



Home Office

Right to Rent Evaluation of Landlords and Letting Agents 2020/21

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Executive Summary and Implications for Policy

Migrants and those born overseas account for a sizeable minority of private tenants in England: over one quarter of households in the private rented sector in England are headed by someone born abroad.¹ The Right to Rent procedures and their consequences (whether intended or not) have the potential to affect many hundreds of thousands of tenant households, and similar numbers of landlords.

The Right to Rent scheme requires landlords of privately rented accommodation to conduct checks on all new tenants to establish if they have a legal right to be in the UK and therefore have the right to rent. The Government undertook a phased implementation of the Scheme, with phase one starting on 1 December 2014. The phase one location comprised the local authorities of Birmingham, Dudley, Sandwell, Walsall and Wolverhampton.

To inform further roll-out, an evaluation of the Scheme was commissioned, examining the first six months of implementation. It showed that there were no major differences in tenants' access to accommodation between the phase one and the non-Right to Rent scheme comparator area. However, comments from a small number of landlords reported during the mystery shopping exercise and focus groups did indicate a potential for discrimination.

Thus, on widening rollout to the rest of England, the Home Office sought to continue examining whether the Right to Rent scheme had affected levels of racial discrimination in the housing market. This was assessed in two ways:

- through a mystery shopping exercise whereby mystery shoppers approached private landlords and letting agents to enquire about potential rental properties; and
- through primary quantitative and qualitative research with private landlords investigating awareness and engagement with the Right to Rent Scheme.

This work was undertaken by independent researchers at BVA BDRC with Professor Kath Scanlon of The London School of Economics and Political Science between September 2019 and October 2021.

In seeking to disentangle the general issue of race discrimination from the potential for race discrimination as a result of the Scheme, the evaluation uncovered no statistically significant findings of increased race discrimination as a result of the Scheme. Further, whilst some instances of discrimination on various dimensions including race (such as against people receiving Universal Credit or Housing Benefit) were identified through surveys and interviews with landlords, these were not, by way of detailed evidence, clearly attributable to the Scheme, as no landlord respondents were able to offer specific examples to provide sufficient evidence of

¹https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1000052/EHS_19-20_PRS_report.pdf Ministry of Housing, Communities & Local Government (2021) *English Housing Survey, 2019 to 2020: private rented sector*. Accessed 11th October 2021

a systematic bias introduced by the Scheme itself.

Mystery Shopping Research with Letting Agents and Private Landlords

1. There was no statistically significant evidence from the mystery shopping of systematic, unlawful race discrimination as a result of the Right to Rent scheme.

The central research question was whether Right to Rent leads to increased unlawful race discrimination. The results were that, whilst some clear examples of racially discriminatory attitudes were found, there was insufficient evidence to say that there was systematic race discrimination as a result of Right to Rent itself.

2. There were no statistically significant differences in mystery shopper 'success' outcomes by nationality and ethnicity.

The key measure of 'success' for which most data were collected is whether the shopper was told that there were properties to rent available. Overall, differences between UK and non-UK nationals were not statistically significant. The same measure can be analysed by ethnicity, comparing the experience of White shoppers with Black and minority ethnic (BME) shoppers. Like nationality, differences in treatment by ethnicity were not statistically significant.

3. Statistically, BME shoppers were significantly less likely to be sent details of rental property, though the evidence does not suggest this is a specific result of the Scheme.

Another success indicator was the extent to which shoppers were sent details of rental properties to consider. Reviewing the indicator by ethnicity does yield a statistically significant difference, with BME shoppers being less likely to receive property details, and this may indicate discrimination, although there is no evidence this is a result of the Scheme.

4. Mystery shoppers perceived their treatment by agents and landlords to be fair

The vast majority of shoppers perceived their treatment by letting agents and landlords to be favourable. Differences in treatment by nationality and ethnicity were not statistically significant.

5. Although the difference was not statistically significant, negative shopper treatment on the basis of ethnicity was more marked in England than Wales, the policy off comparator location.

The geographical policy on/ policy off² comparative analysis suggested that differences in treatment could be related to Right to Rent as differential treatment on the basis of ethnicity (though not nationality) was more marked in England than in Wales (see Table 1 in Section 2.1 and Table 3a in 2.2).

² Policy on/ policy off comparison refers to comparison between locations in Wales, where the Right to Rent scheme is not currently implemented, and those in England

6. Non-UK nationals were more likely than UK nationals to be asked what their nationality was, and whether they had residency status or leave to remain in the UK.

The mystery shopping research was designed to enable comparison of 'success' rates for those holding different types of identifying documentation. Among those with Group 1 and 2 documents,³ non-UK nationals were more likely than UK nationals to be asked what their nationality was, and whether they had residency status or leave to remain in the UK. Both nationality and residency status/leave to remain are relevant to establishing that a prospective tenant has the right to rent.

Primary Research with Private Landlords

1. General awareness of Right to Rent among landlords was strong and increased over the duration of the research exercise. Far fewer understood the changes to conducting status checks during the COVID-19 pandemic.

A quantitative survey completed with private landlords found that the vast majority of private landlords claimed prior awareness of the Right to Rent scheme in January 2021 (79%, 236 out of 300). (See section 1.3 for the research methodology). This awareness has seen a statistically significant increase since the start of 2020. However, only around a half (53%, 160 out of 300) of private landlords considered themselves informed (well or quite well informed) and less than one in five (16%, 49 out of 300) were aware of the changes to guidance on conducting checks during the COVID-19 pandemic.

2. The majority of landlords held a positive view of the Right to Rent Scheme.

Just over a half (55%, 164 out of 300) of landlords held a positive view of the Right to Rent policy, a statistically significant year-on-year increase. Greater familiarity appears to drive a more positive impression of the scheme as those previously aware and/or claiming to be well informed hold a more positive view. These differences are statistically significant.

3. One in five landlords claimed awareness of discriminatory behaviour towards tenants. One in ten attributed discriminatory behaviour to the Right to Rent Scheme.

In January 2021, one-fifth (19%, 56 out of 300) of landlords reported awareness, most typically through informal 'hearsay' rather than direct experience, of tenants being discriminated against on the basis of their actual or perceived nationality, race or ethnic background, although specific examples were few and far between. Almost one in ten (9%, 26 out of 300) surveyed landlords reported that such discrimination occurred as a direct impact of the Right to Rent scheme (lower than in January 2020). However, as with broad discrimination, when asked to give a specific example either no examples or vague examples were provided in the majority of those 26 cases. Landlords letting property in London (20%, 12 out of 60), members of landlord bodies or associations (19%, 20 out of

³ See section 4.1.1 Mystery Shopping Research with Letting Agents and Landlords Methodology for a description of these documents.

105), and those who consider themselves informed about the Right to Rent scheme (14%, 22 out of 160) were more likely to mention discrimination as a result of the scheme. These differences were statistically significant.

4. Over a half of landlords have engaged with online resources made available through Gov.uk

Just over a half (54%, 163 out of 300) of private landlord respondents had read one or more of the documents available on Gov.uk. and almost 3 in 10 (28%, 85 out of 300) had used the online tool: *Check if someone can rent your residential property*.

5. Self-managing landlords and those operating outside of a membership body appeared less informed about the Right to Rent Scheme.

In qualitative research, self-managing landlords not using an agent for tenant sourcing/screening, those operating outside of a formal membership body, or those with smaller letting portfolios tended to have less of an understanding of the Right to Rent scheme's details. For this segment, scheme awareness was often created through informal sources, such as word-of-mouth or media broadcasts, and knowledge of their responsibilities/liabilities was incomplete.

6. Two thirds of landlords are confident to undertake tenant verification checks as defined by the Scheme, although confidence does vary linked to the nature of documents they are required to check.

Around 2 in 3 landlords (67%, 201 out of 300) stated that they feel very or quite confident carrying out the verification checks required by the Right to Rent scheme. This level of confidence saw a statistically significant increase among those who typically undertake such tenant checks themselves or who use a tenant referencing service. However, 1 in 5 landlords (19%, 17 out of 88) who do check tenant's details themselves reported that they do not feel confident doing so. Confidence varied considerably depending on the documents available for checking: 83 percent (249 out of 300) reported feeling confident checking a UK passport, reducing to less than half of that figure (39%, 117 out of 300) when dealing with a European Economic Area (EEA)⁴/Swiss national ID card.

⁴The EEA members are all EU Member States, plus Iceland, Liechtenstein and Norway. Switzerland is not in the EEA but is part of the EU's single market.

Implications for Policy

The central research question was whether the Right to Rent scheme leads to unlawful race discrimination. The results show that some clear examples of discriminatory attitudes were found, but there was insufficient evidence to claim any systematic unlawful discrimination as a result of the Scheme.

The only way to fully test the possible impact of the Scheme on race discrimination would have been to involve real mystery shopping tenants completing the shopper journey to the point of being offered (or not) a tenancy in England and compare that to an area where the Scheme was not in operation. Despite this, one would have expected a clearer and marked statistically significant difference between shopper experiences if systematic discrimination as a result of the Scheme were present. Thus, research exploring tenants' experience of these final stages of the rental process would add to the evidence base but the ethical and logistical considerations of completing such research should be carefully considered by the Home Office. It should be noted by the reader that both COVID-19 restrictions and our strict adherence to the Market Research Society's mystery shopping code of conduct (which prohibits unnecessary detriment to the subject's business practice) precluded our ability to follow the tenant enquiry to its final conclusion. However, given the evidence presented in this report, it is our belief that even if we did pursue the shopper experience to the conclusion of the journey, the findings would not be significantly different.

Most of the interactions with landlords and letting agents reported by the mystery shoppers were helpful (67%, 1,326 out of 1,976) and friendly (65%, 1,285 out of 1,976), and Right to Rent requirements were dealt with in a matter-of-fact way, with some landlords not mentioning the checks at all at this stage of the rental process. The research did not find much evidence of pushback from landlords against the scheme, perhaps because requesting documentation has always been an element of the rental transaction. Landlords routinely ask for confirmation of employment, bank details and references from previous landlords. Seen in this light, the additional paperwork involved in Right to Rent checks may not add materially to the volume of pre-tenancy work.

14 percent (42 out of 300) of landlords said that they would not rent to a UK national without a passport. The Right to Rent scheme could thus have the potential to disadvantage UK citizens without passports who are seeking to rent a home. However, putting this into context, landlords also reported not wishing to rent property to Housing Benefit or Local Housing Allowance (LHA) recipients at a much higher level (38%, 114 out of 300).

On the other hand, several shoppers were told that a driver's licence would suffice as proof of having the right to rent despite this being insufficient as a standalone piece of evidence. Such confusion about the rules points to the importance of good quality information, delivered to as many private landlords and estate agents as possible. Although awareness of the scheme is improving there are still obvious gaps in understanding, which could be addressed through an effective communication strategy.

1. Introduction

1.1 The Right to Rent Scheme

The Right to Rent scheme was introduced as part of the Immigration Act 2014. As a result, landlords of private rental accommodation⁵ in England are required to conduct checks to establish that new⁶ tenants have the right to rent in the UK. Where a tenant has time-limited immigration status, landlords are also responsible for carrying out follow-up checks to confirm the individual continues to have a right to rent. Landlords who rent to migrants (without the right to rent) without having conducted these checks correctly will be liable to civil penalty action.

As a strand of the compliant environment, the Right to Rent scheme aims to:

- make it more difficult for illegally resident individuals to gain access to privately rented accommodation, and so deter those who are illegally resident from remaining in the UK;
- deter those who seek to exploit illegal residents by providing illegal and unsafe accommodation, and increase actions against them;
- deter individuals from attempting to enter the UK illegally; and
- undermine the market for those who seek to facilitate illegal migration or to traffic migrant workers.

The Scheme's implementation is being supported in a number of ways including:

- Codes of Practice on the right to rent and on avoiding unlawful discrimination;
- a landlord's guide to right to rent checks;
- a user guide for tenants and landlords;
- a helpline and online tool for verifying if a prospective tenant has a right to rent (note: the online tool does not verify an individual's right to rent);
- the Landlord Checking Service (LCS)⁷, which can confirm an individual's right to rent, where an individual is unable to prove their right to rent by any other means;
- a digital right to rent service which enables landlords to undertake right to rent checks in real time on those migrants eligible to use the service; and
- an option to sign up for updates on the Right to Rent Scheme on Gov.UK.⁸

The scheme was implemented in Birmingham, Dudley, Sandwell, Walsall and Wolverhampton

⁵ For information on exclusions please see section 3.6 of the *Right to Rent Code of Practice* at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/936944/2020.11.19_Right_to_rent_code_of_practice.pdf Accessed 11th October 2021

⁶ The 'Right to Rent' checks only apply to tenancy agreements established on or after 1 December 2014 in Birmingham, Wolverhampton, Dudley, Sandwell and Walsall, and on or after 1 February 2016 in the rest of England. Pre-existing tenancy agreements are unaffected, and landlords are not required to carry out retrospective checks on these tenants. The requirements apply to all adults (aged 18 and over) living at the property.

⁷ https://eforms.homeoffice.gov.uk/outreach/lcs-application.ofml?_ga=2.159797944.401422922.1632306039-808651190.1621339380 Accessed 12th October 2011

⁸ <https://gov.smartwebportal.co.uk/homeoffice/public/webform.asp?id=27&id2=07821F> Accessed 12th October 2021

on 1 December 2014 and, following an initial evaluation⁹, rolled out to the rest of England on 1 February 2016.

As part of the national measures introduced to mitigate the spread of Covid-19, from 30 March 2020 Right to Rent checks were temporarily adjusted to make it easier for landlords to carry out checks. These changes included a provision for remote assessments.

1.2 Purpose of the Report

One concern raised before the introduction of the Right to Rent scheme in 2014 was that it might lead to direct or indirect discrimination by landlords and agents, primarily on the grounds of race. This concern was linked to the possibility that some landlords and agents might feel that it was more difficult or time-consuming to check the right to rent of non-UK nationals (or those they perceived as not being UK nationals) and therefore, might be less likely to offer tenancies to them.¹⁰

This report therefore examines whether the Right to Rent scheme is resulting in increased levels of race discrimination in the private rental sector.

1.3 Research Methodology

To test if the Right to Rent scheme is resulting in increased levels of unlawful racial discrimination in the private rental sector, three primary research exercises were undertaken:

- a mystery shopping exercise, based around typical rental searches;
- a quantitative survey of private landlords; and
- qualitative research with private landlords.

A similar research process was conducted on behalf of the Home Office by BVA BDRC to evaluate the Right to Rent pilot in 2016.

All elements of landlord research and overall reporting were carried out independently by BVA BDRC, an international consumer and business insight consultancy. ESA Retail (part of the

⁹ <https://www.gov.uk/government/publications/evaluation-of-the-right-to-rent-scheme>

¹⁰ Additionally, in 2019 the Joint Council for the Welfare of Immigrants (JCWI) brought a challenge against the Right to Rent scheme before the High Court. The scheme was found to cause unlawful discrimination against individuals from minority ethnic backgrounds and foreign nationals with a right to rent in the UK. According to official guidance, the law states that: *landlords must not discriminate against a potential tenant because of race (2010 Act) or on racial grounds (1997 Order). Race and racial grounds include colour, nationality, and ethnic or national origins* (Home Office 2014). Available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/376789/Code_of_Practice_for_Landlords_web_.pdf Home Office (2014) *Code of Practice for Landlords: Avoiding unlawful discrimination when conducting 'right to rent' checks in the private rented residential sector*. Accessed 8th October 2021. In 2020 the Court of Appeal found the Right to Rent scheme to be justified and lawful but conceded that it may increase the risk of discrimination. The Supreme Court refused the JCWI's application for permission to appeal the Court of Appeal's ruling, thus bringing an end to the legal proceedings.

BDRC Group) provided all aspects of operational mystery shopping. Further information on the research agency can be found in the appendix, section 4.1.3.

This report contains both the evidence gained through the mystery shopping exercise and the research with private landlords.

1.3.1 Mystery shopping method

The mystery shopping exercise consisted of a sample of 2,408 prospective tenants who approached landlords and agents and recorded their experience. 1,976 received a response and were included in the detailed analysis. The exercise was designed to investigate whether:

- there were systemic differences correlated with ethnicity, race, nationality or immigration status in the way that mystery shoppers were treated by landlords or letting agents;
- this differential treatment appeared to constitute unlawful race discrimination; and
- any such unlawful discrimination was caused by Right to Rent legislation.

Individual mystery shopping assessments were undertaken across England and Wales in February and March 2020 and between October 2020 and January 2021.

The mystery shopping data were analysed using a matched-pair method, which has been previously employed by academics and governments to identify discrimination, often in the field of employment but also in housing. The technique has been used to detect racial discrimination in housing contexts, including mortgage applications and searches for rental accommodation, across four large-scale US studies (see Appendix section 4.1.1 for further details).

