



Northern Ireland
Assembly

Committee for Communities

OFFICIAL REPORT (Hansard)

Private Tenancies (Coronavirus Modifications) Bill:
Ms Deirdre Hargey MLA, Minister for Communities

6 April 2020

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Ms Paula Bradley (Chairperson)
Ms Kellie Armstrong (Deputy Chairperson)
Mr Andy Allen
Mr Jonathan Buckley
Mr Mark Durkan
Ms Sinéad Ennis
Mr Fra McCann
Mr Robin Newton
Ms Carál Ní Chuilín

Witnesses:

Ms Hargey	Minister for Communities
Ms Eilish O'Neill	Department for Communities
Mr David Polley	Department for Communities

The Chairperson (Ms P Bradley): The next item of business is the Private Tenancies (Coronavirus Modifications) Bill. I draw members' attention to the tabled items, where you will find the Bill as well as the explanatory and financial memorandum. Members should note that the Bill has been renamed. It was previously titled the Private Tenancies (Emergency Modifications) Bill. If members have any questions, please wait until the Minister has briefed us, and I will come to you.

Thank you very much for joining us today, Minister. We very much appreciate your attendance at the Committee. I also welcome David Polley, a senior official from the Department, who has dialled in to assist the Committee today. You are both welcome. I invite the Minister to brief us.

Mr Allen: Before we go on, I wish to declare an interest as a private rented landlord.

The Chairperson (Ms P Bradley): Thank you for that. Do any other members wish to declare an interest? No? OK. I am sorry, Minister: please proceed.

Ms Hargey (The Minister for Communities): Thank you very much. As you said, I am joined by David and Eilish from the Department, and they will be able to come in on anything at the end. I thank the Committee for giving me the opportunity to brief members on the introduction of the Private Tenancies (Coronavirus Modifications) Bill.

Essentially, what we are trying to do is to extend the notice to quit period from four weeks to 12 weeks before the date on which it can take effect during the unprecedented public health emergency. As you will all be aware, mortgage lenders have provided buy-to-let landlords and homeowners with the ability to apply for a three-month holiday on their repayments. The intent of the Bill is to ensure that tenants in the private rented sector are also provided with some protections during the crisis.

The Bill will also reduce the movement of people between households, and that is an important point. Over 40,000 letters have been distributed by local GPs telling people that they must shield themselves for the next three months. There are people in self-isolation and who are social distancing, so now is not the time for a big movement of people from homes. That is why we want to extend the period.

I am here today to ask the Committee to agree to accelerated passage for the Bill. We did not foresee the extent of the crisis, and things have moved really quickly, so we are trying to respond to those changes as quickly as we can. The Bill is required as soon as possible for the benefit of tenants in the private rented sector and to give them some certainty that they will not be evicted from their property. Eighteen per cent of the population are in the private rented sector in 134,000 properties, so it is a large number of people, including families with children. Without accelerated passage, there is a risk that the Bill will not be enacted before the summer recess, and that would go well beyond the 12-week period in which we are asking people to shield and distance themselves.

David and Eilish can come in on any specifics, but I thank members for allowing me to present this morning to allow us to progress the Bill in the coming weeks via the accelerated passage procedure.

The Chairperson (Ms P Bradley): Thank you, Minister. Just before I start, I advise members that, given the nature of today's meeting, I want to avoid any duplication of questions as much as possible. At the risk of sounding rude, I advise that, if you indicate that you wish to ask a question but your question is asked before I get to you, please do not feel the need to ask it again. I will not accept a long list of questions from individual members. I will go round members again, if necessary. I want members to be disciplined in their questioning.

With the greatest respect to members, I want everyone to avoid the temptation to make speeches today. Can we all, please, stick to the point that we wish to make and ask the questions that we wish to ask? I ask members to refrain from interjecting when other members are speaking. It is particularly difficult, especially for our Hansard folks, to keep a note if we do that. Finally, I will not take supplementary questions or interventions, because things will become a little messy if that happens. If you have a supplementary question, I will be more than happy to come back to everyone, especially those on teleconferencing, as we go along.

This part of the meeting is to discuss the Bill and nothing else. I know that the Minister has a little bit of time, and I am sure that she will be more than happy to take questions on other issues, after we have discussed the Bill. I ask members to hold off on all the other questions that they might want to ask the Minister. She is time-bound, but I know that she has given us a little time today to go over and above on some of the questions.

