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## EDITORIAL

# Security and Rental Housing: New Perspectives

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A review of housing journals indicates that the level and type of security available to, and experienced by, households living in rented housing is under-theorized and under-researched in contrast to the rich vein of literature, over many years, on the level and nature of security for home owners. Central to an understanding of security for home owners is that it is a multi-layered concept with different dimensions ranging from aspects of financial security (Jones *et al.*, 2007; Smith *et al.*, 2009; Toussaint *et al.*, 2007) to psycho-social security (e.g. Dupuis & Thorns, 1998; Hiscock *et al.*, 2001; Saunders, 1990). Comparative research into security for home owners has highlighted the importance not only of market factors and policy settings but also of differences in household attitudes and cultural norms (e.g. Andersson *et al.*, 2007).

In contrast, consideration of security for renters often focuses on single dimensions such as security of tenure, deriving from a property rights perspective (e.g. Kemeny, 1995), or ‘rent control’ in the domain of public policy (Arnott, 1995, 2003). The English language literature often applies different frames of analysis to, and asks different questions about, the social rental and private rental sector. Thus, social housing is widely viewed as providing security when framed in legal and policy terms, with an emphasis on ‘security of tenure’ referring to the terms and conditions of lease arrangements, regulation of rents to ensure affordability, and with some consideration of property condition and customized rental property management. Private rental is construed in much of the literature as being less secure when assessed in terms of lease arrangements and rent regulation, although the literature on rent regulation, in particular, has assisted in developing a more nuanced understanding of different types of rental systems (Haffner *et al.*, 2008; Jenkins, 2009; Otani, 2006; Schmid, 2004; Turner & Malpezzi, 2003). However, a gap in the literature on security and rental housing is the limited research into household aspirations and experiences of security while renting or, indeed, why security may be important to renters and what are the implications if households are not able to have levels of security appropriate to their circumstances (recent exceptions are Morris, 2009; Stamso, 2010). More broadly, how do households engage in what Easthope in this issue calls ‘Making a Home in Rental Property’?

There are clear signs that this situation is changing, with a number of comparative research studies focusing on the rental sector, which have highlighted differences in institutional context and policy settings for the rental sector and its different segments (e.g. Crook & Kemp, 2014; Haffner *et al.*, 2009; Oxley *et al.*, 2010; Whitehead *et al.*, 2012). Most of this work takes a ‘historical institutionalist’ or institutional economics approach. A limited number of studies have also highlighted the importance of cultural norms around renting, such as Kemp & Kofner’s (2010) comparison of the private rental sector in England and Germany. It also appears that some of the conventional assumptions about rental sectors are being challenged, as highlighted in Fitzpatrick and Pawson’s paper in this focus issue which questions the unwinding of security of tenure in social housing in the UK and Australia and Norris’ article about the extension of tenant rights in the private rental sector in Ireland to correspond more closely with those of social housing tenants.

This focus issue aims to stimulate debates about these issues by developing a more nuanced and multi-layered concept of security for those living in rental housing, stimulated by a large comparative study of different types of rental systems (Hulse *et al.*, 2011). The article by Hulse and Milligan proposes a new framework for considering security in rental housing to assist in opening up a research agenda on the factors that shape the type and level of security experienced by households who rent. The rationale for focusing so comprehensively on security in rental housing can be found in the trend that homeownership rates seem to be stabilizing in many countries, including but not only in the aftermath of the Global Financial Crisis, while secure tenancies in social renting seem to be getting scarcer, as discussed by Fitzpatrick and Pawson in this issue. This inevitably raises broader issues about typologies of rental systems, highlighted in Norris’ article on path dependence and critical junctures in Irish housing policy, which questions aspects of Kemeny’s seminal (1995) contribution on dual and unitary rental markets.

In their contribution to this focus issue, Hulse and Milligan argue that *de jure* security as discussed in much of the housing literature is rooted in property rights and the legal basis of the tenancy but may not in itself ensure security for renters. Adapting work on land tenure in developing countries (Van Gelder, 2010), they suggest that *de facto* and perceptual security should also be considered. *De facto* security refers to the security that tenants experience, for example, legal security of tenure may not be resulting in security if the tenant cannot afford the rent or has intolerable problems with anti-social behaviour from neighbours. Perceptual security refers to the sense of security that people have over their housing such that, for example, they may feel insecure if they are concerned about their tenancy not being renewed even if this does not eventuate.

Hulse and Milligan propose a new concept of ‘secure occupancy’ to encompass the many different dimensions that contribute to security as a multi-layered concept, drawing on Hulse *et al.* (2011). They suggest that this concept is much broader than security of tenure and encompasses the extent to which households ‘can make a home of their dwelling and stay there, to the extent that they wish to do so, subject to meeting their obligations’, with renters having obligations, rights and possibilities. These dimensions were developed based on the literature and clustered into four ‘lenses’: legal settings including not only terms and conditions of tenancy but also consumer protection (*inter alia* also possibly offering protection to the landlord) and anti-discrimination legislation); market factors that connect to the economic literature on affordability as well as the legislative framework. Public policy can play a role here as well to keep renting secure by keeping it affordable, for instance, and in assisting vulnerable households. Last but not

least, cultural norms around renting underpin not only the institutional settings but also social practices around renting which shape perceptual security. In connecting different types of security with four interconnected sets of factors, Hulse and Milligan produce a framework that is globally useful for characterizing the dynamics of security for renters across countries. It opens up new questions that can be researched empirically. The authors provide an example of this approach by examining some of the factors that lead to a strengthening or weakening of secure occupancy drawing on a nine-country study.