1.3.2 Landlords primary research method

The quantitative surveys of private landlords and the in-depth qualitative interviews aimed to:

- track awareness and knowledge of the Right to Rent scheme; and
- establish whether discrimination is occurring, both in general and as a result of the Right to Rent scheme.

The quantitative surveys were conducted online. Landlords were recruited to take part through a proprietary online consumer research panel (Dynata). For the qualitative interviews, landlords were free-found by specialist recruiters and one-to-one interviews were conducted through video calls. The results of the research are discussed in this report, with any mentions of discrimination discussed in detail. All references to discrimination were self-reported by landlords.

Sample sizes and fieldwork dates are as follows:

- Wave 1 (January 2020): 309 interviews (fieldwork in January 2020);
- Wave 2 (October 2020): 300 interviews (fieldwork in October 2020);
- Wave 3 (January 2021): 300 interviews (fieldwork in January 2021).

Planned fieldwork was paused from March to October 2020 due to the Covid-19 pandemic and resumed in October 2020.

This report primarily focuses on the Wave 3 results, with references to trends and any relevant

differences from Wave 1 and Wave 2.

A detailed description of all methodological approaches can be found in the Appendix, section 4.1.

1.4 Structure of the Report

This report is structured to reflect the findings of the two primary research components which underpin this evaluation.

Section 2 examines the experience of mystery shoppers who approached private landlords and letting agents to enquire about potential rental properties. It is divided into five broad sections, each of which includes comparisons of those experiences across location, shopper group and enquiry scenario.

Section 2.1 examines enquiry outcomes based on shopper nationality. Section 2.2 reports enquiry outcomes based on shopper ethnicity. The next module of the report, Section 2.3, summarises the shopper's perceptions of favourable/unfavourable treatment linked to issues of nationality. Section 2.4 assesses the extent to which mystery shoppers were asked to provide supporting documentation to substantiate their right to rent. The final section, Section 2.5, looks at enquiry 'success' comparison using matched-pairs testing. Each of the four scenarios had two groups of shoppers, who differed only in the aspect being tested (ethnicity, nationality or type of document held)

Section 3 is focused on primary quantitative research undertaken over three waves, between January 2020 and January 2021, and supplementary qualitative interviews with private landlords. This section assesses landlord's awareness and engagement with the Right to Rent Scheme and their perception of the extent to which it has driven discriminatory behaviour. Like the preceding section, there are five modules of content in this section.

Section 3.1 deals with the incidence of any form of discrimination in terms of various tenant segments in the general population, before focusing on issues of nationality, race or ethnic background. Section 3.2 quantifies landlord awareness of the Right to Rent Scheme. Next, in Section 3.3, we quantify landlord engagement with the various Scheme resources made available through Gov.uk. Section 3.4 provides an overview of landlords' tenant checking/vetting processes and the extent to which their confidence in undertaking checks varies by the type of information presented by would be tenants. Finally, Section 3.5 provides an overview of the impact of the Covid-19 pandemic on their lettings business.

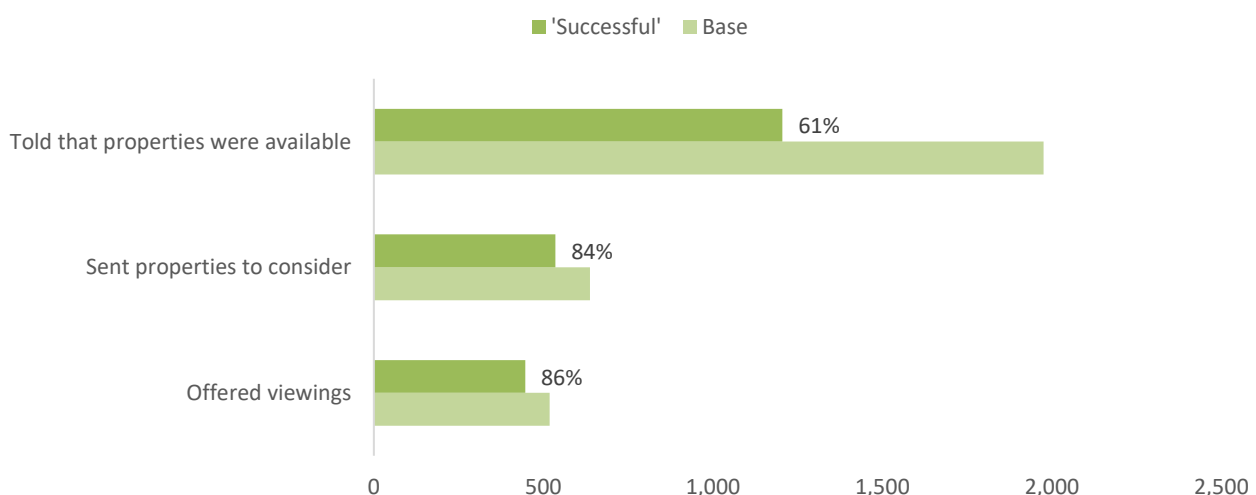
The report Appendix contains details of the research methodology, copies of the mystery shopping assessment/questionnaire template, the sampling frame, the mystery shopping scenarios enacted, and the landlord survey questionnaire/discussion guide.

2. Detailed Findings: Mystery Shopping Research with Letting Agents and Landlords

As a reminder, all enquiries with landlords and agents were conducted either by telephone or email with no face-to-face contact with mystery shoppers (due to social distancing regulations during the Covid-19 pandemic). Overall, some 61 percent of applicants (1,205 out of 1,976) were told by the letting agent or landlord during their first contact that rental properties were available (Figure 1). Not all mystery shoppers proceeded to subsequent contacts; of those who did, 84 percent (535 out of 638) were sent properties to consider, and 86 percent (446 out of 519) were offered a viewing.

Figure 1: Proportion of mystery shoppers successful in enquiries

Base: All mystery shoppers who received a response ($n = 1,976$), all who received a follow-up from a letting agent or landlord and were told they could help ($n = 638$), all sent properties to consider ($n = 519$)



2.1 'Success' and Nationality

The measure of 'success' for which most data were collected was whether the shopper was told that there were properties available to rent¹¹. Table 1 presents the overall results by nationality. Overall, UK nationals were slightly less likely to be told that there were properties available (60% compared with 62% for non-UK nationals), but the -3 percent difference was not statistically significant.¹²

Table 1: Whether properties are available, by shopper nationality (UK/non-UK)

Base: All mystery shoppers who received a response (n = 1,976). P = 0.25; not statistically significant

	No	Yes	Total
UK nationalities	40.2% (309)	59.8% (459)	768
Other nationalities	37.7% (455)	62.3% (753)	1,208
Difference between UK/ non-UK 'success'		-2.6%	

Mystery shoppers who spoke to agents were more likely to be told there were properties available compared to those contacting landlords, but there was little variation in the difference between UK and non-UK 'success'.

¹¹ To overcome any issues in property unavailability when shoppers were making enquiries, the following approaches were used. In the case of agents, shoppers were advised to be 'general' in their requirements to avoid unavailability issues occurring (e.g. enquiring about a general location only, no specific budget, a range of bedroom sizes (eg 1-3) bedrooms, any property type, no confirmed tenancy length, etc). In addition, matched pair testing was used so if there were genuinely no properties available one could expect both shoppers to have been told this to provide uniformity and negate any nationality effects. In the case of contacting landlords direct, this would have been about a specific property so would not have been an issue

¹² For ease of interpretation, throughout this report positively-signed difference in percentages indicate potential discrimination (White/UK applicants more likely to receive a favourable response than Black and minority ethnic [BME]/non-minority applicants).

There was a difference in the treatment of different nationalities in the ‘policy on’ and ‘policy off’ urban areas (

Table 2). For this analysis, data were combined from all four scenarios.

The mystery shopping research tested four shopper scenarios, each with two sub-groups of equal size, to allow for paired testing of the effects of a single variable.

Scenario 1: Designed to test the effect of ethnicity while holding nationality and documentation constant.

Both mystery shoppers were British, with documents from List A Group 2.

- Scenario 1a shoppers were BME
- Scenario 1b shoppers were white

Scenarios 2 and 3: Designed to test the effect of different types of documentation while holding ethnicity and non-UK nationality constant.

Scenario 2 mystery shoppers were White, non-EEA Eastern Europeans.

- Scenario 2a had documents from List A Group 2
- Scenario 2b had documents from List A Group 1

Scenario 3 mystery shoppers were BME from Africa or South Asia.

- Scenario 3a had List A Group 2 documents
- Scenario 3b had documents from List A Group 1

Scenario 4: Designed to test the effect of nationality while holding ethnicity and documentation constant. Shoppers were BME and had List A Group 1 documents.

- Scenario 4a shoppers were UK nationals
- Scenario 4b shoppers were of African or South Asian nationality

The direction of the difference did not support the hypothesis that Right to Rent checks are causing greater discrimination on the basis of nationality in England than in Wales. The results indicated that in the English cities, UK nationals were 8 percent less likely than non-UK citizens to be told that there were properties available, while in Wales the difference was only 1 percent. Note, however, that the difference was not statistically significant.

Table 2: Whether properties are available, by shopper nationality and policy on/policy off (England/Wales)

Base: All mystery shoppers in paired locations who received a response (n = 800). England: P = 0.12, Wales: P = 0.89; not statistically significant.

	England: policy on Bristol, Stoke			Wales: policy off Cardiff, Wrexham		
	No	Yes	Total	No	Yes	Total
UK nationalities	47.4% (73)	52.6% (81)	154	41.0% (66)	59.0% (95)	161
Other nationalities	39.6% (97)	60.4% (148)	245	41.7% (100)	58.3% (140)	240

Difference between UK/ non-UK 'success'	-7.8%	0.7%
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2.2 'Success' and Ethnicity

The same question can also be analysed by shopper ethnicity, comparing the treatment of White shoppers (both UK nationals and Eastern Europeans) and Black and minority ethnic (BME) shoppers, also including both UK and non-UK nationals, (Table 3a) across all scenario areas. The data indicate that BME shoppers were less likely than White shoppers to be told that there were properties available (60%, 736 out of 1,222, compared with 63%, 476 out of 754). Again, the difference was not statistically significant.

Table 3a: Whether properties are available, by shopper ethnicity (White/BME)

Base: All mystery shoppers who received a response (n = 1,976). P = 0.20; not statistically significant.

	No	Yes	Total
White	36.9% (278)	63.1% (476)	754
BME	39.8% (486)	60.2% (736)	1,222
Difference between White/BME 'success'	2.9%		

Although at an overall level there was not a significant difference in 'success' by ethnicity, breaking down the data by agent type reveals a statistically significant difference in treatment of White and BME shoppers among national and regional estate agents (Table 3b). The data indicate that national and regional estate agents were significantly more likely to tell White shoppers that there were properties available (73%, 139 out of 191) compared to BME shoppers (60%, 197 out of 329). Had there been a systematic discriminatory effect due to the Scheme, we would have expected a similar pattern with other agent types. This was not the case.

Table 3b: Proportion of shoppers told properties were available, by agent type and shopper ethnicity (White/BME)

Base: All mystery shoppers who received a response (n = 1,976).

	White	BME	Difference between White/BME
National/regional agent	72.8% (139)	59.9% (197)	12.9% ¹
Independent agent	58.1% (111)	58.4% (177)	-0.3%
Online agent	72.3% (73)	66.5% (115)	5.8%
Landlord	56.5% (153)	59.2% (247)	-2.8%

Notes:

1 Represents statistical significance at 99% confidence level (p<0.01).

The ethnicity results were also broken down by policy on/policy off areas (

Table 4); whilst there are differences, these are not statistically significant. The results indicated that BME applicants in English cities were 1 percent more likely than White applicants to be told that there were no properties available, whereas in Wales BME applicants were less likely than White applicants to be told that no properties were available (38% of BME applicants were told that there were no properties compared with 41% of White applicants).

Table 4: Whether properties are available, by shopper ethnicity and policy on/policy off (England/ Wales)

Base: All mystery shoppers in paired locations who received a response (n = 610). England P = 0.89; not statistically significant. Wales P = 0.60; not statistically significant. Difference between England and Wales P = 0.78; not statistically significant.

	England: policy on Bristol, Stoke			Wales: policy off Cardiff, Wrexham		
	No	Yes	Total	No	Yes	Total
White	41.7% (63)	58.3% (88)	151	40.6% (63)	59.4% (92)	155
BME	42.5% (65)	57.5% (88)	153	37.7% (57)	62.3% (94)	151
Difference between White/BME 'success' in each area	0.8%			-2.9%		
Difference between White/BME 'success' in England and Wales	3.7%					

The next measure of ‘success’ is whether shoppers were sent details of rental properties to consider. This question was answered only by those shoppers who received a follow-up from the letting agent or landlord within two working days – that is, the shoppers did not initiate follow-ups themselves. There were relatively few responses (638) compared to the question about property availability, which was answered by 1,976 shoppers.

UK nationals were statistically no more likely to receive properties to consider than non-UK nationals (85% compared with 84%), see **Error! Reference source not found.a**. However, as with the previous analysis, the difference was considerably larger when considering only the mystery shoppers who approached national and regional estate agents; within this group more UK nationals received properties to consider than non-UK nationals and this was a statistically significant difference.

Table 5a: Whether shopper was sent properties to consider, by shopper nationality (UK/non-UK)

Base: All mystery shoppers who received a follow-up from a letting agent or landlord and were told they could help (n = 638). P = 0.58; not statistically significant.

	No	Yes	Total
UK nationalities	14.6% (33)	85.4% (193)	226
Other nationalities	16.3% (67)	83.7% (345)	412
Difference between UK/non-UK ‘yes’		1.7%	

Table 5b: Proportion of shoppers sent properties to consider, by agent type and shopper nationality (UK/non-UK)

Base: All mystery shoppers who received a follow-up from a letting agent or landlord and were told they could help (n = 638).

	UK nationalities	Other nationalities	Difference between UK/non-UK
National/regional agent	98.4% (60)	86.6% (110)	11.7% ¹
Independent agent	82.0% (41)	76.5% (62)	5.5%
Online agent	88.2% (30)	92.1% (35)	-3.9%
Landlord	76.5% (62)	83.1% (138)	-6.6%

Notes:

1 Represents statistical significance at 95% confidence level (p<0.05).

Examining the question by shopper ethnicity, the difference was larger: 88 percent of White shoppers were sent properties to consider compared with 82 percent of BME shoppers (Table 6). This is a statistically significant difference and may indicate discrimination on the basis of race, but not as a clear systematic result of the Scheme per se.

Table 6: Whether shopper was sent properties to consider, by shopper ethnicity

Base: All mystery shoppers who received a follow-up from agent or landlord and were told they could help (n = 638). P = 0.03; statistically significant at 95% confidence level.

	No	Yes	Total
White	11.9% (32)	88.1% (236)	268
BME	18.4% (68)	81.6% (302)	370
Difference between White/BME 'yes'	6.4%		

A total of 538 shoppers were sent properties to consider. Of these, 354 (68%) were sent details of a single property (sometimes the shopper specified that this was the property they had originally enquired about). Shoppers were sent an average of three properties to consider, but this included some shoppers who received links to a website with dozens or hundreds of properties available. Excluding those, the average number of properties received for consideration was two.¹³

¹³ To one decimal place, the calculated mean averages were: shoppers were sent 2.6 properties to consider (shown as three in the report). Excluding links to websites with numerous properties, the mean average number of properties received for consideration was 1.8.

2.3 Perceptions of Favourable/Unfavourable Treatment by Nationality

Mystery shoppers were asked to report their perceptions of how favourably or unfavourably they were treated by landlords and letting agents. Possible responses were collected through a five-point Likert scale: very negative, negative, neutral, positive and very positive.

The overwhelming majority of shoppers (over 90%) perceived their treatment to be favourable. UK nationals were statistically, no more likely to report positive treatment (Table). There were no statistically significant differences between agents and landlords or by type of agent.

Table 7: Perceived favourable/unfavourable treatment, by shopper nationality (UK/ non-UK)

Base: All mystery shoppers who received a response, excluding 'neutral' (n = 1,520). P = 0.85; not statistically significant.

	Negative/ very negative	Positive/ very positive	Total
UK nationals	9.3% (54)	90.7% (527)	581
Other nationals	9.6% (90)	90.4% (849)	939
Difference between UK/non-UK 'positive/very positive'		0.3%	1,520

BME shoppers were slightly more likely to report positive treatment than White shoppers, and less likely to report negative treatment (Table). Again, the differences were not statistically significant.