If that is clear, I will start by thanking the Minister for being able to join us today.

The Bill's first clause refers to the emergency period, which is the period during which the provisions of the Bill will apply. The period begins on the day after the Bill receives Royal Assent, which, perhaps, could be at the end of April. Clearly, however, by that time, the crisis will have been going on for a couple of months. Clause 5 prevents a retrospective approach. Why have you taken that approach when it is likely that there will be people under the threat of eviction now or within the next couple of weeks?

Ms Hargey: I will get David to come in on this as well. We have looked at that, and I wanted to give as much protection around that as possible, but it was not possible to backdate the Bill. We have been advised that, because of the legalities around it, it would have to be from the date when Royal Assent was passed. That is why we are trying to take the accelerated passage route to reduce the risk as much as we can. I will ask David to come in, because he has been engaging with the Departmental Solicitor's Office (DSO) on this over the last couple of weeks.

Mr David Polley (Department for Communities): Hi, everyone. Essentially, the point is that making retrospective provision is extremely complex. For example, there are human rights implications around going back and saying to people who have entered into contracts under one set of expectations

according to what the legal position was that that has changed. Our legal advice is that that just is not possible.

I want to make another point, which is that courts are currently taking only emergency or urgent issues, and they have confirmed with us that evictions or repossessions will not be deemed "urgent issues". At the minute, people should not be told by a court that they have to leave their house, because the court will just routinely adjourn that.

In summary, when we get to the end of all this and we do lessons learned, there is a lesson here. We need to move quickly. It turns out that "quickly" is four or five weeks. There may need to be a way for the Assembly to do something like this more quickly, were it to happen again. You are entirely right: by the time this comes into place, it will have been going on for six to eight weeks.

The Chairperson (Ms P Bradley): OK. Thank you, David, and thank you, Minister, for clearing that up.

The Bill does not refer to rental payments that tenants may accrue during the emergency period. Is it the case that, after that period is over, tenants will be expected to pay those rental arrears?

Ms Hargey: The overall housing piece will come in different sections, so not everything will be answered in this legislation. This is about the notice to quit period. We want to extend that. That will mean that there may be incurred debt beyond that. We are trying to look at other measures that we can take to look at that in the time ahead.

Landlords have been given a three-month holiday period if they apply for it through their lenders. We are saying to landlords that that should be passed on to the tenants. We have also looked at discretionary support payments and crisis payments to help to cover costs. We are also looking to see whether we can introduce further measures around discretionary housing payments.

The Chairperson (Ms P Bradley): Thank you, Minister. There is a clear link between the three-month mortgage holiday and how people apply for this. If that three-month mortgage holiday is not extended, what will the impact be on the potential extension of the 12-week protection period that you are talking about?

Will a private tenant have to provide evidence that they have lost their job in order to have the provisions applied? That is certainly what happens for people to get a mortgage holiday: they have to provide a certain amount of evidence to their bank or building society to get that.

A third question on that is to do with those who are on furlough and receiving 80% of their salary. Do we expect those people to pay 80% of their rent, for total fairness across the board?

Ms Hargey: It is an initial 12-week period, and I will assess that over those 12 weeks to see if the public health situation is still where it is today. I will have the ability to extend that period, in trying to offer fuller protection. We are encouraging tenants and landlords to engage with each other. I do not have the power to bring in legislation that stops payments altogether. Extending the notice to quit period to try to ensure that there are no evictions is one power that I have, and that is why we are bringing this forward this morning.

We will issue guidance — hopefully, towards the end of this week — to landlords on what they should do to protect tenants. Obviously, if an eviction happened, they would not have another tenant to move into the property, because of government advice that there should be no movement, limited contact and shielding for certain sections of our community who should stay indoors for the next three months. We have initially applied the 12 weeks for that shielding period, but I will keep this under constant review, and, if the situation is still the same in 12 weeks' time, I have the ability to extend that period.

Does David or Eilish want to come in on any of that?

