

*This note was issued on 22<sup>nd</sup> January 2021, updating that previously issued on 29th May 2020.*

Earlier in the year during the first national lockdown Bristol Student Lets, along with many landlords received requests and questions from their tenants and their parents about paying rent. Bristol Student Let's discussed with all our landlords in May 2020 & issued a FAQ with our Welcome pack in June 2020.

**January 2021:** Bristol Student Lets recognises that there are problems with the Government advice to students. It is clear the Government wants to reduce movement around the country for public health reasons but, within other guidance ["Government Guidance \(MHCLG\) to Landlords and Tenants"](#) it is also clear that tenants are entitled to continue to take up their tenancies (which represent an estate in land) even though they are being discouraged from returning to campus. It is not "illegal" to return to take up a tenancy.

It should be stressed that students have contractual tenancies and therefore they are entitled to take up residence when they wish within their accommodation and any persistent attempts to dissuade them from this could constitute harassment.

Throughout this lockdown, it remains legal (even somewhat encouraged) for the public to be able to move house and reconstitute households to keep the 'housing market' open. There are no restrictions on tenants returning to their homes and taking up their tenancies and they are allowed to do that at any time.

We know that many students have continued to return to their accommodation since early January and in our smaller houses and flats we now have an estimated 78% of occupancy (which is rising week on week). Almost all houses are therefore occupied and our portfolio is fully up and running.

As in the previous academic year it appears to be unreasonable when students are being told by the Government not to return to their term-time accommodation until (maybe) March that they are having to pay significant sums in rent for properties the Government is effectively telling them not to use on public health grounds. If it is for public health reasons then it might be expected that the state should step in and provide proper support & many organisations have been lobbying the Government to offer a proper support package for students who find themselves in financial difficulty but Bristol Student Lets & our landlords, as a relatively small independent operation, cannot hope to step in and take on the burden of this level of support itself.

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## RENT

Bristol Student Lets, along with many landlords has received requests and questions from their tenants about paying rent and what to do more generally during the period of lockdown.

The information below will hopefully provide some clarity based on the latest information from **the Ministry of Housing, Communities and Local Government (MHCLG), the National Residential Landlord Association (NRLA).**

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## **Q: What is the Government saying about rent refunds?**

**A:** A recent question was posed in Parliament by Clive Lewis MP (Labour, Norwich South) who had written asking what recent discussions the Treasury has had with the Department for Education on providing a rebate to students renting private rented accommodation but not living in that accommodation as a result of the covid-19 outbreak.

The Chief Secretary to the Treasury, Steve Barclay MP, responded:

*"Private accommodation providers are autonomous and are responsible for setting their own rent agreements. Whether a student is entitled to a refund or to an early release from their contract will depend on the specific contractual arrangements between them and their provider."*

*"We recognise that in these exceptional circumstances some students may face financial hardship. Higher Education providers are able to use existing funds, worth around £256 million for academic year 2020/21, towards hardship support. The Government has also made available a further £20m to support those that need it most, particularly disadvantaged students."*

## **Q: The Welsh Government announced a £40m support package for students facing financial hardship. Will the same help be available for students studying in England and how do i apply?**

**A:** On 18th January 2021 the Welsh Government did indeed announce a package aimed at helping the students most affected by the pandemic with expenses such as accommodation costs. Bristol Student Lets understand from the Department of Education that an announcement on this issue is expected in w/c 25th January that could well see a significant amount of extra funding being made available for universities to bolster their hardship funds.

If you are struggling financially you should contact your Students' Union for advice and support on how to access hardship funding.

## **Q: What is Bristol Student Lets doing around rent reductions?**

**A:** Bristol Student Lets contacted all our landlords on 22<sup>nd</sup> January 2021 to discuss the current situation & the Bristol SU letter. We gave landlords until 25<sup>th</sup> January 2021 to let us know how they wish to proceed throughout the remainder of the year in respect of your rent and tenancy.

It's important to stress that Bristol Student Lets work with local private landlords to provide private rented accommodation, we are essentially 'middle men' so our hands are somewhat tied. Both Bristol Student Lets & your landlord are not linked to educational institutions & get none of your academic fees, so our position is very different from that of a University.

Some universities have reduced rent to students where a so-called "lockdown" was implemented, often in the face of media and student criticism of their actions. These rent refunds are effectively "sweeteners" and leave the key question of academic fee refunds in the case of lower than expected face-to-face teaching unanswered. There is a significant difference between how the educational sector, which continues to collect full academic fees,

may consider rent refunds as compared with mainstream private providers where their main business is sustained by rent (rather than academic fees paid to HEIs).

The feedback from our landlords is that this goes against the [government advice](#).