Table 8: Perceived favourable/unfavourable treatment, by shopper ethnicity (White/BME)

Base: All mystery shoppers who received a response, excluding 'neutral' (n = 1,520). P = 0.83; not statistically significant

	Negative	Positive	Total
White	9.7% (57)	90.3% (532)	589
BME	9.3% (87)	90.7% (844)	931
Difference between White/BME 'positive/ very positive'		-0.4%	1,520

Note: Negative includes 'negative' and 'very negative', positive includes 'positive and 'very positive'

2.4 Supporting Documentation

Moving forward in the letting process, shoppers were asked if the letting agent or landlord had asked for any supporting documentation. The Government's code of practice says that documents should be checked for all tenants, whether or not they appear to be UK nationals. However, of the shoppers who answered this question, only a minority (41%, 803 out of 1,976) were asked for any documents at all (

Table). This was true of both UK and non-UK nationals.

Many landlords and letting agents carry out Right to Rent document checks as one of the final tasks before a tenancy was agreed; others use specialist third-party firms to check references and documentation – again, only after the tenancy is agreed. In such cases, the document checks would not be captured by the mystery shopping exercise, which covered only the early stages of the landlord/prospective tenant encounters. This was confirmed by the free-text remarks of the mystery shoppers, which allowed them to record impressions of their experience in some detail. They indicated that, in general, Right to Rent documents were not mentioned during early encounters. There were 1,975 responses to the question “*Were you asked (by the landlord or agent) to provide / told you would need to provide any documentation or other proofs?*”. The following verbatim responses were typical:

“Documentation not mentioned.”

“I was not asked for any documentation.”

“Nothing was requested.”

In cases where documentation was mentioned (41%, 803 out of 1,976), the items most often requested related not to Right to Rent but rather to general suitability as a tenant and ability to pay – for example, proof of income, employers’ references and references from previous landlords. One mystery shopper said:

“I was told I would need to provide a landlord reference and three months’ payslips. They also checked I’m not receiving benefits, ‘no DSS’ [(former) Department of Social Security].”

Another mystery shopper said:

“The landlord did not ask me to provide proof of identification and came across as more concerned about how I will be able to pay for the accommodation.”

Table 9: Documentation or other proof requested by letting agent/landlord

Base: All mystery shoppers who received a response (n = 1,976).

Document	n	%	Acceptable Proof of Right to Rent?
None asked for	1,173	59.4%	
Proof of employment	529	26.8%	Letter of attestation from employer List A Group 2
Proof of income	496	25.1%	No
Proof of address	362	18.3%	No
UK driving licence	141	7.1%	List A Group 2
UK passport	123	6.2%	List A Group 1
Proof of right to reside in the UK	113	5.7%	List A Group 1
Original UK birth certificate	35	1.8%	List A Group 2
UK immigration document	27	1.4%	List A Group 1
UK biometric residence permit	23	1.2%	List A Group 1
UK biometric residence card	22	1.1%	List A Group 1
EEA ¹ /Swiss passport	5	0.3%	List A Group 1
EEA/Swiss national ID card	2	0.1%	List A Group 1
Other documentation	384	19.4%	N/A

Note: 1 EEA = European Economic Area (EU Member States, plus Iceland, Liechtenstein and Norway). Switzerland is not in the EEA but is part of the EU's single market.

The mystery shoppers also recorded landlords/letting agents' reactions when they heard what documents the applicants could provide. Fewer shoppers responded to this question (41%, 803 out of 1,976), as most landlords/letting agents did not ask for documents at all – it should be noted that, as referenced above, requesting documentation is often the final step in agreeing a tenancy and hence outside the scope of the mystery shopping exercise. It can be hypothesised that should a tenancy have been agreed, the proportion of landlords and agents requesting documentation would have increased accordingly. However, some mystery shopper's responses reflected confusion among landlords and letting agents about the rules and what documentation was acceptable:

“The agent seemed cautiously optimistic that one or a combination of documents I offered, i.e. payslips, a UK driving licence, a UK birth certificate and personal/employer references would work. He still suggested that they would need to establish why I was in the country.”

Not being able to produce a UK passport caused problems during any early identification checks for some applicants. One applicant said in response to the question ‘If/when you said you did not have a British passport did the agent/landlord suggest this would be a problem?’:

“The agent found it very difficult to accept that I do not have a passport. Probably because they've never come across this situation before. After me offering him to present my driving licence and even birth certificate, still the agent was not convinced. I asked him direct question that ‘is this going to be a problem?’ To which he answered ‘Yes’. When I said surely there are many other people who do not have passport what do they do? He then said he is not sure so he will consult with his senior colleague to see if birth certificate is acceptable. He promised to call back by Monday.”

Another said:

“I said I could not provide a UK passport and they handled it professionally by asking if I had any other forms of documentation such as a driving licence or birth certificate. However, they said that a UK passport would be preferred and asked if there was any way that I could get one.”

In the quantitative survey of landlords, 14 percent (42 out of 300) said that they were unwilling to let to UK nationals without a passport (see section 3.1.1 of the report)¹⁴. For context, this compares with 38 percent (114 out of 300) for Housing Benefit or Local Housing Allowance recipients, 36 percent (109 out of 300) for Universal Credit recipients and 13 percent (40 out of 300) for people with dependent children.

The mystery shopping exercise was designed to enable comparison of ‘success’ rates for those holding different types of documentation: Scenarios 2 and 3¹⁵ were designed to compare the experience of those holding documents from Group 1 compared with those with Group 2 documentation. It should be emphasised that in most cases, landlords and letting agents were unaware of the documents that the mystery shoppers held, because they did not ask about them.

The experience of shoppers who were asked about their documents differed depending on the nationality of the shopper (Table 1). Amongst those with Group 1 documents, non-UK nationals were more likely than UK nationals to be asked what their nationality was (7% compared with 2%), and whether they had residency status or leave to remain in the UK (8% of non-UK nationals were asked this question compared with none of the UK shoppers). A similar pattern was seen amongst those with Group 2 documents (**Error! Reference source not found.**).

Both nationality and residency status/leave to remain in the UK are relevant to establishing that a prospective tenant has the right to rent. The fact that non-UK nationals were more likely to be asked these questions than UK nationals is therefore not unexpected¹⁶, although Home Office

¹⁴ This question was asked in the context of letting to tenants and not specifically to the Right to Rent scheme

¹⁵ Scenario 2: Both mystery shoppers were White, non-EEA Eastern Europeans. Scenario 2a had documents from List A Group 2; Scenario 2b had documents from List A Group 1. Scenario 3: both mystery shoppers were BME from Africa or South Asia. Scenario 3a had documents from List A Group 2; Scenario 3b had documents from List A Group 1.

¹⁶ It is possible that UK nationality had already been established prior to this point in which case it may not be asked again of the prospective tenant

guidance does state that it is good practice for landlords and letting agents to ask *all* prospective tenants to demonstrate that they have the right to rent.

Table 1: Right-to-Rent indicators: Differences in treatment of mystery shoppers with Group 1 documents on the basis of nationality

Base: All mystery shoppers with Group 1 documentation who received a response (n = 963). Note: UK nationals BME only; non-UK nationals both White and BME.

	UK nationals	Non-UK nationals	Difference between UK/non-UK
Asked for nationality	2.1% (5)	7.2% (52)	-5.1% ¹
Asked for residency status/leave to remain in the UK	-	7.9% (57)	-
Asked if passport held	7.2% (17)	11.8% (86)	-4.6% ²
Asked if UK passport held	0.4% (1)	1.1% (8)	-0.7%
If no, told lack of UK passport would be a problem	-	1.1% (1)	-
Asked for any documentation (not only right to remain in the UK)	43.5% (103)	37.5% (272)	6.0%

Notes:

1 Represents statistical significance at 99% confidence level (p<0.01).

2 Represents statistical significance at 95% confidence level (p<0.05).

Table 11: Right-to-Rent indicators: Differences in treatment of mystery shoppers with Group 2 documents on the basis of nationality

Base: All mystery shoppers with Group 2 documentation who received a response (n = 963).¹

	UK nationals	Non-UK nationals	Difference between UK/non-UK
Asked for nationality	2.4% (13)	8.1% (39)	-5.6% ²
Asked for residency status/leave to remain in the UK	-	8.5% (41)	-
Asked if passport held	9.4% (50)	12.9% (62)	-3.4%
UK passport	1.1% (6)	1.5% (7)	-0.3%
If no, told lack of UK passport would be a problem	17.9% (10)	1.4% (1)	16.4% ²
Asked for any documentation (not only right to remain in the UK)	41.4% (220)	43.2% (208)	-1.7%

Notes:

1 Both UK and non-UK nationals include White and BME testers.

2 Represents statistical significance at 99% confidence level (p<0.01).

2.5 Matched-Pairs Testing of ‘Success’ Indicators

The preceding tables report aggregate results for shoppers, as a whole, and relevant subsets. The next section looks at ‘success’ using matched-pairs testing. Each of the four scenarios had two groups of shoppers, who differed only in the aspect being tested (ethnicity, nationality or type of document held). Comparing the treatment of the pairs allows the effects of a single variable to be isolated. At the same time, however, the sample size is reduced as the matched-pairs testing is carried out separately for each scenario. Scenarios had between 288 and 319 pairs of shoppers (see Table 20 in the Appendix, section 4.1.1).

As above, the principal indicator of ‘success’ was whether shoppers were told that properties were available. In Scenario 1 (all shoppers UK nationals; half White, half BME; same documents), each landlord or letting agent in the sample received one approach from a White shopper, and another from a BME shopper with similar characteristics apart from ethnicity. Comparing the results of these encounters makes it possible to isolate the effect of ethnicity.

In 60 percent (138 out of 231) of cases, both White and BME shoppers got the same response in terms of whether properties were available (Table 12). In 23 percent (53 out of 231) of cases, White shoppers were told that properties were available and BME shoppers were told that there were none. In 17 percent (40 out of 231) of cases, BME shoppers heard that there were properties available while White shoppers heard there were none.

There have been several large-scale studies in the USA into the incidence of discrimination in the housing industry¹⁷ (see the Appendix, section 4.1.1); in such studies it is normal to calculate a ‘net incidence of discrimination’ by subtracting the score for the ‘test’ group (in this case BME shoppers) from the score for the ‘control’ group (here White shoppers). The net incidence of discrimination on the basis of ethnicity was found to be 6 percent, indicating that there may have been some systematic race discrimination, although this was not statistically significant, nor was this attributable to the Right to Rent scheme itself.

Table 12: Matched-pair testing: Effect of ethnicity on whether properties were available

Base: All Scenario 1 mystery shoppers who received a response (n = 231). P = 0.13; not statistically significant.

Same response received	White yes, BME no	BME yes, White no	Net incidence of discrimination
59.7% (138)	22.9% (53)	17.3% (40)	5.6% (13)

¹⁷ Wienk, R. E. (1979) *Measuring racial discrimination in American housing markets: The housing market practices survey* (Vol. 444). Division of Evaluation, US Department of Housing and Urban Development, Office of Policy Development and Research.

Turner, M., Struyk, R. and Yinger, J. (1991) *Housing discrimination study: synthesis report*. Washington, DC: The Urban Institute.

Turner, M. A., Ross, S. L., Galster, G. C. and Yinger, J. (2002) *Discrimination in metropolitan housing markets: National results from Phase I HDS 2000*. Washington, DC: The Urban Institute.

Turner, M. A., Santos, R., Levy, D. K., Wissoker, D., Aranda, C. and Pitingolo, R. (2013). *Housing discrimination against racial and ethnic minorities 2012*. US Department of Housing, Urban Development, Policy Development, and Research.

The same exercise was carried out for Scenario 4 to assess the impact of nationality. In Scenario 4, half of the shoppers were British and half were African or South Asian nationals; all were BME, and all had Group 1 documents. In total, 63 percent (129 out of 206) of the pairs received the same response with regards to property availability. In 22 percent (46 out of 206) of cases, UK nationals were told that there were properties available and non-UK nationals were told that there were not. In 15 percent (31 out of 206) of cases, non-UK nationals heard that there were properties available while UK nationals heard there were none (Table 2). The net incidence of discrimination was 7 percent, indicating again that there may have been some systematic discrimination against non-UK national prospective tenants, although again the difference was not statistically significant, nor was this attributable to the Right to Rent scheme itself.

Table 2: Matched-pair testing: Effect of nationality on whether properties were available

Base: All Scenario 4 mystery shoppers who received a response (n = 206). P = 0.06; not statistically significant.

Same response received	UK yes, non-UK no	Non-UK yes, UK no	Net incidence of discrimination
62.6% (129)	22.3% (46)	15.0% (31)	7.3% (17)

The final question to be assessed was whether there was evidence of discrimination on the basis of the type of documentation held – that is, whether those who could demonstrate the right to rent by producing a single document (List A Group 1) were treated more favourably than those who would need to produce a combination of other documents (List A Group 2). Two scenarios were relevant here. In Scenario 2, all shoppers were White non-EEA Eastern European nationals, half of whom had Group 1 documents and half of whom had Group 2 documents. In Scenario 3, all shoppers were BME shoppers with African or South Asian nationality; again, half had Group 1 documents and half Group 2.

Normally, the control group in an experimental test of this kind represents 'business as usual'-- that is, they undergo the same experience as they would in the absence of a policy change. In this case, however, both sets of shoppers were actually 'test' groups. It might be argued that landlords would prefer the simpler document-handling procedure, and therefore would favour those tenants who could demonstrate eligibility on the basis of a single document rather than a combination of documents. Following that logic, the analysis considered the single-document shoppers to be the control group and the multiple-document shoppers the test group.

The results of the matched-pair testing for White non-UK nationals (

Table 3) and BME non-UK nationals (Table 4) gave different results with no clear pattern or direction of effect. For White testers, those with a combination of documents were more 'successful' in terms of learning about available properties, while amongst BME testers, those who could demonstrate right to rent with a single document were more 'successful'.

However, it should be borne in mind that only 40 percent of shoppers were asked about documents at all in the course of their mystery shopping encounters. This means that most landlords and agents would have been unaware of whether shoppers had Group 1 or Group 2 documents. As a result, it was not possible to draw clear conclusions on the effect of documentation type.

Table 3: Matched pair testing: Effect of Group 1 compared with Group 2 documents on whether properties were available for White non-UK nationals

Base: All Scenario 2 mystery shoppers who received a response (n = 196). P = 0.001; statistically significant at 99% confidence level.

Same response received	Single document yes, combination of documents no	Combination of documents yes, single document no	Increase in success with <u>multiple documents</u>
71.4% (140)	8.7% (17)	19.9% (39)	11.2%

Table 4: Matched-pair testing: Effect of Group 1 compared with Group 2 documents on whether properties were available for BME non-UK nationals

Base: All Scenario 3 mystery shoppers who received a response (n = 215). P = 0.29; not statistically significant.

Same response received	Single document yes, combination of documents no	Combination of documents yes, single document no	Increase in success with <u>single document</u>
68.4% (147)	17.7% (38)	14.0% (30)	3.7%

3. Detailed Findings: Landlords Primary Research

3.1 Discrimination

The key focus of the research investigation was discrimination on the basis of nationality, race or ethnic background, and this is the primary focus of this section of the report. However, in the landlords primary research, information was also collected on other forms of discrimination such as against benefit claimants or recipients of Local Housing Allowance (LHA). The following sections first discuss overall discrimination in general terms, followed by discrimination on the basis of nationality, race or ethnic background, and finally, other forms of discrimination (predominantly against individuals in receipt of Universal Credit, Housing Benefit or LHA).

3.1.1 The Broader Context of Discrimination

In the quantitative survey, landlords were given a pre-coded list of tenant types and asked which (if any) they would be unwilling to let to. Almost one third (30%, 211 out of 300) of landlords claimed to be willing to let to any tenant type listed (

Table 5).¹⁸ However, 70 percent of landlords admitted to being unwilling to let to at least one tenant type, with benefit claimants being by far the most likely to be discriminated against (Universal Credit or Housing Benefit/LHA).

¹⁸ Tenant types: People receiving Housing Benefit or the Local Housing Allowance; people receiving Universal Credit; couples or single people with dependent children; non-UK passport holders from the EU; non-UK passport holders from outside the EU; UK nationals without a passport; single occupants aged 18–21 receiving Universal Credit; single occupants aged under 35 receiving Housing Benefit; other.

Table 5 shows that almost half (49%, 148 out of 300) of landlords said that they would not let property to single occupants aged 18–21 receiving Universal Credit, 38 percent (114 out of 300) would not rent to people receiving Housing Benefit or LHA, and 36 percent would not rent to either single occupants receiving Housing Benefit (109 out of 300) or to people receiving Universal Credit (107 out of 300).

Table 5: Percentage of landlords unwilling to let to each tenant type, by wave

Base: All landlords (Wave 1 n = 309; Wave 2 n = 300; Wave 3 n = 300).