Mr Polley: The Minister has made the basic point. We want tenants and landlords to come to reasonable agreements, once everything that has changed so rapidly in the last few weeks settles down. The fact is that we have passed a rent day and a lot of people will now be in arrears, but, as you pointed out, a lot of them will have applied for universal credit (UC), the furlough scheme or the self-employed scheme and will be getting that money. It is just a case of letting things sit for a bit, while those things come through, and making sure that nobody is evicted in the meantime. We will

publish guidance this week, and it will set out our expectation that landlords and tenants will come to reasonable agreements. There is a range of measures in place to support the income of tenants and to help landlords: for example, the loan schemes and the mortgage holidays for buy-to-let landlords. Together, they create space for everyone to come to a reasonable agreement. We are also working with the Courts and Tribunals Service to make sure that we are all joined up.

There are a few other things that we have not mentioned. Local housing allowance (LHA) is going back to the thirtieth percentile for everybody. That will help people by giving more money through housing benefit and universal credit to renters. We have also agreed with the Housing Executive that, with a few exceptions, for people who have lost their job and gone onto universal credit, the discretionary housing payment will pay their full rent for 13 weeks. That is what the position used to be under housing benefit. They will not have to drop straight back down to LHA and lose that money in the meantime.

There is a range of measures to support the income of tenants and the business of landlords, and, because of that, we will make it clear in our guidance that we expect everyone to wait until this period is over and then to come to a reasonable agreement as to when arrears, if any remain, will be paid.

The Chairperson (Ms P Bradley): There should not be anyone facing eviction, because there is a large safety net in place, whether that is through the benefits system or through conversations that landlords and tenants should have at an early stage.

Ms Eilish O'Neill (Department for Communities): Chair, may I come in?

The Chairperson (Ms P Bradley): Yes, Eilish.

Ms O'Neill: I would not want anyone to think that we have not been issuing any guidance up to this point. Through the tenancy deposit scheme and the three companies that administer that scheme, we have written directly to all tenants who have a protected deposit — over 60,000 households — and referred them to where help and support is available, while the detail around the Bill was being worked up. We have referred them to Housing Rights for support, so that, if anyone had been given notice to quit or was facing eviction, they knew where to go to get some further guidance around courts and what is happening at the moment.

The Chairperson (Ms P Bradley): Thank you for that, Eilish.

I will go to the members in the room first.

Ms Armstrong: Thank you very much, Minister. This is welcome legislation. I just want to get some clarifications, and I appreciate that I will not be asking a lot of questions.

Some tenants are finding that landlords can circumvent the legislation already because of fixed-term contracts. For instance, with students, landlords state that, because the fixed-term contract is coming to an end, they must pay their outstanding debt. What consideration has been taken of those tenants with regard to their credit rating? The legislation does not prevent a landlord from reporting someone for breach of a contract.

Ms Hargey: I know. I will get David to come in, because he has been engaging with the students' union on some of the issues, including the hardships that many of them face. We know through our engagement with the Courts and Tribunals Service, for example, that it will not list eviction hearings at this time. We want to push further on that, and that is why we are bringing in the legislation. As I said, this week, we will issue guidance to landlords on how they should approach the situation. We are in a public health emergency, and they have a responsibility to protect people as well. We have had engagement and correspondence on students. David, do you want to give an update on the letter that was issued?

Mr Polley: Yes. Chair, you referred to the safety net, and there is a comprehensive set of things in place. During Chair's business, I heard a lot of members pick up on the fact that students who are in full-time education are generally not eligible for universal credit and will often be in jobs that might not fall under the furlough scheme, so there is potentially a group of people that the member has identified who might not be protected. As many of you will have been, we have been approached by a lot of students and their representative organisations, and, while we have set out everything that we are

doing, we are also engaging with the Department for the Economy to see whether we can do anything through the student hardship fund. That would be an obvious way of helping that group of people.

Further to that, I have not taken forward any thoughts about how this may affect credit ratings, but, I suppose, the point of the legislation is that, in and amongst all of the other things that are going on in the private rented sector — there are so many initiatives going on, and they are all happening at pace — this is needed to create a breathing space for everyone to work out what is going on. This is just one bit of a much, much bigger picture. I ask you all to bear that in mind, because I know that you all are aware of those broader things. We need the legislation through quickly just to provide that breathing space to let us work all of those things out and to make sure that, in the meantime, nobody has to leave their home.

Mr Buckley: The communication with landlords and what has been done to date was mentioned. When do landlords expect to receive the next correspondence from the Department in relation to this?

Ms Hargey: David, Eilish and their team are in the middle of finalising the guidance for landlords, and we are hopeful that that will be issued later this week. We can communicate that with the Committee, while we are issuing it to the landlords.