In their contribution to this focus issue, Fitzpatrick and Pawson study one particular aspect of a broad definition of tenant security. They question *inter alia* whether no longer providing an indefinite loan term in social rental housing in England and Australia indicates a move from social housing as a 'safety net' to an 'ambulance service', using a typology developed by Stephens (2008). They also study whether such change will result in reduced security for social housing tenants in practice. While acknowledging that security of tenure is a complex concept, they argue that two underlying justifications for removing indefinite security in social housing can be distinguished, a 'welfare dependency' and an equity justification. They find that although the former has been used across the political spectrum, it is unconvincing because there is little evidence in the two countries that indefinite security of tenure limits employment opportunities for tenants. The equity justification for limiting security of tenure has more intellectual purchase, they argue, and has also some attracted political support for fixed-term tenancies as a means of targeting social housing to those with the highest needs. However, a clear tension with other policy objectives such as localism and enabling mixed and 'sustainable' communities' can be recognized.

On the question of the reforms limiting *de facto* security of tenure in social renting in England and Australia, Fitzpatrick and Pawson conclude that it 'will remain an open question'. They argue that there is not much evidence that fixed-term tenancies of 2, 5 or 10 years in Australia (New South Wales) have been implemented in practice. The effects of the 5-year option in England are likely to vary, with some councils opposed to the move and others focusing on assisting those on moderate incomes into home ownership rather than low-income households into private rental. Fitzpatrick and Pawson conclude that the effect of this reform measure may be relatively modest, although they warn that in England in particular: 'this reform is contributing to a pervasive narrative which further stigmatises social housing.'

Norris examines the rental sector more broadly in the context of theories of historical institutionalism; in particular Kemeny's (1995) work on the structuring of rental systems. Her article examines the historical development of public subsidization and regulation of tenants' occupancy in Ireland, highlighting high levels of institutional support for home ownership and social rental, which derived from the politics of ownership of rural land in the early twentieth century. In this process, the private rental sector to the late 1980s was largely residualized, offering very insecure occupancy compared with the state-supported social rental sector. Notwithstanding this history, Norris argues that the dualist rental system in Ireland did not deepen over time, as inferred by Kemeny *et al.* (2005), but has unravelled in recent years such that a 'weak' version of a unitary system has developed, thus offering new insights into the potential for change in dualist rental systems.

Using a framework of 'contingent break points' (unpredictable events and crises) and 'critical junctures' in which new institutional arrangements are developed, Norris charts the ways in which institutional arrangements for private and social rental in Ireland have

been changed to produce broadly similar conditions of occupancy for tenants. Following an economic and associated fiscal crisis in the late 1970s to mid-1980s, there was some unwinding of subsidies to owner occupation and social housing and changes to the regulation of private rental. Further changes followed to bring tenancy conditions in private rental closer to the social housing sector, including restriction of the number of rent reviews, longer lease periods and a scheme to provide recipients of a rental allowance with housing head leased from the private sector and terms and conditions similar to the social housing sector. These changes pre-dated the second break point, the global financial crisis in 2008, in which the Irish economy was one of the worst affected, and which led to further change in institutional settings across the rental sector. These included minimum dwelling standards and equalization of tenancy rights across the housing association and private rental sectors (although not the council housing sector). Norris asserts that although ideology was important in establishing the dual rental system in the early and mid-twentieth century, its unravelling is attributable to more pragmatic concerns about the costs of the traditional social rental system and fiscal attraction of delivering some of the benefits of social housing through regulation of the private rental sector.

Finally, in this special focus issue, Easthope highlights the importance of home as not only as a place for interaction with the physical world but also as having a significant impact on identity and well-being. Drawing on rich veins of literature about home, including work on ontological security and the making of home, Easthope argues that the ability to make a home is fundamental to identity and well-being. However, home-making in rental housing, including the capacity to adapt a dwelling, is affected by the rights of property owners to control occupancy or use of that dwelling. These rights of control are seen as 'contingent rights' in Ruonavaara's (2012) terms, rather than absolute and deriving from property rights, and derive from policies and legislation. Easthope draws attention to the importance of cultural norms, referring to societal customs and mores, which underpin the institutional context for renting as well as the social practices of landlords and tenants.

Drawing on qualitative research into security and control in relation to home making in rental housing in two Australian states, Easthope argues that the normative preference for home ownership in Australia is reflected in legislation and regulation, which assumes that rental housing, in particular private rented housing, is not a place to make a home but a transition stage until households can 'buy their own home'. This assumption lies behind social practices such as short-term lease agreements (even though legislation permits longer ones) and the convention of selling rented dwellings with vacant possession (even though sale of tenanted properties is possible under legislation). This situation is contrasted with Germany where cultural norms have supported the idea of making a home in private rented housing and are reflected in legislation and regulation that gives tenants greater protection than in Australia. She concludes that the ability of tenants to personalize their property and to make a home is affected by security of occupancy and the power to make changes to their dwelling, which reflects not only the legal and regulatory context but also the unspoken norms that underlie social practices.

This special focus issue proposes a more complex and multi-layered understanding of security, or secure occupancy, for those who live in rented housing than is available in much of the literature. It highlights that not only does security for renters depend on legislative provisions and public policy settings, as is widely acknowledged, but also on the ways these interact with housing market and affordability issues and the psycho-social dimensions of security. Developing a more nuanced understanding of security in rental

housing opens up new avenues of research, including the type and level of security perceived, and experienced, by renters in different types of rental systems, and broader implications in terms of health and well-being.

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