Tenant type	Wave 1 (January 2020)	Wave 2 (October 2020)	Wave 3 (January 2021)
Willing to let to all tenant types	24.6% (76)	26.0% (78)	29.7% (89)
Single occupants (aged 18–21) receiving Universal Credit	52.4% (162)	49.7% (149)	49.3% (148)
People receiving Housing Benefit or LHA	42.7% (132)	40.3% (121)	38.0% (114)
Single occupants (under 35) receiving Housing Benefit	41.4% (128)	40.7% (122)	36.3% (109)
People receiving Universal Credit	40.8% (126)	42.0% (126)	35.7% (107)
Non-UK passport holders from outside the EU	28.2% (87)	31.7% (95)	23.7% (71)
UK nationals without a passport	14.6% (45)	22.3% (67)	14.0% (42)
Non-UK passport holders from the EU	17.5% (54)	21.3% (64)	13.7% (41)
Couples or single people with dependent children	14.9% (46)	14.3% (43)	13.3% (40)
Other	5.8% (18)	6.3% (19)	4.3% (13)

The proportion of landlords unwilling to let to benefit claimants exceeds those of the 24 percent (71 out of 300) who would not let to individuals from outside the EU and the 14 percent (41 out of 300) who would not let to non-UK passport holders from the EU. This is discussed further in sections 3.1.2 and 3.1.3 below.

As a useful comparative context, 25% of respondents to the 2018 MHCLG English Private Landlord Survey were unwilling to let to non-UK passport holders, although the underlying reasons for this were not explored in that research.

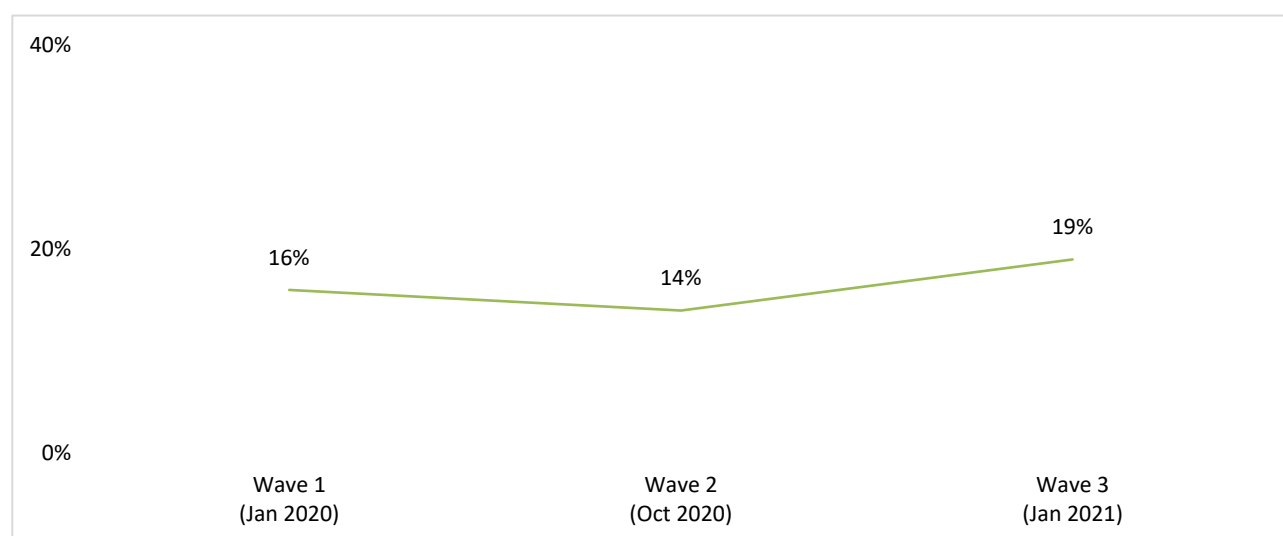
3.1.2 Discrimination on the Basis of Nationality, Race or Ethnic Background

When asked if they were aware of discrimination against tenants on the basis of their nationality, race or ethnic background, the majority of landlords (67%, 200 out of 300) claimed not to be aware of such discrimination. However, 19 percent (56 out of 300) said that they were aware of discrimination in the (geographical) areas where they operate (

Figure 2).

Figure 2: Percentage of landlords aware of discrimination on the basis of nationality, race or ethnic background in the areas where they operate, by wave

Base: All landlords (Wave 1 n = 309; Wave 2 n = 300; Wave 3 n = 300).



Although almost one in five landlords (19%, 56 out of 300) claimed to be aware of discrimination, very few could give a specific example of such in the quantitative interview. Those who did provide an example generally mentioned hearing of incidences of discrimination from other landlords or (less commonly) from tenants discussing previous poor experiences. Examples of overall discrimination (not specific to Right to Rent) provided by landlords included:

“I know of a landlord who does not rent to Black people but uses other excuses for not letting them rent from them. He has been open to me about his preference for White renters but it [is] very hard to prove this is what they are doing, as they find other excuses to say no to them.”

“Tenants I have housed have previously been rejected from properties because they were non-UK citizens (they were EU citizens).”

As demonstrated in

Table 5 in section **Error! Reference source not found.**, when asked which tenant types landlords are unwilling to let to, 24 percent (71 out of 300) of landlords said that they were unwilling to let properties to non-UK passport holders from outside the EU, and 14 percent (41 out of 300) were unwilling to rent to non-UK passport holders from the EU. These figures declined in Wave 3 compared with Wave 1 (28% and 17%) and Wave 2 (32% and 21%).¹⁹

In addition, 14 percent of private landlords were unwilling to let to UK nationals without a passport. This figure was higher among those who consider themselves well or quite well informed about the Right to Rent scheme (Table) as well as those who have read any of the documentation available on Gov.UK²⁰ (18%) (Table 18). These differences were statistically significant, indicating a marginal influence of the Right to Rent scheme.

Table 17: Percentage of landlords unwilling to let to UK nationals without a passport, by knowledge of the Right to Rent scheme

Base: All in Wave 3 (n = 300). P = 0.04; statistically significant at 95% confidence level.

Total %	Well/quite well informed	Poorly/not at all informed	Difference
14.0% (42)	17.5% (28)	9.1% (12)	8.4% (16)

Table 6: Percentage of landlords unwilling to let to UK nationals without a passport, by engagement with documentation on Gov.UK^{Error! Bookmark not defined.}

Base: All in Wave 3 (n = 300). P = 0.04; statistically significant at 95% confidence level.

Total %	Read any documentation on Gov.UK ^{Error! Bookmark not defined.}	Not read any documentation on Gov.UK ^{Error! Bookmark not defined.}	Difference
14.0% (42)	17.8% (29)	9.5% (12)	8.3% (17)

The qualitative research suggests that there is a spectrum of discrimination around race, ethnicity or nationality. At one extreme are landlords who appear to enjoy housing tenants from a range of different nationalities, as it is an opportunity to get to know and mix with people who are from different backgrounds to themselves. At the other extreme are a minority whose discriminatory views are overt or had heard of cases where landlords had more extreme views with comments collected in qualitative research including:

“If you didn’t have that sort of background [White middle-class], I think the letting agents used to quietly weed you out.”

“Some people don’t let Brown people in.”

¹⁹ This was despite the UK leaving the EU during this time period.

²⁰ Documentation: *Code of practice on illegal immigrants and private rented accommodation; Code of practice for landlords: avoiding unlawful discrimination when introducing “Right to Rent” checks in the private residential sector; Online guidance (Right to Rent document checks: a user guide).*

In qualitative research a minority of landlords also demonstrated clear biases, for example, only wanting to rent to people within their own community (such as South African to South African) or based on perceptions that certain ethnic groups were likely to behave in certain ways within a rental property. A specific example given was that Asian people were perceived as more likely to cook with large amounts of oil and dispose of it in a sink and block it, and that certain ethnic groups were less likely to look after a garden. In both examples, landlords felt ‘justified’ in their decision because having these groups of people as tenants would incur additional costs to rectify any issues (in this case with a blocked sink or unkempt garden). There was also an example of a landlord who would not let to tenants who do not speak English:

“Some landlords have a personal bias against certain groups of people or certain organisations, for example, they may be against certain religious groups. And some landlords will not deal with people who don't speak English, they are not confident that these tenants can understand and follow the rules and terms of their tenancy agreements.”

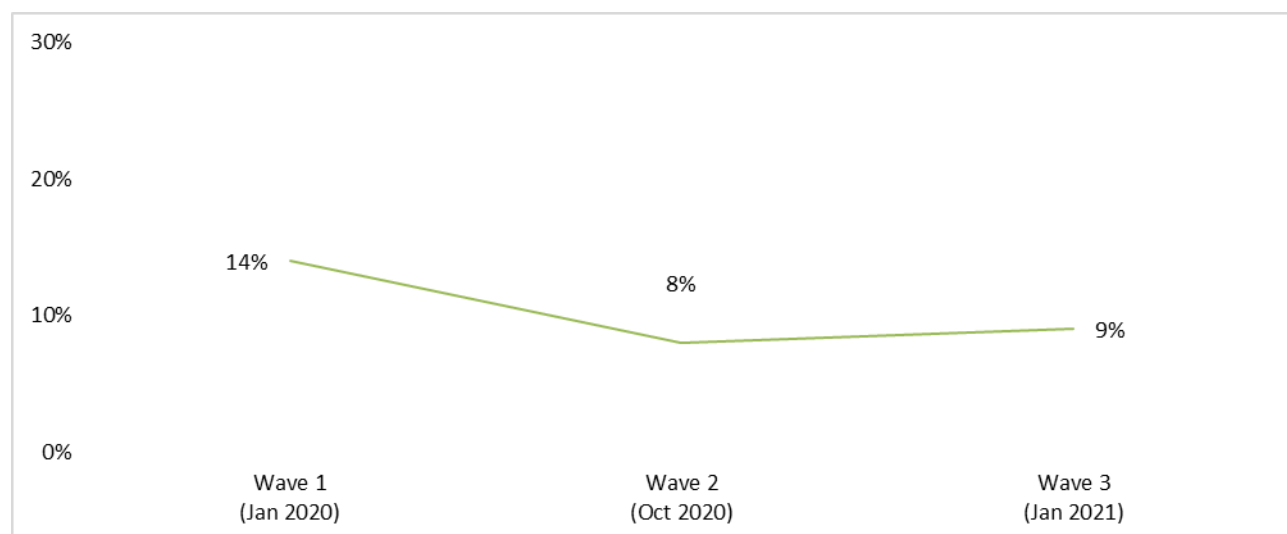
Landlords also spoke about the importance of being able to keep a track of tenants to follow-up post-tenancy, if needed, and expressed concerns that they may not be able to do so with foreign nationals. In this light, landlords quite often spoke about wanting to rent to families as they had more of a ‘paper trail’ with children registered at school and so on.

“Foreign tenants are harder to track if they leave and are in arrears or have caused damage to the property.”

As well as overall discrimination, in the quantitative survey landlords were asked if they were aware of discrimination against tenants as a direct impact of the Right to Rent scheme; 9 percent of landlords in January 2021 (26 out of 300) claimed to be aware of such (**Error! Reference source not found.**), although (as with broad discrimination) when asked to give a specific example either no examples or vague examples were provided in the majority of those 26 cases. Awareness appears to have marginally decreased since 14 percent claimed awareness in January 2020 (42 out of 309).

Figure 3: Percentage of landlords aware of discrimination as a specific impact of the Right to Rent scheme in the areas where they operate, by wave.

Base: All landlords (Wave 1 n = 309; Wave 2 n = 300; Wave 3 n = 300).



Awareness of discrimination as a result of the Right to Rent scheme was higher among:

- landlords who let property in London (20%, 12 out of 60);
- those who are members of a landlord membership body or association (19%, 20 out of 105)²¹; and
- those who consider themselves very or quite well informed about the Right to Rent scheme (14%, 22 out of 160).

All of these differences were statistically significant. There was only one example in qualitative research where it was felt that the Right to Rent scheme provided a tool for a landlord to discriminate against tenants due to their ethnicity.

In addition to general discrimination, 7 percent (22 out of 300) of landlords claimed that they were aware of tenants being denied access to rental property because they could not prove that they had a legitimate right to rent. The reasons given for this were commonly because (potential) tenants lacked the correct documentation:

“The letting agent informed me that another landlord had been unable to get the required documentation from prospective tenants.”

“The prospective tenant did not have some of the documents for the ID check.”

3.1.3 Other Forms of Discrimination

As mentioned in section **Error! Reference source not found.**, the most common tenant types to *not* rent property to were people receiving benefits (Table 16), particularly single occupants aged 18 to 21 years receiving Universal Credit (49%, 148 out of 300), people receiving Housing Benefit or Local Housing Allowance generally (38%, 114 out of 300) and single occupants aged under 35 receiving Housing Benefit (36%, 109 out of 300).

This was borne out in qualitative research and the comments around these groups far outweighed comments around race, ethnicity or nationality. Benefit claimants were avoided or excluded because of the risk of the landlord not receiving their rental payments; this is exacerbated by the Universal Credit scheme where the tenant receives payment to provide to the landlord rather than the payment being paid directly to the landlord.

There were also a number of comments in the qualitative research regarding a preference not to rent to younger people (especially students). There was more risk associated with this group because of potential property damage and noise inflicted on neighbours who the landlord wished to keep ‘on side’.

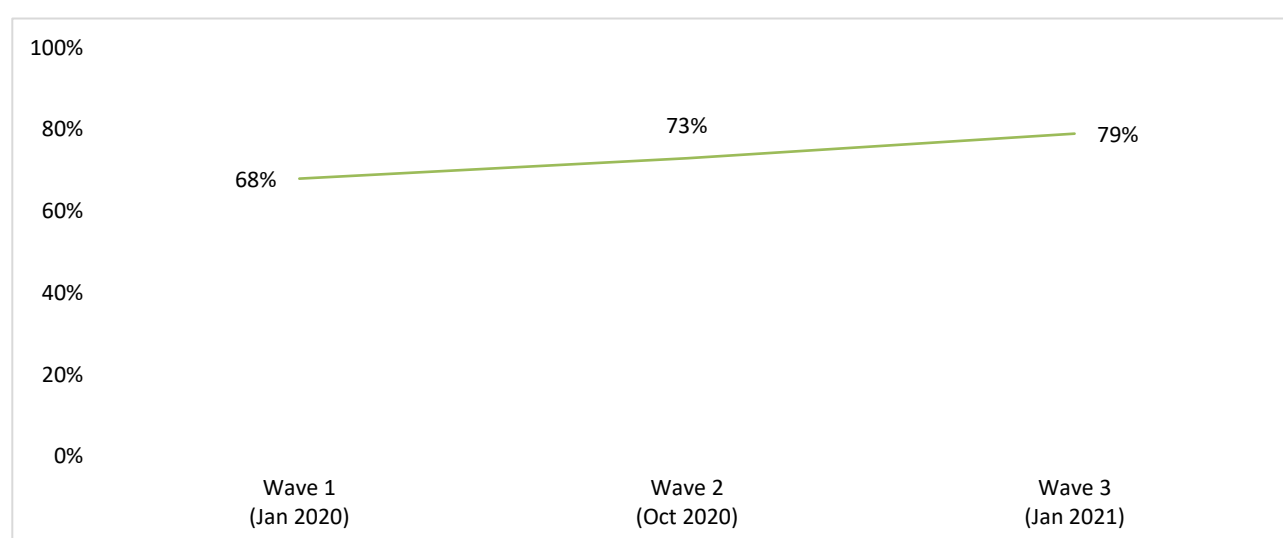
²¹ Landlords who are members of a membership body or association are considered to be more ‘professional’ and tend to have larger portfolio sizes: 21 percent (22 out of 105) association members have 6 or more properties in their portfolio, compared to only 6 percent (11 out of 176) of non-members.

3.2 Awareness of the Right to Rent Scheme

At the start of the quantitative survey, landlords were asked if they were aware of the Right to Rent scheme prior to completing the survey. Awareness of the Right to Rent scheme among UK landlords was relatively high at 79 percent (236 out of 300) and has increased from 68 percent (209 out of 309) in January 2020 (Figure 4). Among landlords letting out property in England, awareness was marginally higher at 81 percent (213 out of 263). However, only half (53%, 160 out of 300) of all landlords considered themselves to be well or quite well informed about the scheme, with 44 percent (132 out of 300), considering themselves poorly or not at all informed.

Figure 4: Percentage of landlords aware of the Right to Rent scheme, by wave

Base: All (Wave 1 n = 309; Wave 2 n = 300; Wave 3 n = 300).



In qualitative research, awareness of the Right to Rent scheme was less clear (although all landlords needed to have at least heard of the Scheme to participate in the qualitative research stage). For landlords who handled searching and vetting tenants themselves and had no contact with a letting agent or were not a member of a landlord membership body, the ability to get information about Right to Rent was impaired. Quite often these landlords had heard about the Scheme in an informal manner, such as through friends or colleagues; there was also an example of a landlord having happened upon the information via a radio talk show.