Mr Buckley: I would appreciate that. Thanks, Minister. That is important.

Ms Hargey: That is no problem.

Mr Buckley: Communication is key for many landlords, who are also looking for guidance from the Department on what the next steps may be.

Mr Allen: We have mentioned throughout our conversation the various avenues that tenants in the private rented sector can avail themselves of to help to pay their rent. Discretionary housing payment, for example, is one. Will the Department publish any guidance that can be put in simple format to the general public? A lot of information is already out there, Minister. Will the Department publish simple guidance that can be conveyed to individuals who may be being impacted by this on the options that are available to them?

Ms Hargey: Yes, we can do that. I suppose, where there is so much information going out, it is confusing people, as is trying to find where to get it. There is the nirect line, and you can click in on the housing piece. I will look at it. We are also looking at increased resource for the Housing Rights Service, because it is continues to get a lot more queries around security of tenure in the private rented sector, in particular. We will see whether we can do something more simplified in a leaflet that can be put online and issued to people. I will come back to the Committee with a response.

Mr Allen: Minister, it is welcome that we are moving to protect people in the private rented sector from evictions; indeed, private sector landlords have a part to play in safeguarding and protecting tenants. At the other end of this, when we are outside the crisis, is there work to be done to ensure that we do not end up with increased homelessness as a result of situations where tenants have not been able to pay their rent and landlords then move at the other side of this legislation to evict tenants?

Ms Hargey: Yes, that is a fair point, Andy. The ultimate aim of all of the actions is to keep people in their home, to ensure that they have a roof over their head and that they are not forced to leave or made to feel that they have to leave their property during or after the public health emergency. As David touched on, there is legislation and work that we need to do urgently to respond to urgent needs. We are looking at the income threshold for discretionary support, for example, to allow more people to receive immediate support. Once we do all of that, we will look at the longer term: "If we come out of this period, what further protections can we build in, and what further guidance can we give?". That will, obviously, be in line with public health announcements. There could be a second wave of the virus. What would the impact of that be on those tenants? Ultimately, our aim — my aim — is to keep people in their property, ensure that there are no evictions, ensure that nobody feels that they are homeless and, if people have a reduction in their finances, to navigate them through the social security system or look at whether there are new measures that we could put in place. I will continue to look at that. I am more than happy to receive any information or suggestions that members might have. David and Eilish have been working on this over the past couple of weeks and will continue to do so. Once we get this legislation through, we will look at the next steps and at what more we can do.

Mr Polley: That is entirely right. We have to make sure that this lands well. Already this week, we have written to the Courts and Tribunals Service to see whether there is anything we can do. We are saying that landlords and tenants should work through this, get to the end of the period and then come to a reasonable agreement. At that point, landlords should, ideally, know what they have to do and what "reasonable" looks like. They should know that it is a particular period, that they cannot go straight to eviction and that a court will not let them do that. We want to work with the Courts and Tribunals Service on a definition and on making sure that there is reasonable discussion and ensuring that opportunities are taken to work everything out and let everything settle down and get back to how they were, rather than, as you say, landlords getting to the end of all this and saying, "You're all in arrears. You're all out". We have started that discussion with the Courts and Tribunals Service. I will be happy to update the Committee when we know where that is going.

Ms O'Neill: We have already heard examples of many good landlords who are working with their tenants to come up with arrangements in which rent can be reviewed and paid.

The Chairperson (Ms P Bradley): I move now to those who have dialled in to the meeting: Carál, Fra, Sinéad, Robin and Mark.

Ms Ní Chuilín: Hello, David, Eilish, Deirdre and everybody else, for that matter.

David, you outlined that, normally, students are not eligible for universal credit or even for discretionary support to act as a bridge between social landlords and tenants. I ask you, Deirdre, to appeal to the Executive, if you can, particularly through the Minister for the Economy, to look at a hardship fund similar to what you have introduced to mitigate the worst impacts on the most vulnerable. Students are falling through the net. Eilish rightly said that there were great discussions with some good landlords, but, to be honest, we do not often hear about those; we hear about the landlords who, maybe through their letting agents, are applying undue pressure. It would be good news for the Executive if they could look at a specific hardship fund from the Department for the Economy. Landlords come under the Department for Communities, but it is an area in which the Department for the Economy needs to step up.

