the end of March 2024, 6,447 households were placed in temporary accommodation, marking an 18% increase from the previous year and the highest figure recorded since the introduction of the Housing (Wales) Act in 2015⁸.

13. The increased responsibilities on other partners such as social services and the NHS, could result in increased strain resulting in staff and resources being diverted away from their core functions unless additional support is provided to them.

14. In order to mitigate against these potential problems, Propertymark recommends that the Welsh Government ensures that there is sufficient funding for housing and support services and to invest in affordable and social housing supply. We also believe that the Bill should be developed at scale and at a pace to enable stakeholders to support the Bill by adopting a

phased implementation plan with sufficient staff training.

15. Given the potential increase in demand, the Welsh Government should consider the short to medium term risk of insufficient supply of social housing against increased demand. While the Bill will support vulnerable people into increased opportunities to secure social housing, in the medium term the Welsh Government should consider how to boost supply in the PRS. Consideration should be given into the impact current Land Transaction Tax levels have on

⁸ [Homelessness: April 2023 to March 2024 \[HTML\] | GOV.WALES](#)

additional properties⁹ and whether reducing these levels across the board could support private landlords to invest in the PRS until the Bill achieves its aims.

- **Matters relating to the competence of the Senedd including compatibility with the European Convention on Human Rights.**

16. We are currently satisfied that the Bill is in line within the competence of the Senedd and is compatible with the European Convention on Human Rights. However, Article 1, Protocol 1 of the European Convention on Human Rights preserves the right to protection of property. Currently there does not appear any provisions that impact private landlord interests, but this should be monitored.

- **The balance between the information contained on the face of the Bill and what is left to subordinate legislation**

17. Propertymark recognises that for complex legislation such as the proposed Bill, much of the proposed operational and procedural detail is often left for Ministers. We have already requested clarity over the proposed requirement of local authorities to keep an accessible housing register and whether that will include all housing tenures. In addition to this, we would like greater clarity on the design, governance and eligibility of both the Common Housing Register and the Accessible Housing Register.

18. We have also highlighted the requirement for improved training of relevant local authority staff. What would be the specific training and standards for relevant staff in relation to trauma informed person-centred delivery as this would be key to understanding whether local authorities will have the capacity to support their new duties and requirements. Will there also be a requirement for local authorities to more effectively engage with private landlords and their agents to support the short term aims of the Bill.

19. Especially of concern is the lack of clarity, at this early stage, on the principles of prioritising those of greatest need for social housing. This is an area that Propertymark would be grateful to be kept informed on as it is potentially likely that some groups who are currently eligible for social housing might have to wait longer on waiting lists and will only have the PRS as a sustainable housing option, which could increase strain on the allocation of PRS property especially in areas where private landlords have

⁹ [Land Transaction Tax: introduction | GOV.WALES](#)

left the market in high numbers. .

20. Overall, we would recommend further consultation and engagement with relevant stakeholders over these areas we have highlighted.

⁹ [Land Transaction Tax: introduction | GOV.WALES](#)

- **Any matter related to the quality of the legislation**

21. Propertymark is pleased to see that the aims and provisions of the Bill aligns with the broader aims of the Ending Homelessness Action Plan.¹⁰ We think the overall quality of the legislation is sound, particularly in terms of ambition and alignment with homelessness prevention goals. However, its effectiveness depends heavily on the quality of the subordinate legislation, clear statutory guidance, and adequate resourcing for implementation. Propertymark will continue to press for clarity on provisions that we remain unclear on, the timelessness of the Bill and guidance for specific stakeholders.

¹⁰ [Ending homelessness in Wales: a high level action plan 2021 to 2026](#)