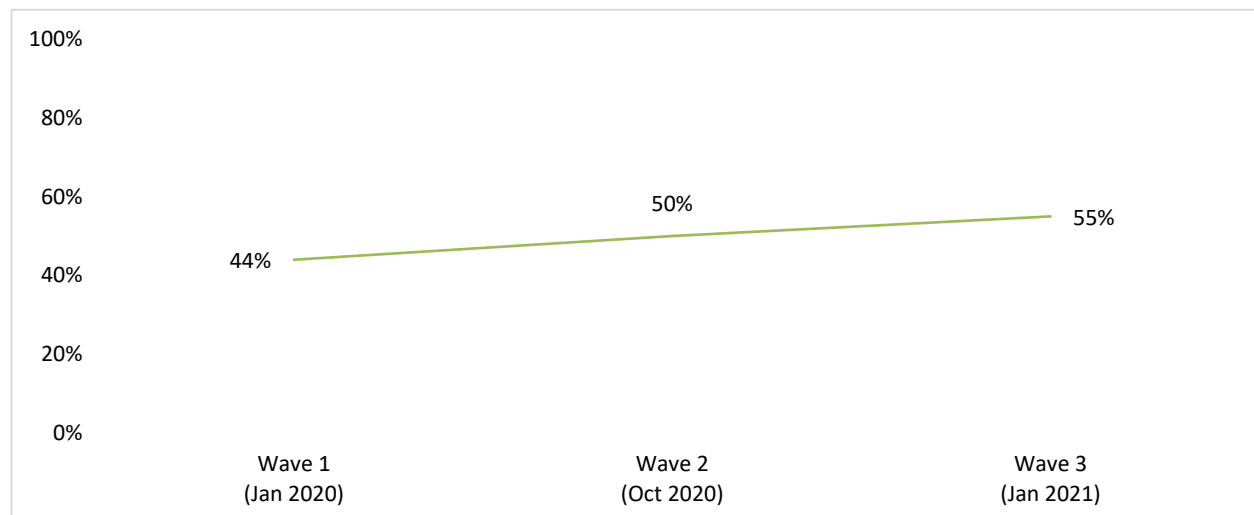
Several landlords mentioned not having needed to replace tenants since 2015 (before the scheme was implemented), and these individuals were less likely to understand their responsibilities under the Scheme. This led to some concern amongst landlords that they didn't know a great deal about the Scheme and were concerned they might be missing something. Wishing to avoid falling foul of the Scheme, quite often landlords left the qualitative research interview wanting to look up more information to check they were doing the right thing; this led to some curiosity as to what the Right to Rent scheme online tool (discussed in the interview) might do for them. Improved communication to private landlords to raise awareness of the Right to Rent scheme and landlord responsibilities could play a significant impact in improving understanding of the scheme, and therefore implementation of it. This could be initiated by the Home Office with support from relevant industry bodies.

In total, 55 percent (164 out of 300) of landlords said that they have a positive opinion of the

Right to Rent scheme (Figure 5) (a statistically significant increase since January 2020 with 44 percent positive, (136 out of 309). Greater familiarity appears to lead to a more positive opinion of the Scheme as 62 percent of landlords who were already aware of the scheme (147 out of 236), and 75 percent of those who were well or quite well informed about the scheme (120 out of 160), had a positive opinion of it.

Figure 5: Percentage of landlords with a positive opinion of the Right to Rent scheme, by wave

Base: All (Wave 1 n = 309; Wave 2 n = 300; Wave 3 n = 300).



Landlords were also asked to provide the reasons for their stated opinion of the Right to Rent scheme; the reasons provided are spontaneous (i.e. not prompted). The key reasons cited for a *positive* opinion towards the Right to Rent scheme were:

- that it is a good/ worthwhile idea (28%, 46 out of 164);
- that it protects the landlord/provides an additional layer of security (17%, 28 out of 164); and
- that it ensures that tenants are legitimate (16%, 27 out of 164).

Positive comments from landlords included:

“It is an extra layer of protection for me, to ensure that there would be no lengthy and costly evictions if I took on someone who shouldn't be renting in the first place.”

“I think it is a good way to check potential tenants and ensure they are able to rent.”

In contrast, the key reason for a negative opinion towards the scheme was that the responsibility for immigration checks should not fall on landlords (42%, 19 out of 45), and this has increased considerably since January 2020 (19%, 9 out of 48) and October 2020 (33%, 16 out of 48). Given the timings of these waves of research (Wave 3 in January 2021), it is a possibility that this increase in a belief that Right to Rent checks should not fall on landlords could have been influenced by the UK leaving the EU in December 2020. Negative comments about the scheme included:

“It's hard to avoid discrimination and whilst it hasn't increased my workload it has considerably increased my costs. I'm also nervous about inadvertently breaching it.”

“I think it has the ability to discriminate unfairly, e.g. Windrush scandal.”

There was a low incidence of complaints about the Right to Rent scheme from tenants themselves, with only 5 percent of landlords (16 out of 300) saying tenants had made a

complaint or raised a concern about it.

Landlords were also asked to provide suggestions for improving awareness of the Right to Rent scheme. These included television advertising, encouraging letting agents to pass on the information, and contacting landlords directly (for example through HM Revenue and Customs (HMRC)). In qualitative research there was some discussion on information reaching landlords directly by linking tax return information via HMRC to the relevant government department (i.e. the Home Office) to tell them about Right to Rent.

3.3 Information Engagement

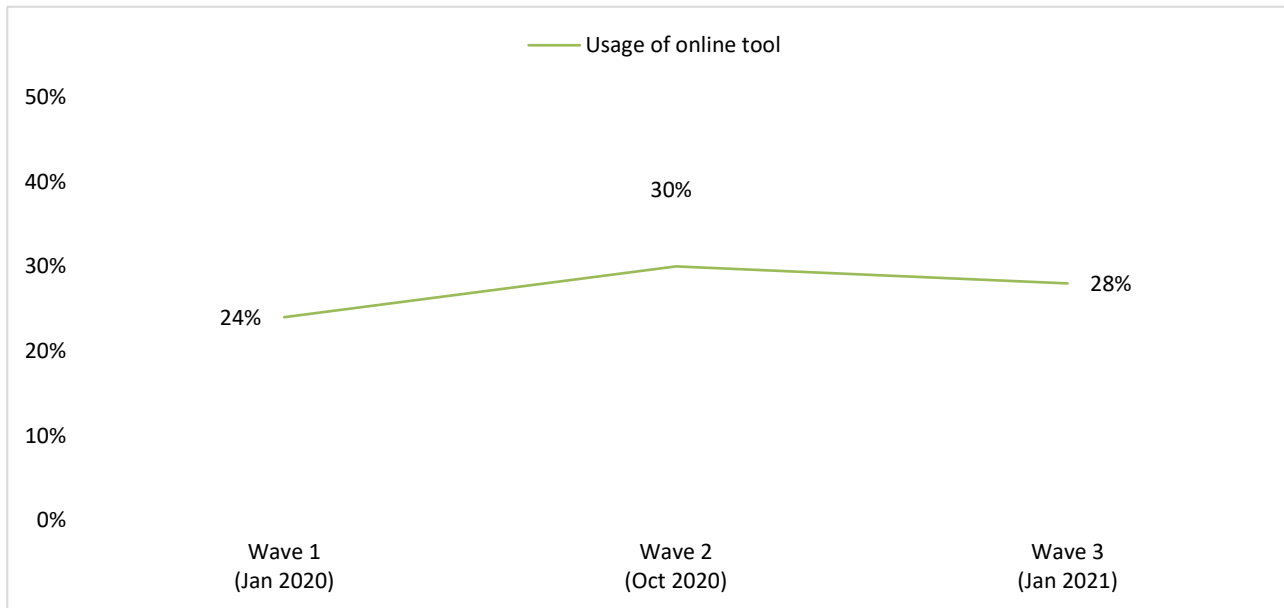
In the next section of the questionnaire, landlords were asked questions on their engagement with the documentation available on Gov.uk.²² Over half of landlords (54%, 163 out of 300) claimed to have read at least one of the documents available, and 31 percent (92 out of 300) had used at least one document. In addition, two thirds (66%, 197 out of 300) of landlords said that they had accessed information about the Right to Rent scheme from another source, most commonly a letting agent (36%, 109 out of 300). However, 28 percent (83 out of 300) of landlords had not accessed any form of information about the scheme.

There was relatively low usage of the online tool on Gov.uk *Check if someone can rent your residential property*, with 28 percent of landlords (85 out of 300) saying they had used it (Figure 6). However, usage was higher among landlords who carry out tenant checks themselves (50%, 44 out of 88) or who use a tenant referencing service (56%, 34 out of 61) compared to those who use a letting agent (21%, 41 out of 193). These differences were statistically significant. The vast majority of landlords who did use the tool found it helpful and did not experience any problems.

²² Documentation: *Code of practice on illegal immigrants and private rented accommodation*; *Code of practice for landlords: avoiding unlawful discrimination when introducing "Right to Rent" checks in the private residential sector*; *Online guidance (Right to Rent document checks: a user guide)*.

Figure 6: Percentage of landlords using the online tool Check if someone can rent your residential property, by wave

Base: All (Wave 1 n = 309; Wave 2 n = 300; Wave 3 n = 300).



3.4 Tenant Checks

In both the quantitative and qualitative research, landlords were asked about their normal procedure when carrying out tenant checks. The majority of landlords (64%, 193 out of 300) said that they use a letting agent to carry out Right to Rent checks on prospective tenants. A further 20 percent (61 out of 300) use a tenant referencing service, while 29 percent of landlords (88 out of 300) carry out Right to Rent checks themselves. [Note landlords may use multiple methods to carry out tenant checks so percentages add to more than 100%].

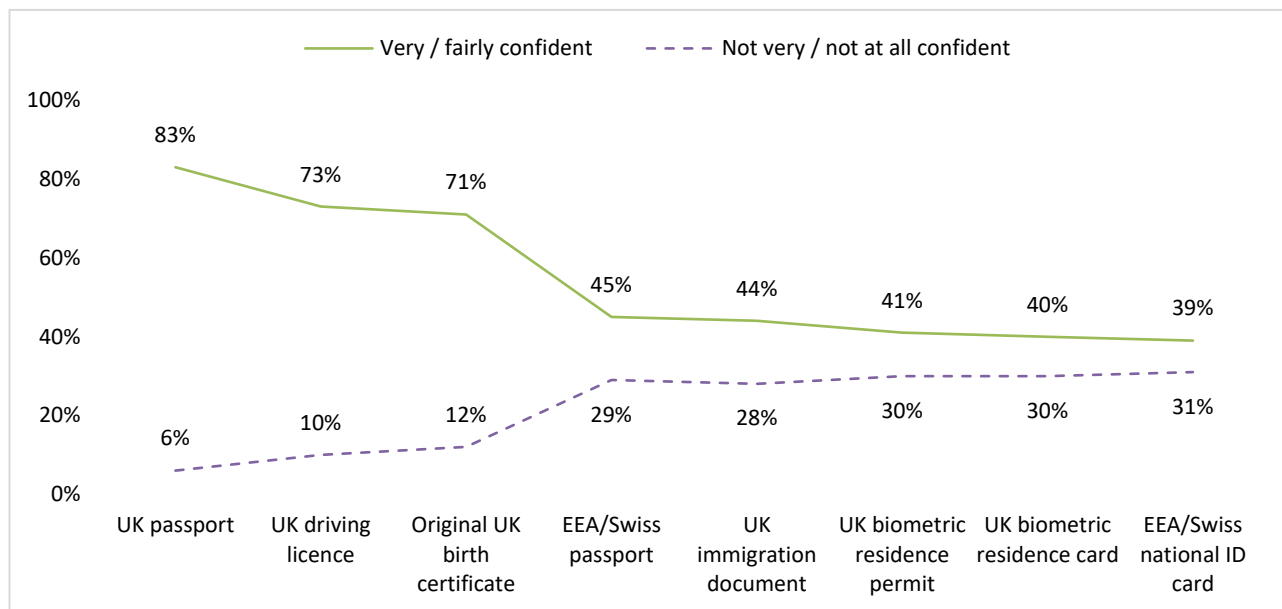
In qualitative research there was a mixture of individuals who used letting agents or checking services to check tenants; they did so because of the time and hassle it would take to do the checks themselves, and because it handed the responsibility to another body. Those landlords who do carry out tenant checks themselves often spoke about using their ‘gut feel’ for finding suitable tenants or using a personal network to find tenants. With the latter, there was some word-of-mouth approval or just judging the character of the tenant from, for example, what they were wearing or if they had turned up to a meeting on time. Checks were therefore less formal, but certain elements were still in place, such as formal rent agreements and financial capability checks, as well as landlords claiming that they followed the Right to Rent process. In this light the Right to Rent scheme was talked about relatively positively; although in some cases it is awkward to ask a tenant for proof of residency, using the Right to Rent scheme as a process gave the landlord legitimate ‘permission’ to seek this information from prospective tenants.

Around 2 in 3 landlords (67%, 201 out of 300) said that they feel very or quite confident carrying out the checks required under the Right to Rent scheme. This was higher among landlords who carry out checks themselves (81% confident, 71 out of 88) and those who use a referencing service (80% confident, 49 out of 61). These differences were statistically significant. However, one fifth of the landlords who do carry out checks themselves (19%, 17 out of 88) said that they do not feel confident doing so.

Confidence in carrying out checks varied considerably depending on the documents available for checking, as 83 percent of landlords (249 out of 300) said that they feel confident checking a UK passport, while only 39 percent (117 out of 300) felt confident checking a European Economic Area (EEA)/Swiss national ID card (Figure 7).

Figure 7: Percentage of landlords feeling confident using each form of documentation to check a potential tenant's right to rent

Base: All in Wave 3 (n = 300)



In terms of time taken to carry out checks, one fifth of landlords (20%, 61 out of 300) perceived the Right to Rent scheme to have impacted their workloads, with 5 percent (14 out of 300) of these indicating that their workload had increased a great deal. In contrast, 76 percent (228 out of 300) said that their workload had not changed much or not at all (primarily individuals who employ a letting agent to carry out tenant checks).

3.5 Impact of Covid-19

At the end of the questionnaire landlords were asked about the impact of Covid-19 on their lettings business. Just over half of landlords (56%, 169 out of 300) said that they have *not* experienced any changes since the Covid-19 pandemic began. For the 44 percent (131 out of 300) who had experienced changes, the most common was tenants struggling financially (20%, 60 out of 300) and a reduction in profitability (19%, 58 out of 300).

In qualitative research there were some landlord experiences where tenants had been made redundant due to the pandemic and were either unable to pay their rent or paying it at an extremely low level. Landlords found this frustrating as many were out of pocket financially because of the Covid-19 tenant protection schemes.

Verbatim comments from landlords commonly mentioned the difficulty of evicting problem tenants, with some mentions of difficulty finding new tenants and visiting the property for maintenance or to carry out checks.

“Some landlords have been left badly out of pocket by tenants not paying and not being allowed to evict them. Many businesses have been given support, tenants have been given more rights, but landlords have been strung out to dry and left with no support. The Government seems to treat private landlords as bad guys when they actually provide a lot of affordable housing, something the Government has been very bad at doing.”

“It has made it virtually impossible to remove problem tenants. Also, there have been delays and difficulties getting work carried out during the crisis.”

“It would be helpful to continue to allow viewing of properties whilst of course maintaining social distancing, etc. to the benefit of both potential tenants and landlords.”

Portfolio size was the most strongly differentiating factor on whether Covid-19 had impacted landlords: landlords with only one property were more likely to have experienced no changes compared with those with multiple properties, a statistically significant difference.

Only 19 percent of landlords (46 out of 236) who were already aware of the Right to Rent scheme were also aware of the changes to guidance on conducting checks as a result of the Covid-19 pandemic. Of these, almost half (43%, 20 out of 46) said that the changes have made it easier to conduct Right to Rent checks, and a further third (30%, 14 out of 46) noticed no difference. Just over half (54%, 25 out of 46) of landlords who were aware of the change thought that it would have an impact on discrimination, of which 41 percent (19 out of 46) expected a positive impact and 13 percent a negative impact (6 out of 46).

Research Conclusions

The overall question assessed in the research was whether the Right to Rent Scheme leads to unlawful discrimination on the basis of ethnicity or nationality.

Clear examples of discriminatory behaviour were found in the implementation of Right to Rent by landlords and letting agents, with mystery shopper 'success' outcomes varying according to nationality and ethnicity, and 19 percent of landlords claiming to be aware of tenants being discriminated against on the basis of their actual or perceived nationality, race or ethnic background.