I also had a query — David has answered it — on the Lord Chief Justice's guidance on what is an emergency matter for the courts. If the legislation receives accelerated passage — I argue that it should — you will have the power to extend that. You might need an extension to give people — tenants and landlords — a period of grace to allow them to try to get their personal circumstances in order. My last point is that many students' parents have been furloughed or are now on universal credit, so they cannot help out. That is a big factor that needs to be fed in.

Deirdre, if a hardship fund were to come from the Department for Communities, could you look at providing the shielding pack to some students? Having spoken to some students, I know that the community has had to deliver essential items such as bread, milk, pasta and rice to them because they are, literally, on their uppers. It is not as though they are sitting, as the perception might be, with massive carry-outs of beer, wine and cider out the back. Many do not have enough money to eat. None of us want that sort of hardship for those falling through the net.

Ms Hargey: Thank you for all those crucial points. First, I have declared the COVID-19 scenario a disaster, and the amendments that I brought forward in the Chamber a couple of weeks ago allow students to avail themselves of crisis discretionary support, as long as they fall within the income threshold. Of course, I am also trying to increase that income threshold. If students are self-isolating as a result of showing symptoms of the coronavirus or have been diagnosed and have to stay at home, they can apply for a crisis grant for discretionary support. That is also open to students. That is one flexibility that we looked at, and we are trying to look at others. Primarily, as you touched on, it would initially be through the student hardship fund. My officials and I are engaging with the Department for the Economy and the Department of Education on further education colleges. We want that fund to be increased. There are, of course, people who avail themselves of that fund at the moment, but more people have fallen into hardship as a result of the emergency. We are asking for that hardship fund to be increased, and I will continue to work with those Ministers to see whether we can do that.

You asked about food parcels. There is no problem. I will get my officials to engage with the National Union of Students here to see what we can do specifically for students and whether there is a way that we can get that service to them. Initially, the service is targeting 10,400 families or individuals, but we have the ability to scale that up, if that is needed. I will get my officials to engage with the students'

union to see whether there are any students who do not have a support network or finance. The last thing we want is for someone to go hungry. I will pick that up today to see whether we can provide those food parcels.

The Chairperson (Ms P Bradley): OK, Carál, is that you?

Ms Ní Chuilín: Thank you very much.

Mr McCann: All of us realise that the world has changed in the past months. All the sureties that we had two or three months ago no longer exist. I thank the Minister for the speedy way that she has moved to plug many gaps. Had they not been plugged, many people would have been left in great difficulty. Many thanks to you, Minister, and to David and Eilish for the information today.

The big difficulty that we all face is information and communication. I appreciate the connection that the Department, as David said, has made by tying in with different organisations. Sometimes, however, a lot of the information gets lost in translation. One member said that simplification of the message was probably the best way forward. Also, is there a possibility that the Department could pull together a meeting of the likes of students' unions, the Landlords Association (LANI), the Department, Housing Rights, Advice NI and any others who have an interest, so that everybody is very clear and very sure of the direction that the Minister and the Department are going in?

Ms Hargey: Thanks very much, Fra. Andy covered communication as well. I will pick that up with the Department to see whether we can put out a simplified and easier to read document that is also available online, looking at housing and the financial support available for people who are struggling. I will take that away today, and, in the time ahead, I will update the Committee on what we can do to make sure that what we publish is readable.

We are issuing guidance this week to landlords. David, Eilish and others have continued to engage with all the stakeholders. Fra, I will look at your idea of a meeting once the guidelines are published. I can then update the Committee as we progress. There is no problem.

The Chairperson (Ms P Bradley): Thank you. Fra, do you want to come back on anything or are you OK?

Mr McCann: Yes, I want to come back on one other issue. All of us have said that, whilst a number of landlords provide good, decent accommodation and work with their tenants, a rump of landlords has created major difficulties and problems. LANI, I understand, represents a considerable number of landlords. It is crucial that landlords are not only kept in the loop but understand where everybody stands on the abuse of tenants.

Ms Ennis: Fra and Carál have covered most of the issues and questions that I had. I echo what Fra said about the Minister's proactive attitude since the crisis began. Deirdre really has led by example. I have a question, and forgive me if this has been explained — I had to nip out for a few seconds to receive a delivery. Clause 5 says that no retrospectivity occurs: I would like clarity on that. We are always looking for more and more, and the Minister has done sterling work over the last number of weeks in introducing measures. Deirdre, are you looking at further measures to deal with the COVID crisis?