## ***1.5 As a landlord, should I stop charging rent during the pandemic?***

***• Landlords are not required to do this. Most tenants will be able to pay rent as normal and should continue to do so, as they will remain liable for the rent during this period.***

The guidance continues to stress that *“Tenants should continue to pay rent and abide by all other terms of their tenancy agreement to the best of their ability...Tenants who are unable to do so should speak to their landlord at the earliest opportunity.*

*In many if not most cases, the COVID-19 outbreak will not affect tenants’ ability to pay rent. If your ability to pay will be affected, it’s important to have an early conversation with your landlord. Rent levels agreed in your tenancy agreement remain legally due and you should discuss with your landlord if you are in difficulty.”*

**Q: I am due to pay my rent but due to my changed circumstances I don’t think I am going to be able to do that.**

**A:** Tenants should continue to pay rent and abide by all other terms of their tenancy agreement to the best of their ability. The government has a strong package of financial support available to tenants, and where they can pay the rent as normal, they should do. In the first instance, **we would always ask you to contact your guarantor**, that is what they signed up for when they agreed to be your guarantor. Bristol Student Lets work with local landlords to provide properties to the rental market. We don’t own the properties & are therefore essentially ‘middlemen’. We are continually monitoring developments and government advice.

We have spoken to all our landlords however the vast majority have indicated they will not be in a position to offer any rent reductions. Bristol Student Lets will work with those who are genuinely experiencing financial hardship on a case by case basis to present to the landlord. They might agree to a rent reduction for a period or to accept rent at a later date. *However if you come to an agreement to delay your rent payment the full rent will still be due at a later date.* **Repayable rent reductions are where rent is reduced for a period, but the overall amount will still be due just at a later date by mutual agreement.** We can provide an application form for this process, please note there is a deadline for applications: 01/03/21.

If you agree a plan with your landlord to pay off arrears at a later date, it is important that you both stick to this plan, and that you talk to your landlord immediately if you are unable to do so.

If you are struggling and would like advice around other options open to you and how to access financial assistance, please contact your Student Advice Service at your Students’ Union. **You may be able to access certain hardship funds.**

The Government has worked with the OfS to help clarify that providers can use the recently published funds, to boost their hardship funds for students in financial difficulty. This can include help for IT equipment and internet access.

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Additionally, students are also able to claim Universal Credit under certain circumstances. [Find more information about Universal Credit](#)

## **Q: I have heard that there is a mortgage holiday, does that mean I don't have to keep paying my rent?**

**A:** There has been some information from the government about a holiday from mortgage payments which may be available – ie mortgage payments may be deferred for a few months in some circumstances. However our landlords are suggesting they do not qualify (as most of their mortgages are commercial lending, they do not apply), in any case, it is only a mortgage holiday which is offered, not a write-off. The rent you pay covers many things as well as the mortgage payments on your house eg: maintenance, health & safety certificates & inspections, licensing, administration & in some properties, bills etc.

If you are concerned about your ability to pay your rent, please talk to us. In the first instance, **we would always ask you to contact your guarantor**, that is what they signed up for when they agreed to be your guarantor.

Most important is for you to stay in touch with us regarding your rental situation.

## **Q: Will my student finance be affected by coronavirus?**

**A:** For UK students, the student loan company has promised that your next student finance instalment will be unaffected by the coronavirus situation regardless of whether your university has made alternative arrangements for teaching. For more information, please see <https://www.gov.uk/government/news/slc-coronavirus-covid-19-update>

If you are struggling and would like advice around other options open to you and how to access financial assistance, please contact your Student Advice Service at your Students' Union. **You may be able to access certain hardship funds.**

## **Q: My family income has changed, can I change my student finance application?**

**A:** Once during a course lifetime you can apply for a Change of Circumstances in your student finance. If your parents or your income has reduced by at least 15% then you can request a reassessment of your funding from your funding source i.e SFE, SF Wales, SF Ni, or SAAS.

- So if your household income changes - your parents or partner must:
- correct any mistakes relating to their household income;
- tell your funding source (e.g. SFE) if they think their household income will be at least 15% lower than the tax year they submitted details for;
- this can be done on the Student Loan portal

## **Q: I've moved in to my student property but no longer want to live there as all my courses are no online. Can I give notice?**

**A:** You have signed an Assured Shorthold Tenancy Agreement & will be bound by the terms of that agreement and will be financially liable for the rent. The agreement contains a break clause, but this would only be possible if all your housemates agreed & you came to a mutual agreement with the landlord but it is very unlikely you will be released. It is possible to re-advertise your room in the hope that someone will want to take

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it on and relieve you of the responsibility of paying rent. **You are recommended to talk to us at the earliest opportunity to talk through your options.**

**Q: Where can I go to get help?**

**A:** [Shelter update their page daily](#) & [Save The Student has issued a FAQ](#) or as already mentioned, speak to the Student Advice Service at your university.

The Government has announced a fund of up to £20 million to help students studying in England who are most in need of support during the coronavirus crisis. This is to cover exceptional hardship. You can apply for it by contacting your university and asking about its hardship fund.

[Bristol University](#)

[UWE](#)

**BRISTOL STUDENT LETS EXTEND THEIR BEST WISHES TO ALL OUR TENANTS  
WE WILL GET THROUGH THIS TOGETHER.**