However, there was little or no evidence of systematic unlawful discrimination as a result of the Right to Rent Scheme, and discrimination on other grounds (for example towards welfare benefit claimants) was found at a much higher level. The results are not proof of a total absence of discrimination, since the mystery shopper research methodology did not capture the final steps of the rental transaction where 'success' may have been demonstrated conclusively through the offer of a tenancy. However, given the evidence presented in this report, it is our belief that even if we did pursue the shopper experience to the conclusion of the journey, the findings would not be significantly different.

The research identified some gaps in landlords' understanding of the Right to Rent Scheme, particularly among self-managing landlords and those operating outside of a membership body; improved understanding of the Scheme among private landlords could have a significant impact on implementation of the Scheme and therefore discrimination.

4.1 Research Methodology

4.1.1 Mystery Shopping Research with Letting Agents and Landlords

One element of the research was a mystery shopping exercise, in which 2,408 prospective tenants approached landlords and letting agents and recorded their experience. The exercise was designed to investigate whether there were systemic differences correlated with ethnicity, race, nationality or immigration status in the way that mystery shoppers were treated by landlords or agents; whether this differential treatment appeared to constitute unlawful discrimination; and whether any such unlawful discrimination was caused by Right to Rent legislation. The assumptions and logic behind the research approach, and its strengths and shortcomings in addressing these questions, will be explored below.

The Audit Technique

The matched-pair method used to test these questions has been employed by academics and governments for some time to identify discrimination, often in the field of employment but also in housing.

The technique has been used to detect racial discrimination in housing contexts, including mortgage applications and searches for rental accommodation. In the USA, the Federal Government has commissioned four major matched-pair studies of discrimination in urban housing markets (in 1977, 1989, 2002 and 2012).²³ In the most recent project, the US Department of Housing and Urban Development (HUD) looked at discrimination in 28 metropolitan areas across the USA, conducting 4,900 paired tests in rental markets. The study compared the treatment of White applicants with the treatment of Black, Asian and Hispanic applicants. Note that in these studies, ethnicity was the only variable tested – all other characteristics were held constant.

The repeated nature of the HUD research allowed researchers to identify not only the level of discrimination, but also *changes* in discrimination over time, as they could compare current levels with baseline data from 1977. The researchers found consistent adverse treatment of

²³ Wienk, R. E. (1979) *Measuring racial discrimination in American housing markets: The housing market practices survey* (Vol. 444). Division of Evaluation, US Department of Housing and Urban Development, Office of Policy Development and Research.

Turner, M., Struyk, R. and Yinger, J. (1991) *Housing discrimination study: synthesis report*. Washington, DC: The Urban Institute.

Turner, M. A., Ross, S. L., Galster, G. C. and Yinger, J. (2002) *Discrimination in metropolitan housing markets: National results from Phase I HDS 2000*. Washington, DC: The Urban Institute.

Turner, M. A., Santos, R., Levy, D. K., Wissoker, D., Aranda, C. and Pitingolo, R. (2013). *Housing discrimination against racial and ethnic minorities 2012*. US Department of Housing. Urban Development, Policy Development, and Research.

minorities, but the studies also indicate that the proportion of minorities suffering housing discrimination has declined over time.

Studies conducted in many countries have found some degree of rental-market discrimination against non-majority applicants.²⁴ It can be assumed that there was some discrimination in England before the Right to Rent scheme was introduced, but there are no equivalent baseline data for rental-market discrimination in the UK against which to measure any change. The design of this research was not intended to replicate that undertaken in the USA, but it does provide the ability to undertake similar analysis.

Previous Research into Right to Rent

In 2015 the Home Office commissioned a mystery shopping exercise to look at possible discrimination in the Right to Rent 'pilot' areas. The approach was as follows.

Method – Paired mystery shopping encounters were divided across the phase one area and comparator locations. The comparator locations selected were Coventry and Stoke-on-Trent. Within each pair, one shopper had a White British ethnic background and the other had a Black and minority ethnic (BME) background, in which three scenarios were represented. Shoppers used different methods of communication with the letting agent or landlord, which included email, telephone and face to face. A shopper feedback questionnaire was designed to gather information from the shoppers. This contained predominantly closed questions with a few supplementary open questions to enable the shopper to provide a description and an additional evaluation of the Right to Rent scheme information.

Sampling – A sample frame of letting agents across the different locations was devised through desk research. Private landlords were identified through informal advertising such as local press and cards in shop windows.

Analysis – The survey data were collated and analysed to provide frequencies and cross-tabs of responses to the feedback questionnaire. This allowed for comparisons to be made between the two shoppers in each location and then for that difference to be compared between the two locations. Statistical significance testing was not conducted on the data due to the relatively modest number of individual mystery shops completed at a sub-group level. Verbatim comments were reviewed thematically.²⁵

In their analysis of the mystery shopping element, the authors said:

“The mystery shopping research found that there were no major differences in tenants’ access to accommodation between phase one and the comparator area. However, a higher proportion of Black and minority ethnic (BME) shoppers were asked to provide more information during rental enquiries in the phase one area. Despite these differences during rental enquiries, BME shoppers in the phase one area were more likely to be offered properties, compared with White British shoppers. Together this suggests there was no evidence of any difference regarding the final outcome from rental search.”²⁰

Subsequently, the Joint Council for the Welfare of Immigrants conducted its own mystery shopping exercise in 2017.²¹ That exercise comprised 1,708 mystery shopping enquiries using

²⁴ Ahmed, A. M. and Hammarstedt, M. (2008) 'Discrimination in the rental housing market: A field experiment on the Internet', *Journal of Urban Economics*, 64 (2), pp 362–372.

²⁵ Brickell, C., Bucke, T., Burchell, J., Davidson, M., Kennedy, E., Linley, R. and Zurawan A. (2015) *Evaluation of the Right to Rent scheme: Full evaluation report of phase one*, Research Report 83. London: Home Office.

six scenarios that differed in ethnicity, nationality, documents demonstrating Right to Rent, or migration status. The results were not entirely clear-cut: White British applicants were amongst those receiving the highest rates of positive responses and the highest rates of negative responses. *"The mystery shopping scenario in which the prospective tenant was not British, but had indefinite leave to remain in the UK, was also 20% more likely to receive a negative response or no response compared to a British citizen."*²⁶

As referenced above, the aim of the mystery shopping exercise was to compare the experience of individuals of different ethnicities and legitimate immigration statuses when making a rental property enquiry, to identify whether there was any discrimination attributable to the introduction of the Right to Rent scheme. It was important to gain an insight into whether any discrimination identified could be specifically linked with the Right to Rent scheme. For this reason, the mystery shopping activity was undertaken in two comparator locations in Wales, where the Right to Rent scheme does not currently apply, as well as various locations across England where the scheme is live.

This report draws out differences in experience between the four groups of mystery shoppers when engaging with landlords and letting agents:

- White British;
- BME British;
- White non-British; and
- BME non-British.

A total of 2,408 individual mystery shopping assessments were undertaken across England and Wales in February and March 2020 and between October 2020 and January 2021. During the first wave, fieldwork assessments were divided equally between 'Right to Rent' test and 'control' comparator locations. These locations were chosen on the basis of their proximity and relative size. The 'Right to Rent' locations were Bristol and Stoke-on-Trent, both in England, and the 'control' comparator locations, both within Wales, were Cardiff and Wrexham. For the second wave of assessments, research locations were evaluated throughout England, consisting of London, Manchester and a mix of non-metropolitan areas, made up of villages, small towns and larger towns both inland and in coastal areas. The number of participants in each location can be seen in Table 79. The comparator locations and wider research location criteria were carefully selected in partnership with the Home Office to provide a varied and robust data set.

Table 79: Spatial distribution of mystery shoppers

Location (England)	Number of shoppers	Comparator location (Wales)	Number of shoppers
London	518		
Non-metropolitan	516		
Manchester	386		
Bristol	260	Cardiff	300
Stoke-on-Trent	234	Wrexham	194
Total	1,914		494

²⁶ Joint Council for the Welfare of Migrants (2017) *Passport Please: The impact of the Right to Rent checks on migrants and ethnic minorities in England*.
Evaluation of the Right to Rent scheme

In total 1,560 assessments were conducted with letting agents (national chains, local chains and independents) and 848 with private landlords. Letting agents were selected on a random basis (from offline and online research) based primarily on location. Private landlords were identified through informal online advertising in each of the assessment areas.

The assessments were a blend of telephone and email enquiries. **Original plans involved approximately 12 percent of the total sample being face to face enquiries, but due the impact of Covid-19 and the safety concerns this brought, a decision was made in conjunction with the Home Office to switch all face to face enquiries to telephone enquiries.** Fieldwork was delivered by highly trained and experienced mystery shoppers selected from ESA Retail's panel of 15,000 shoppers in the UK (ESA Retail are part of the BVA BDRC Group). The profile information held on ESA Retail's mystery shoppers allowed them to use shoppers meeting the qualifying criteria for each ethnicity profile (including accent and ethnic origins).

A 'paired' research approach was used in all mystery shopping assessments across all assessment areas. This comparative participation observation methodology compares the experiences of mystery shoppers who are similar in profile except for their apparent ethnicity/nationality and/or available documentation, such as whether they possess a valid passport. The comparison of experiences between the English locations and those in Wales tested the effects of the Right to Rent scheme, while the further waves of assessments throughout England tested for discrimination over a larger and varied geographical area.

The carefully recruited 'pairs' of mystery shoppers approached the same letting agents and landlords. All mystery shoppers were allocated simple tenant enquiries to follow, which were designed to reflect fully the initial stages of a rental enquiry from initial contact, through registration and property search, to any follow-up activity. The shopper profiles included the required ethnicity and details of the documentation that the shopper could provide if requested.

Group 1 and 2 Documents

To demonstrate that they have the right to rent in the UK, prospective tenants must show documents of a type approved by the Home Office list (Home Office 2020). The Home Office guidance divides the acceptable documents into two sets:

- Group A documents, which show an unlimited right to rent; and
- Group B documents showing a time-limited right to rent.

All the mystery shoppers in this exercise had Group A documents. Group A is further subdivided into two lists:

- List A Group 1 comprises single documents demonstrating the right to rent – these include UK passports and EEA/Swiss passports or identity cards; and
- List A Group 2 comprises documents that must be shown in combination, any two of which can be produced – these include benefits paperwork, UK driving licence and a letter of attestation from an employer.

The Scenarios

There were four shopper scenarios, each with two subgroups of equal size, to allow for paired testing of the effects of a single variable (Table 80).

- Scenario 1 – 638 shoppers (319 pairs) – designed to test the effect of ethnicity while holding nationality and documentation constant. Both mystery shoppers were British, with documents from List A Group 2:
 - Scenario 1a shoppers were BME; while
 - Scenario 1b shoppers were White.

Scenarios 2 and 3 were designed to test the effect of different types of documentation while holding ethnicity and non-UK nationality constant.

- Scenario 2 – 606 shoppers (303 pairs), both mystery shoppers were White, non-EEA Eastern Europeans:
 - Scenario 2a had documents from List A Group 2; while
 - Scenario 2b had documents from List A Group 1.
- In Scenario 3 – 588 shoppers (294 pairs), both mystery shoppers were BME from Africa or South Asia:
 - Scenario 3a had List A Group 2 documents; and
 - Scenario 3b had documents from List A Group 1.
- Scenario 4 – 576 shoppers (288 pairs) designed to test the effect of nationality while holding ethnicity and documentation constant. Shoppers were BME and had List A Group 1 documents:
 - Scenario 4a shoppers were UK nationals; and
 - Scenario 4b shoppers were of African or South Asian nationality.

Table 80: Scenarios and mystery shopper race / nationality

Scenario	%	n	Testing for effects of
S1a: BME, British, List A Group 2	13%	319	Race
S1b: White, British, List A Group 2	13%	319	
S2a: White, Non-EEA Eastern European, List A Group 2	13%	303	Documentation type
S2b: White, Non-EEA Eastern European, List A Group 1	13%	303	
S3a: BME, African / South Asian, List A Group 2	12%	294	
S3b: BME, African / South Asian, List A Group 1	12%	294	
S4a: BME, British, List A Group 1	12%	288	Nationality
S4b: BME, African / South Asian, List A Group 1	12%	288	
<i>TOTAL</i>		2,408	
Percentage White (S1b, S2a, S2b)	38%		
Percentage UK nationals (S1a, S1b, S4a)	38%		

Note: European Economic Area (EEA) members are all of the EU Member States, plus Iceland, Liechtenstein and Norway. Switzerland is not in the EEA but is part of the EU's single market.

Questionnaire and Analysis of Responses

Each mystery shopper collected information on up to 45 questions, covering each stage of their interaction with the agent or landlord and submitted it to the research agency on a smartphone app. The full list of questions is in section 4.1.4. The specific questions were jointly agreed by Home Office officials and the market research agencies BVA BDRC/ESA, and were based on those used in the 2015 research. Some cover aspects of professional procedure (for example, whether the individual who answered the call dealt with the enquiry personally or not). Such questions are typical in mystery shopping exercises commissioned by companies to look at their customer service. The only questions analysed are those where other research indicates a plausible link to discrimination.

The large-scale matched-pair exercises carried out to look at discrimination in US rental markets compared 'success' rates between White and Black, Hispanic or Asian applicants. In these US studies (discussed below in more detail), 'success' is normally defined as the applicant being offered a rental unit or the opportunity to view one or more units. This partly reflects the make-up of the rented sector in the USA, where much of the private rented stock is in the form of all-rental 'condo' developments (either blocks of flats or single-family homes) with leasing offices onsite. It is therefore common for an applicant to receive a firm offer of a rental unit at the initial visit. This happens more rarely in the UK, where rental units are dispersed and separate viewings must be arranged.

The UK mystery shoppers did not proceed far enough in the home-search process to receive an offer of a rental unit, so this measure of success was not employed. In the current research exercise, the following three questions most clearly signal the landlord's/agent's willingness to rent to the mystery shopper.

- X27. Did the agent/landlord say they had any properties available/suggest any properties to you? (Answered by all shoppers who had initial contact with a landlord or letting agent.)
- X30. Were you sent any properties to consider? (Answered only by those shoppers who were contacted by landlords/letting agents after the initial interaction.)
- X33. Were you offered any viewings? (Answers as for Question X30, above.)

These are comparable to three of the four measures of success used in JCWI's 2017 research,²⁷ which were:

- response received to enquiry;
- property available;
- asked to call; and
- viewing offered.

See Appendix section 4.1.4 for full mystery shopper questionnaire.

²⁷ Joint Council for the Welfare of Migrants (2017) *Passport Please: The impact of the Right to Rent checks on migrants and ethnic minorities in England*.
Evaluation of the Right to Rent scheme

4.1.2 Landlords Primary Research

The quantitative survey of private landlords and the in-depth qualitative interviews aimed to track awareness and knowledge of the Right to Rent scheme and establish whether discrimination is occurring, both in general and as a result of the Right to Rent scheme.

The quantitative survey was conducted online. Landlords were recruited to take part through a large online consumer research panel. For the qualitative interviews, landlords were free-found by specialist recruiters, and one-to-one interviews were conducted through video call. The results of the research are discussed in this report, with any mentions of discrimination discussed in detail.

This report contains both the evidence gained through the mystery shopping exercise and the research with private landlords.

Quantitative Landlord Research

All three waves of the survey were carried out through online interviews with private landlords undertaken by Alligator, BVA Group's in-house online fieldwork operation. Planned fieldwork was paused from March to October 2020 due to the Covid-19 pandemic and resumed in October 2020. Sample sizes and fieldwork dates are:

- Wave 1 (January 2020): 309 interviews (fieldwork in January 2020);
- Wave 2 (October 2020): 300 interviews (fieldwork in October 2020); and
- Wave 3 (January 2021): 300 interviews (fieldwork in January 2021).

This report primarily focuses on the Wave 3 results, with references to trends and any relevant differences from Wave 1 and Wave 2.

There was no duplication of respondents across survey waves and a full survey respondent profile is available on request. The sample was sourced through Dynata, a proprietary supplier of consumer research samples.

The questionnaire was designed to provide coverage of the following areas:

- awareness of and sentiment towards the Right to Rent scheme;
- engagement with online information and usage of the Government's online tool, *Check if someone can rent your residential property*;
- tenant checks;
- discrimination in the private rental sector; and
- landlord profile.

A copy of the full questionnaire can be found in Appendix section 4.1.5.

All landlords who participated in the research owned either a residential property rented out to others, or, additionally in Wave 3, a residential property for their own use with rooms rented out to others. Respondents were primarily individual landlords (96%, 289 out of 300) rather than a limited company, and had between one and five rental properties. Just over one third (35%, 105 out of 300) were a member of a landlord membership body or association. Table 21 provides a detailed overview of the landlord profile.