Ms Hargey: Yes, David can come in on part of this, Sinéad. The legal opinion that we were given was that making the legislation retrospective would be extremely difficult. We are pushing ahead to ensure that the protection comes in. With the Easter recess, we do not want any undue delays. We hope that this could come in by the end of April, if possible and if everything runs in tandem. We will look at that in the time ahead.

Your second question was on other measures, Sinéad. We will make announcements over the coming weeks. We are working across the Department on a variety of measures. As we deal with one area, we look to move to other areas as the situation unfolds. There will be more announcements in the coming days and weeks. I have an agreement with Paula, as the Chair, that we will notify the Committee when we issue press releases.

Ms Ennis: Perfect, thank you.

The Chairperson (Ms P Bradley): Thank you, Sinéad. Robin, do you want to comment?

Mr Newton: I should have, at the beginning, declared an interest as a landlord.

This is fair legislation. In this public health emergency, the legislation is essential to ensure that tenants in the private rented sector are protected, given the advantages that landlords will potentially avail themselves of. It is a pity, as the Minister has declared, that the legislation is not retrospective, because I have a number of tenants who are suffering and have been put out by what a previous contributor described as the "bad landlord" sector. This may be for David to answer: might it be possible, Minister, that, if a tenant wishes to leave, the legislation might impede that tenant's wish to give up the tenancy?

Ms O'Neill: May I come in on that point, please?

The Chairperson (Ms P Bradley): Yes, of course.

Ms O'Neill: It is just that required notice to quit periods are set out under our existing Private Tenancies Order. We know that, where there has been an event and a tenant wants to leave the tenancy early, on many occasions, the landlords have accommodated them. It is an arrangement that can be come to between the landlord and the tenant. There is nothing to preclude that.

Mr Polley: The legislation does not change any of the notice to quit periods for tenants. Clause 1(1) is a notice to quit given by a landlord. Tenants will be able to give the same notice to quit as they always have. As Eilish said *[Inaudible]* in a contract, our advice is *[Inaudible]*.

Mr Newton: OK. I am content with that.

The Chairperson (Ms P Bradley): Mark, have you any further comment?

Mr Durkan: It was remiss of me, in my opening remarks, not to commend the Minister for her swift response to the crisis and her attempts to get a safety net in place. There is a good safety net there — a number of members have referred to that — but there are holes in it. Where there are holes, there will always be people who will find them and fall through them, and, usually, they land with us.

One of the holes here is students. That issue has been well covered. My initial reaction on seeing the Bill, even though accelerated passage was being sought for it, was that there might be an opportunity to do more to close some of the gaps. However, I will not impede the smooth and swift passage of this important Bill. *[Inaudible]* Communication is very important. It is about students being made aware, maybe through their representative bodies, of their entitlement to the new discretionary payment or crisis grant. I am not sure that that awareness is there. Initially, I had thought that access to the housing benefit element of universal credit was a potential solution.

Another group — sorry, Minister, if I am rambling.

Ms Hargey: No, you are OK.

Mr Durkan: Another group that, I fear, has the potential to fall through the net is migrant workers. As I understand it, non-EU migrant workers have no recourse to public funds, and there is the habitual residence test for EEA migrant workers. I am conscious of the amount of work on the plates of the individuals who are working prodigiously to process all these new claims. *[Inaudible]*

Ms Hargey: Thanks very much for that. We are moving on this specific legislation to extend the notice to quit period. We are looking at other avenues, and, obviously, the issue of students has come up. David communicated with the National Union of Students last week. We will continue to look at that in the time ahead. We touched on how we are engaging with the Department for the Economy and the Department of Education on the student hardship fund.

I touched on the issue of communication a couple of times. We will definitely take that away to see whether there is a better way that we can present the information. We will update the Committee on that as we go along.

I know that some EEA residents have no recourse to public funds. Through the Housing Executive, we have moved to address homelessness, and we are housing those people now. They will find accommodation, despite not having recourse to public funds. In this public health emergency, no one should be disadvantaged in that way.

We are continually looking at the system of social security benefits. We have introduced flexibilities across the system, and we continue to look at that in the time ahead. Later this afternoon, I will make a call to officials to find out what additional support we can build in through this period, and I will update the Committee as we move through that. Also, if members have suggestions or queries, they should come forward with them, even via Paula, as the Chair of the Committee, and we will make sure that we respond to them.