Table 21: Landlord profile

	Percentage (Wave 3, January 2021)
Landlord type	
Individual	96%
Company	4%
Time as landlord	
Less than 6 months	3%
6 months – 1 year	5%
1 year – 2 years	12%
More than 2 years	79%
Portfolio size	
1	47%
2 – 5	41%
6 – 10	8%
More than 10	3%
Property type	
Flats – individual units in a block	38%
House – terraced	36%
House – semi-detached	34%
House – detached	21%
Flats – a block of individual units	7%
Bungalow	4%
HMO (house of multiple occupation)	2%
Other	3%
Rental property location	
Urban (town)	55%
Metropolitan (city)	32%
Rural (village or countryside)	11%
A mix	2%
Rental property region	
South East (excluding London)	20%
London	20%
North West	10%
South West	9%
East of England	9%
Scotland	9%

Yorkshire and the Humber	8%
North East	7%
West Midlands	7%
East Midlands	6%
Wales	4%
Northern Ireland	2%
Citizenship	
UK citizen	97%
EU / EEA / Swiss ¹ citizen	4%
Non-EU citizen	1%
Ethnicity	
White	86%
Black / African / Caribbean/ Black British	8%
Mixed /multiple ethnic groups	3%
Other ethnic group	1%
Age	
18 – 24 years	1%
25 – 44 years	26%
45 – 64 years	50%
65 years or over	23%

Note: ¹ Members of the European Economic Area (EEA) are all the EU Member States, plus Iceland, Liechtenstein and Norway. Switzerland is not in the EEA but is part of the EU's single market.

Statistical Differences

This research was designed to ensure robust sample sizes for analysis. As the survey is conducted with a sample of the target audience, there cannot be 100% certainty that a census of the whole population would yield the same results. However, the researchers can be 95% certain that the actual figure (in the population as a whole) falls within a certain range of the survey figure.

The percentages shown in Table 22 represent the error variance.

Table 22: Margin of error for landlord survey results at 95% confidence, by Wave.

	Survey finding of...		
Base	5 / 95%	20 / 80%	50 / 50%
Wave 1 (n = 309)	+/- 2.4%	+/- 4.5%	+/- 5.6%
Wave 2 (n = 300)	+/- 2.5%	+/- 4.5%	+/- 5.7%
Wave 3 (n = 300)	+/- 2.5%	+/- 4.5%	+/- 5.7%

Qualitative Landlord Research

Accompanying the final quantitative wave of research in January 2021, qualitative research with landlords was conducted to provide a deeper understanding of their sentiment towards:

- the Right to Rent scheme;
- the tenant checks, which landlords conduct; and
- their perceptions of discrimination in the private rental sector.

Fifteen one-hour in-depth video conferencing interviews were conducted with landlords who were at least aware of the Right to Rent scheme.

A copy of the discussion guide can be found in Appendix section 4.1.6.

4.1.3 Research Agency Quality Standards and Other Details

Within the BDRC Group, BVA BDRC carried out all elements of landlord research and overall reporting. ESA Retail provided all aspects of operational mystery shopping.

BVA BDRC is certified to ISO 20252 and ISO 27001, the recognised international quality standards for market research and information security, thus the project has been carried out in accordance with these standards.

- Adherence to the standard is independently audited once per year.
- Where subcontractors are used by BVA BDRC, they are assessed to ensure any outsourced parts of the research are conducted in adherence to ISO 20252 and ISO 27001.

Full methodological details relevant to the project are available upon request.

4.1.4 Mystery Shopping Research with Letting Agents and Landlords: Questionnaire

Question	Routing	Notes	Tel	Email
Stage 1: Initial Contact				
E1. Did you get a response to your email enquiry within 2 working days? Yes / No	If Yes go to E3			Y
E2. Did you get a response to your second email enquiry within 2 working days? Yes / No	If No then CLOSE	Shopper to send a 2nd email after 2 working days if no response to their initial enquiry email. If no response to the second enquiry then CLOSE assessment.		Y
E3. How long after your initial email did you get a response? Enter how many days:				Y
T1. Did the person who answered either deal with your enquiry or pass you on to a colleague to do so? Deal with Enquiry / Pass me on			Y	
T2. How was the call handled: Told to call back another time / Told they would call me back another time / Handled my enquiry there and then	If 'Handled my enquiry there and then' go to X1		Y	
T3. Did you receive a call-back within 2 working days? Yes / No	If YES go to X1	Shopper to call for a 2nd time after 2 working days if no call-back received.	Y	
T4. Did you receive a call-back within 2 working days following your second call? Yes / No	If No then CLOSE	If offered a further call-back and this was not received then CLOSE assessment.		
Stage 2: Registering and Finding Properties				
X1. Did the agent / landlord say that they could help you with your enquiry? Yes / No If NO – comment to explain your answer:			Y	Y

Question	Routing	Notes	Tel	Email
<p>X2. Please describe the manner of the person who you spoke to / corresponded with via email?</p> <p>Encouraging Helpful Friendly Attentive Obstructive Dismissive Unfriendly Vague Other</p> <p>ALL – Provide a comment to support the answers provided</p>	[Multicode]		Y	Y
<p>X3. How positive or negative did you feel the manner of the person you spoke to/communicated with was?</p> <p>Very Positive / Positive / Neutral / Negative / Very Negative</p>			Y	Y
<p>X4. Did the agent/landlord ask if you would like to register with them?</p> <p>Yes / No</p>	If No go to X6		Y	Y
<p>X5. If so were any fees mentioned or explained?</p> <p>Yes / No</p> <p>If YES - You must itemise any fees and multiple charges described to you in full (e.g. reference fee, admin charge, background check fee etc.):</p>			Y	Y
<p>X6. Did the agent/landlord ask you what type of property you were looking for?</p> <p>Yes / No</p>			Y	Y
<p>X7. Did the agent/landlord ask you what your budget is?</p> <p>Yes / No</p>		Shopper to respond that their budget is flexible depending on the area and ask for the rental values for their suggested areas.	Y	Y
<p>X8. What was the monthly rent value and locations discussed with you?</p> <p>ALL - Please state the rental prices quoted and the areas suggested</p>			Y	Y

Question	Routing	Notes	Tel	Email
X9. Did the agent/landlord ask you how long you were planning to stay/how long a tenancy you were looking for? Yes / No			Y	Y
X10. Did the agent/landlord ask you how long you had lived in the area? Yes / No If YES - comment what was said to you when you asked why this matters.		If YES, probe why that matters?	Y	Y
X11. Did the agent/landlord ask you if you had any references? Yes / No			Y	Y
X12. Did the agent/landlord ask for your nationality? Yes / No If YES - explain what reason was given for asking this question when you asked. Please make sure you do question the asking of this if it happens.			Y	Y
X13. Did the agent/landlord ask about your residency status/leave to remain? Yes / No If YES - what did they say and what reason was given for asking this question:	Applicable to NON British Nationality only		Y	Y
X14: Were you asked if you had a valid passport? Yes - I was asked if I had a valid passport / Yes - I was specifically asked if I had a valid BRITISH passport / No	If no, hide X15		Y	Y
X15: If/when you said you did not have a British passport did the agent/landlord suggest this would be a problem? Yes / No Always provide a comment to explain your answer	Hide if have a British passport		Y	Y

Question	Routing	Notes	Tel	Email
<p>X16. Were you asked to provide / told you would need to provide any documentation or other proofs?</p> <p>Proof of address / Proof of right to reside / proof of employment / proof of income / UK passport / EEA/Swiss passport / EEA/ Swiss national ID card / UK driving licence / Original UK birth certificate / UK Biometric Residence Permit / UK Biometric Residence Card / UK Immigration Document / Other documentation (please specify) / None asked for</p> <p>ALL - Provide a comment to explain and detail any documents you were asked for (if applicable)</p>	<p>If No go to X23</p> <p>If 'Proof of right to reside' is NOT ticked then X17 and X18 are hidden</p>		Y	Y
<p>X17. Did the agent/landlord mention any specific proof of right to reside that would be acceptable?</p> <p>Yes / No</p> <p>If YES - explain all proof of right to reside you were told would be acceptable:</p>	<p>If No, hide X18</p>		Y	Y
<p>X18. Was any specific proof of right to reside mentioned as being particularly desirable?</p> <p>Yes / No</p> <p>If YES - explain what proof of right to reside you were told would be particularly desirable:</p>			Y	Y
<p>X19. Did the agent/landlord recognise the documents you mentioned as having/being able to provide?</p> <p>Yes / No / Not Sure</p>			Y	Y
<p>X20. Please now describe the reaction of the agent/landlord when you mentioned the documentation you could provide:</p> <p>Please provide a comment to explain their reaction. E.g. Was there little reaction at all? Did the documentation you mentioned seem to bring a negative or cautious reaction going by their words and actions? Etc.</p>			Y	Y
<p>X21. Did the agent/landlord suggest any of the documents would be a problem?</p> <p>Yes / No</p> <p>If YES - please comment what the problem was</p>			Y	Y

Question	Routing	Notes	Tel	Email
<p>X22. Did the agent/landlord ask for/suggest any alternative documents?</p> <p>Yes / No</p> <p>If YES - what documents did they ask you for:</p>			Y	Y
<p>X23. Were any additional fees or other additional cost indicated?</p> <p>Yes / No</p> <p>If YES - must itemise and fees or charges that were mentioned at this point:</p>			Y	Y
<p>X24. Were any further questions asked?</p> <p>Yes / No</p> <p>If YES - what other questions were asked of you:</p>			Y	Y
<p>X25. Did, at any point, the agent or landlord mention the Right to Rent scheme?</p> <p>Yes / No</p> <p>If YES – what did they say:</p>	If No, hide X26		Y	Y
<p>X26. If the agent / landlord mentioned the Right to Rent scheme, was this mentioned in a positive or negative way?</p> <p>Positive / Negative</p> <p>Always provide a comment to explain your answer</p>			Y	Y
<p>X27. Did the agent/landlord say they had any properties available/suggest any properties to you?</p> <p>Yes / No</p>	If Yes go to X30		Y	Y
<p>X28. If no properties were mentioned or suggested to you, was a reason given?</p> <p>Yes / No</p> <p>If YES - what was the reason given</p>			Y	Y

Question	Routing	Notes	Tel	Email
<p>X29. If you were told no properties were available, at what point in the conversation was this mentioned?</p> <p>When expected rents and locations were discussed / When the length of tenancy was discussed / When you were asked how long you had lived in the area / When you asked about your employment / When you were asked about your nationality or residence status / When or if the agent mentioned the Right to Rent scheme / When you said you did not have any form of passport / When you said you did not have a British passport / Before any questions were asked / At the end of the encounter / Other</p> <p>ALL – provide a comment to explain when this occurred</p>			Y	
<p>X30. If the agent/landlord said there were not properties available, did they say that there would be in the future?</p> <p>Yes / No</p>			Y	Y
Stage 3: Follow-up Contact				
<p>X31. Did you receive a follow up contact from the agent/landlord (after your initial enquiry) within 2 working days?</p> <p>Yes / No</p>	If No then CLOSE		Y	Y
<p>X32. Were you informed that the agent/landlord could NOT help you?</p> <p>Yes / No</p>	If Yes then CLOSE		Y	Y
<p>X33. Were you sent any properties to consider?</p> <p>Yes / No</p>	If No go to X37		Y	Y
<p>X34. How many properties were you sent to consider?</p> <p>Enter how many properties:</p>			Y	Y
<p>X35. Were these from an automatic mailing list or a member of staff?</p> <p>Mailing List / Member of Staff</p>	If Mailing List go to X37		Y	Y
<p>X36. Were you offered any viewings?</p> <p>Yes / No</p> <p>If YES - how many viewings were you offered?</p>		Shopper to not accept any viewings - stating that they need to think about it further.	Y	Y

Question	Routing	Notes	Tel	Email
<p>X37. Were you contacted for any further information?</p> <p>Yes / No</p> <p>If YES - what further information were you asked for:</p>			Y	Y

4.1.5 Landlords Primary Research: Quantitative Questionnaire

We are interested in your views and experiences as a landlord to help inform our understanding of the Right to Rent scheme. The research is being conducted by BVA BDRC on behalf of the Home Office. We hope that you can complete a short survey, which should take around 15 minutes.

Your views are extremely valuable to us – thank you for your time.

ASK ALL RESPONDENTS UNLESS OTHERWISE SPECIFIED

QS1. Which, if any, of the following do you own in the UK?

MULTI CODE

- | | |
|--|-----------------------|
| 1. Residential property for own use – owned outright | SCREEN OUT |
| 2. Residential property for own use – on mortgage | SCREEN OUT |
| 3. Residential property for own use – with rooms rented out to others | [ADDED IN W3] |
| 4. Residential property NOT for own use – rented out to others | |
| 5. Plot of land over 1 acre with no development | SCREEN OUT |
| 6. Commercial property – i.e. property used for business purposes, either used by yourself or rented to someone else | SCREEN OUT |
| 7. Not sure | EXCLUSIVE; SCREEN OUT |
| 8. None of these | EXCLUSIVE; SCREEN OUT |

Whilst some research surveys at the moment are focused on the impact of the Covid-19 pandemic, this survey takes a broader view of the Right to Rent scheme, and the questions focus on this subject throughout. You will have the opportunity to provide your views on Covid-19 relating to renting residential property at the end of the questionnaire. [ADDED IN W2]

QA. Before today were you aware of the Right to Rent Scheme?

The Right to Rent Scheme has been operational since 1 February 2016 (or 1 December 2014 in Birmingham, Wolverhampton, Dudley, Sandwell and Walsall), private landlords have been required to conduct checks when letting properties in order to establish that new tenants have the right to rent in the UK. Landlords or letting agents who let properties to migrants who do not have the right to rent are liable to civil penalty action.

SINGLE CODE

1. Yes
2. No

ASK ALL AWARE OF SCHEME (YES AT QA)

Q1. How did you first hear about the Right to Rent scheme?

SINGLE CODE; ROTATE ORDER OF PRE-CODES

Evaluation of the Right to Rent scheme

1. Word of mouth (colleagues/other landlords)
2. Word of mouth (general)
3. Social media
4. Information provided by membership organisations (such as ARLA, NALS/safeagent, National Residential Landlords Association, RICS or UKALA)
5. Information provided by local authorities
6. Local landlord accreditation scheme
7. Local or national events
8. Gov.uk
9. Home Office resources such as Code of Practice and interactive user guide
10. Local newspaper story
11. National newspaper story
12. Broadcast media (e.g. television or radio news)
13. Other (please specify)

Q1a. What, if anything, do you think the Government could or should do to further improve awareness of the Right to Rent scheme amongst private landlords? [ADDED IN W2]

OPEN TEXT

Q2. How well informed do you currently feel about the Right to Rent scheme?

SINGLE CODE

1. Well informed
2. Quite well informed
3. Poorly informed
4. Not at all informed
5. Don't know

Q3. Have you read any of the following documents on Gov.uk?

SINGLE CODE; RANDOMISE ORDER OF PRE-CODES

	Yes, read only	Yes, read and used	No	Don't know
<i>Code of practice on illegal immigrants and private rented accommodation</i>	1	2	3	4
<i>Code of practice for landlords: avoiding unlawful discrimination when</i>	1	2	3	4

<i>introducing “Right to Rent” checks in the private residential sector</i>				
Online guidance (“Right to Rent document checks: a user guide”)	1	2	3	4

ASK EACH IF READ/USED AT Q3

Q4. And how helpful or unhelpful did you find...

SINGLE CODE

	Very helpful	Quite helpful	Neither helpful nor unhelpful	Quite unhelpful	Very unhelpful	No opinion
<i>Code of practice on illegal immigrants and private rented accommodation</i>	1	2	3	4	5	6
<i>Code of practice for landlords: avoiding unlawful discrimination when introducing “Right to Rent” checks in the private residential sector</i>	1	2	3	4	5	6
Online guidance (“ <i>Right to Rent document checks: a user guide</i> ”)	1	2	3	4	5	6

Q4a. Have you accessed information about the Right to Rent scheme from any other sources?

Which ones? Please select all that apply.

MULTI CODE; RANDOMISE ORDER OF PRE-CODES

1. Landlord membership body (e.g. National Landlords Association)
2. Local authority
3. General internet search
4. Letting agent
5. A landlord trade show or seminar
6. Financial adviser / accountant
7. Newspaper / news website
8. Other source (please specify)
9. No – have not accessed information elsewhere

Q5. Have you used the online tool on Gov.uk (“Check if someone can rent your residential property”) to help you establish whether a tenant or prospective tenant has the right to rent?

SINGLE CODE

10. Yes

11. No

ASK IF HAVE USED THE ONLINE TOOL (YES AT Q5)

Q6. Did you have any problems using or accessing the online Right to Rent “Check if someone can rent your residential property” tool?

SINGLE CODE

1. Yes (please specify)

2. No

ASK IF HAVE USED THE ONLINE TOOL (YES AT Q5)

Q7. Overall, how helpful would you say that the information you have received using the online “Check if someone can rent your residential property” checking tool was?

SINGLE CODE

1. Very helpful

2. Quite helpful

3. Quite unhelpful

4. Very unhelpful

5. No opinion

ASK ALL

Q8. What types of information did you request during your pre-tenancy checks before the Right to Rent scheme started, and what types of documentation do you request since its introduction?

MULTI CODE; ROTATE ORDER OF PRE-CODES

	Before Right to Rent was introduced	Since Right to Rent was introduced
1. Photo identification (for example passport, National Identity Card, driving licence, UK Biometric Residence Card, Asylum Registration Card)	1	1
2. Proof of current address (for example, bank statement, utility bill)	2	2

3. Proof of income (for example evidence of benefits payments, payslips)	3	3
4. Other form of information (for example birth certificate, written reference, National Insurance number / card) [ANCHOR]	4	4
5. None of these [EXCLUSIVE; ANCHOR]	5	5

Q9. Since the implementation of Right to Rent, which forms of documentation have you found easiest prove a potential tenant’s right to rent from you? Please explain why this is the case.

Please provide **up to 5** types of documentation

OPEN TEXT

Q10. How confident would you currently say you are in correctly carrying out the checks required under the Right to Rent scheme?

SINGLE CODE

1. Very confident
2. Quite confident
3. Not very confident
4. Not at all confident

Q11. And, on a scale of 1-5, with 1 being “very confident” and 5 being “not at all confident”, how confident are you in using each of the following forms of documentation to check someone’s right to rent?

SINGLE CODE; RANDOMISE ORDER

	1 – Very confident	2 – Fairly confident	3 – Neither confident nor not confident	4 – Not very confident	5 – Not at all confident
UK passport					
EEA/Swiss passport					
EEA/Swiss national ID card					
UK driving licence					

Original UK birth certificate					
UK Biometric Residence Permit					
UK Biometric Residence Card					
UK Immigration Document					

Q12. Are there any forms of documentation that you would **not** feel comfortable verifying to check the right to rent status of a potential tenant?

MULTI CODE; RANDOMISE ORDER OF PRE-CODES

1. UK passport
2. EEA/Swiss passport
3. EEA/Swiss national ID card
4. UK driving licence
5. Original UK birth certificate
6. UK Biometric Residence Permit
7. UK Biometric Residence Card
8. UK Immigration Document
9. Other documentation (please specify)
10. None of these

Q13. Do you carry out Right to Rent checks...

MULTI CODE; ROTATE ORDER OF PRE-CODES

1. Yourself
2. By using a tenant referencing service to carry out Right to Rent checks on prospective tenants
3. Through a letting agent
4. Other (please specify).
5. Don't know

Q14. How much (if any) extra time on average, does it take to check a prospective tenant's right to rent compared with any checks you may have done before the start of the Right to Rent scheme?

SINGLE CODE

1. No extra time
2. Up to 10 minutes
3. More than 10 minutes, but less than 20 minutes

4. 20 minutes or more
5. Unable to say
6. Not applicable – referencing service/other person deals with this

ASK ALL

Q17. To what extent (if any) has the scheme affected your workload as a landlord?

SINGLE CODE

1. A great deal
2. A fair amount
3. Not very much
4. Not at all
5. Don't know

ASK IF WORKLOAD HAS BEEN AFFECTED BY THE SCHEME (Q17 CODES 1 OR 2)

Q18. Has the Scheme affected your workload as a landlord for any of the following reasons?

MULTI CODE; ROTATE ORDER OF PRECODES

1. Additional work needed to do initial check
2. Having to check documents which I may not be familiar with
3. Having to retain copies of documentation
4. Having to note when a follow-up check is due
5. Checks may delay tenancy start dates
6. Having to deal with complaints or negative feedback from prospective tenants
7. Other (please specify)

ASK ALL

Q19. As a landlord, how positive or negative do you feel towards the Right to Rent scheme overall?

SINGLE CODE

1. Very positive
2. Fairly positive
3. Neither positive nor negative
4. Fairly negative
5. Very negative
6. No opinion

HIDE IF NO OPINION AT Q19

Q20. Why do you say you are [INSERT ANSWER FROM Q19] about the Right to Rent scheme overall?

OPEN TEXT

Evaluation of the Right to Rent scheme

Q21. Have there been any specific concerns or complaints from tenants/prospective tenants about the Right to Rent scheme?

SINGLE CODE

1. Yes
2. No
3. Don't know

ASK IF HAVE BEEN CONCERNS OR COMPLAINTS (Q21 CODE 1)

Q22. What concerns or complaints have been raised by tenants or prospective tenants about the Right to Rent Scheme?

OPEN TEXT

ASK ALL

Q23. Which, if any, of the following types of tenants are you **not** willing to let to? (Please select all that apply)

MULTI CODE; ROTATE ORDER; CODE 9 EXCLUSIVE

1. People receiving Housing Benefit or the Local Housing Allowance
2. People receiving Universal Credit
3. Couples or single people with dependent children
4. Non-UK passport holders from the EU
5. Non-UK passport holders from outside the EU
6. UK nationals without a passport
7. Single occupants aged 18-21 receiving Universal Credit
8. Single occupants aged under 35 receiving Housing Benefit
9. I am willing to let to all of the above types of tenants (exclusive)
10. Other tenant types (please specify)

Q24. Thinking **generally**, are you aware of any tenants or prospective tenants being discriminated against by landlords or letting agents in the areas where you operate, on the basis of their nationality, race or ethnic background (or perceived nationality, race or ethnic background)? (This could include being reluctant to rent to them, undertaking Right to Rent checks with some people and not others, or preferring rental applications from some tenants over others.)

SINGLE CODE

1. Yes
2. No
3. Not sure

ASK IF AWARE OF DISCRIMINATION (YES AT Q24)

Q24B. Can you provide a specific example of discrimination on the basis of race/ethnicity/colour? [ADDED IN W2]

OPEN TEXT

ASK ALL

Q25. And, **as a specific impact of the Right to Rent scheme**, are you aware of any tenants or prospective tenants being discriminated against by landlords or letting agents on the basis of their nationality, race or ethnic background (or perceived nationality, race or ethnic background)? (This could include being reluctant to rent to them, undertaking Right to Rent checks with some people and not others, or preferring rental applications from some tenants over others.)

SINGLE CODE

1. Yes
2. No
3. Not sure

ASK IF AWARE OF DISCRIMINATION (YES AT Q24 OR Q25)

Q26. Can you provide an example of discrimination? [REMOVED AFTER WAVE 1]

OPEN TEXT

ASK IF AWARE OF DISCRIMINATION AS AN IMPACT OF RIGHT TO RENT (YES AT Q25)

Q26A. Can you provide a specific example of discrimination on the basis of race/ethnicity/colour **as a specific impact of the Right to Rent scheme**? [ADDED IN WAVE 2]

OPEN TEXT

ASK ALL

Q27. Are you aware of any tenants or prospective tenants being discriminated against because they had a legitimate right to rent, but could not prove this? (For example, because they did not possess the relevant documentation.)

SINGLE CODE

1. Yes
2. No
3. Not sure

ASK IF YES AT Q27 (CODE 1)

Q28. Please tell us more about this?

Evaluation of the Right to Rent scheme

OPEN TEXT

ASK ALL

Q40. Are you aware of how government guidance on how to conduct Right to Rent checks has changed as a result of the Covid-19 Pandemic? [ADDED IN WAVE 3]

SINGLE CODE

1. Yes
2. No

ASK IF AWARE OF CHANGE TO RIGHT TO RENT CHECKS (Q40 = 1)

Q41. Have you found that these changes have made it easier or harder to conduct Right to Rent checks? [ADDED IN WAVE 3]

SINGLE CODE

1. A lot easier
2. A little easier
3. No change
4. A little harder
5. A lot harder
6. Don't know

ASK IF AWARE OF CHANGE TO RIGHT TO RENT CHECKS (Q40 = 1)

Q42. Do you think that these changes are likely to impact on discrimination on the basis of nationality, race or ethnic background resulting from the Right to Rent scheme? [ADDED IN WAVE 3]

SINGLE CODE

1. Yes, positive impact
2. Yes, negative impact
3. No
4. Don't know

ASK IF THINK CHANGES WILL IMPACT ON DISCRIMINATION (Q42 = 1 – 2)

Q43. What impact do you think the changes will have on discrimination on the basis of nationality, race or ethnic background? Please be as specific as possible [ADDED IN WAVE 3]

OPEN TEXT

ASK ALL

Q44. Other than the Right to Rent scheme, are you aware of any other reasons that may have caused tenants to be discriminated against by landlords on the basis of their nationality, race or ethnic background? [ADDED IN WAVE 3]

OPEN TEXT; CHECKBOX FOR NO COMMENT

Q29. What changes if any could be made to the Right to Rent process to make it easier for landlords to carry out checks?

OPEN TEXT

Q30. Please write in here if you have any additional comments about the Right to Rent scheme.

OPEN TEXT

Q30B. Since the Covid-19 pandemic, have you experienced any changes to your residential lettings business? [ADDED IN W2]

SINGLE CODE

1. No changes
2. Your profitability has reduced
3. Different types of tenants in properties
4. Properties in more demand
5. Properties in less demand
6. Have reduced your portfolio size
7. Tenants have struggled financially
8. Other (specify)

Q30C. Is there anything else you would like to tell us about the impact of Covid-19 on renting residential property? [ADDED IN WAVE 2]

OPEN TEXT

Finally some questions about yourself to understand which types of landlords have answered the survey.

Q31. Are you responding as or on behalf of:

(If more than one answer applies to you, please select the one that describes you the most)

SINGLE CODE

1. Private landlord (individual)
2. Private landlord (company)

Q32. How long have you been a landlord/letting agent?

(Please tick one answer only)

SINGLE CODE

1. Less than 6 months
2. 6 months or more but less than 1 year
3. 1 year or more but less than 2 years
4. More than 2 years

Q33. How many properties do you currently have in your property portfolio?

SINGLE CODE

1. One
2. 2-5
3. 6-10
4. More than 10
5. Rather not say

Q33a. Which types of residential letting properties do you own? Please tick all that apply.

MULTI CODE

1. Flats – individual units in a block
2. Flats – A block of individual units
3. House - detached
4. House – semi-detached
5. House – Terraced
6. Bungalow
7. HMO – House of Multiple Occupation
8. Other (please specify)

Q33b. Which types of tenants do you have across your portfolio? Please tick all that apply.

MULTI CODE

1. Young singles
2. Young couples
3. Families with children
4. Older couples
5. Retired
6. Students
7. Local Housing Allowance (LHA) claimants
8. Universal Credit claimants
9. Other benefit claimants
10. Blue collar / manual workers

11. White collar / clerical or professional workers
12. Executive / company lets
13. Migrant workers
14. Older singles
15. Other (please specify)

Q34. Are you personally:

(Please select all that apply)

MULTI CODE

1. A UK citizen
2. A citizen of an EU country or Iceland, Liechtenstein, Norway or Switzerland
3. A citizen of a non-EU country

Q35. Please indicate your age group.

(Please select one answer only)

SINGLE CODE

1. Up to 17 years
2. 18 to 24 years
3. 25 to 44 years
4. 45 to 64 years
5. 65 years or over
6. Prefer not to say

Q36. Choose one option that best describes your own ethnic group

(Please select one answer only)

SINGLE CODE

White:

1. English, Welsh, Scottish, Northern Irish, British
2. White Other (please specify)

Mixed / multiple ethnic groups:

3. White and Black Caribbean
4. White and Black African
5. White and Asian
6. Any other mixed / multiple ethnic background (please specify)

Asian / Asian British:

7. Indian
8. Pakistani
9. Bangladeshi

10.Chinese

11.Any other Asian background (please specify)

Black / African / Caribbean/ Black British:

12.African

13.Caribbean

14.Any other Black / African / Caribbean (please specify)

Other ethnic group:

15.Arab

16.Any other ethnic group (please specify)

Prefer not to say:

17.Prefer not to say

Q37. Is your company a member of a landlord membership body or association? Please tick all that apply?

MULTI CODE; CODES 6 AND 7 EXCLUSIVE

1. National Landlords Association (NLA) [CODE REMOVED AFTER W1]
2. Residential Landlords Association (RLA) [CODE REMOVED AFTER W1]
3. A national landlords association (e.g. NRLA, previously NLA and RLA) [CODE ADDED IN W2]
4. A regional Landlords Association
5. Other (please specify)
6. Not a member [Exclusive]
7. Don't know [Exclusive]

Q38. Which of these best describes the area in which your rental properties are mainly located? [ADDED IN W2]

SINGLE CODE

1. Metropolitan (city)
2. Urban (town)
3. Rural (village or countryside)
4. A mix

Q39. And finally, in which of the following regions are your rental property(ies) located? [ADDED IN W2]

MULTI CODE

1. North East
2. North West

3. Yorkshire and the Humber
4. East Midlands
5. West Midlands
6. East of England
7. South West
8. South East (excluding London)
9. London
10. Scotland
11. Wales
12. Northern Ireland

Thank you for taking the time to complete this questionnaire.

4.1.6 Landlords Primary Research: Qualitative Discussion Guide

Warmer/Introduction

1. When they first became a landlord, what properties they have and where?
2. What are the good things about being a landlord? What are the drawbacks?
3. Where do they go to get advice on anything? (Gov.uk website, landlord membership body, news, from mortgage provider, etc.)

Who they let residential property to

(Although early in the discussion, it allows spontaneous thoughts to be aired without being influenced by follow-up questions)

4. Who landlords prefer to let residential property to and the selection criteria they use
 - Current tenant types – who are they?
 - Who they tend to let to – e.g. looking for mentions like: UK passport / non-UK but EU passport / outside EU / those on benefits.
 - PROBE: not willing to let to any of these? Willing to let to those on benefits?
 - Who they don't let to? Any particular reasons for this?

Checks

5. Do they carry out checks on potential tenants?
 - If so how they carry out checks? How do they know to do this? Where did they hear about this?
 - If not why not?
6. If mention letting agent / checks themselves – what do they do?
 - If letting agent –
 - How easy is this?
 - What input does it involve from landlords?
 - Why they decided on this approach?
 - If themselves –
 - Do they feel confident carrying out checks?
 - How much time does it take?
 - Has time taken changed over the last few years?
 - Have they always done this?
 - Are there certain tenant types it is easier to check – and would they prefer to let to certain tenant types as a result?
 - How have they found carrying out tenant checks during Covid-19 – easier / harder?

7. Has the checking process changed during the pandemic (if needed to use it)? How has it changed?

Engagement with letting agents and service perceptions

8. How do they find the service?
9. How do they find value for money?
10. If they have experienced any issues with them managing or checking tenants? What issues? (Looking here for mentions of discrimination.)
11. Have they had any problems with agents not letting to tenants they wanted to or vice versa? What was the issue? (Looking here for mentions of discrimination.)

What landlords know about Right to Rent

12. What they know about the Right to Rent Scheme (NB screened to exclude those who have not heard of it)
13. How they heard about it? Would there have been a better way for them to find out about it? How?
14. What they think about the Right to Rent scheme? What are the good things about it? What things are not so good about it?
15. How does the scheme help or hinder them as a landlord?
16. During Covid-19 are they aware of government changes to guidance on carrying out checks during lockdown, and have these made things easier / harder / no difference?
17. Are they aware of the online tool for checking Right to Rent? Have they used it?
 - What do they like about it?
 - Are there any improvements they would like to make to it?

Awareness of discrimination in the private rental sector

18. Do they know of any landlords / letting agents not letting to certain groups? (Looking for mentions of race / nationality / ethnicity.)
 - Who these are and why they think this is? (Look for mentions of Right to Rent in relation to race / nationality / ethnicity.)
 - Any specific examples?
 - How they heard about it? (Who from / where read / where heard, etc.)
 - IF NOT SPONTANEOUSLY MENTIONED: Where people have not let to groups of people, what are your views on whether this can be attributed to the Right to Rent scheme? (Probe for specifics on the type of people, e.g. was it race / nationality / ethnicity?)
19. Have they had any issues where a tenant was eligible to rent, but they couldn't prove this? What happened?
20. Do they think Right to Rent makes it easy or difficult to rent to people and why? (Look for mentions of potential discrimination.)

21. Have they / or anyone they know been in a position where they were unable to rent to someone because of the Right to Rent scheme? What were the circumstances? What happened?
22. Are there other things that impact on landlords being unable to or not wanting to rent their property to any groups of people? What are these? What are the circumstances?
23. Have the changes to the Right to Rent guidance because of the Covid-19 pandemic impacted on how easy or difficult it is to rent to people and why? (Look for mentions of potential discrimination.)

Summary

24. Any other comments they would like to make about the Right to Rent scheme? How it could be improved?