Mr Durkan: That is brilliant, Minister. Thanks for your efforts so far.

One other group — there is more than one group — that is relevant to today's conversation because they are at risk of falling through the net are landlords. As mentioned, there are many different types of landlords. Some own only one property and are reasonable, responsible and scrupulous. However, there are stories out there of others who own a lot more property and who are, at times, a lot less scrupulous.

I take it on board that some people can avail themselves of a mortgage holiday. However, we might and probably will come across landlords who no longer have a mortgage, and the rent might be their only income. If that dries up, even for a month or two while the furlough scheme or the self-employed scheme gets up and running, it might eventually leave that small group of people with no income or support whatsoever.

There is another, maybe convoluted, unintended consequence that I am concerned about. Is it the case that the legislation will stop any eviction? It removes the power of a landlord to remove any tenant. Say, for example, there was an apartment block where a tenant was having a party every night of the week and inviting people to that place of accommodation in complete breach of the social distancing guidelines and what have you: the landlord has no recourse to get rid of that tenant and the associated problem.

Ms Hargey: I understand that. We looked initially at a period of 12 weeks because that is the shielding period. I have the ability to extend beyond that should we feel that the need is there in 12 weeks' time. People have been given clear guidance on distancing, shielding and not mixing with other tenants. It will be for the police and other agencies to look at those cases on a case-by-case basis to ensure that, if such issues are causing disruption to other residents, we look robustly at that through the new COVID legislation that came into effect last week.

The Chairperson (Ms P Bradley): Is that you finished, Mark?

Mr Durkan: What about the landlords who, potentially, have no income whatsoever.

Ms Hargey: The universal credit system uses real-time information. Many who have no income, even in the self-employed sector, are able to make an interim claim for universal credit. They can do that because the system uses real-time information. They can get the discretionary support. If there are people who are in crisis with no income and are having to self-isolate and they fall below the income threshold, they can have discretionary support and apply for the crisis payments, as long as they meet the new COVID-19 criteria.

I advise those people to engage with David in the Department. They have been speaking to the Landlords Association and others. Individuals who are struggling can go to the social security system or phone the community helpline number. They will be pointed in the right direction for support and assistance. It is the same for students and others in the private rented sector. They can phone the COVID community helpline.

Mr Polley: Eilish might come in on this, if she wants to. The Landlords Association for Northern Ireland wrote to us to, more or less, make that point. Around 84% or 85% of landlords own only one or two houses. Some own buy-to-let properties that are investments for the future, and they can avail themselves of the holiday. Others are businesses that can take advantage of some of the supports for businesses. Others are, essentially, providing people's income, and quite a lot of people in that category are pensioners. They bought a house and get income from tenants instead of paying into a

pension fund. Things are always changing and new things are always being added, but we wrote back trying to set out all the supports that there are for people in different positions.

As a lot of people have said, new things are happening all the time, and we are getting to the stage where we are beginning to work through it all and seeing how things might fall for different, smaller groups of people.

Ms O'Neill: The reply to LANI has not issued yet but will issue within the next couple of days.

Mr Polley: My apologies.

Ms O'Neill: I say that just in case somebody in LANI wonders why they have not received it. One of the measures that the Minister mentioned on the mitigation and assistance available for tenants will also prevent landlords from falling into financial hardship. That is why the mitigations, the discretionary payment and universal credit will, hopefully, help to plug the gap for landlords, but you are right: it is difficult to plan for every scenario that will arise.

The Chairperson (Ms P Bradley): I suppose that it is to encourage people who find themselves in difficulties to have the conversations with their landlords and to look within the wider safety net of housing benefit and discretionary support. We know that there are a lot of good landlords, and I am glad that Mark made that point. We also know that there are a lot of bad tenants who take advantage, and we do not want anybody to be taken advantage of, whether tenant or landlord. Those conversations need to take place sooner rather than later.

Minister, are you available for a little bit of time yet to answer a few questions unrelated to this?

Ms Hargey: Briefly. I have an Executive meeting at 12 o'clock, and I have pre-meeting and a Department call before that. I have about five minutes, if that is OK.

The Chairperson (Ms P Bradley): OK. Are members content for the Bill to proceed via accelerated passage?

Members indicated assent.