

House of Commons Public Bill Committee – Call for Evidence on the Crime and Policing Bill

Response from Propertymark

March 2025

Background

1. Propertymark is the UK’s leading professional body of property agents, with over 18,500 members representing over 12,800 branches. We are member-led with a Board which is made up of practicing agents and we work closely with our members to set professional standards through regulation, accredited and recognised qualifications, an industry-leading training programme and mandatory Continuing Professional Development.¹

Overview

2. The Crime and Policing Bill, has wide ranging proposals including 15 parts, 137 clauses and 17 schedules. The Bill includes measures aimed at addressing knife crime, violence against women and girls, anti-social behaviour, retail crime, serious and organised crime, fraud, theft, public order, terrorism and sexual offending.
3. Propertymark has concentrated our submission on areas that particularly impact the housing sector including protecting vulnerable people from cuckooing and county lines and actions against anti-social behaviour.

Anti-social behaviour

4. Propertymark supports the proposed provisions within the Bill to tackle anti-social behaviour and to enhance current powers for police enforcement under the Anti-social Behaviour, Crime and Policing Act 2014.² This includes the proposed Respect Order which will carry crucial enforcement powers to disrupt and deter persistent ASB offenders. The power of arrest will enable the police immediately to arrest those who are flouting their Respect Order and protect communities from further harm.
5. Common examples of anti-social behaviour that occur in the private rented sector typically include, excessive noise, dog fouling and uncontrolled pets, litter and vandalism, drug and alcohol

¹ <https://www.propertymark.co.uk/>

² [Anti-social Behaviour, Crime and Policing Act 2014](#)

misuse, prostitution, intimidation and threats of violence. Furthermore, common complaints from landlords and property agents in dealing with anti-social behaviour, is the postcode lottery in the effectiveness of local authority Community Safety Partnerships in supporting them deal with anti-social behaviour. In some cases, it has been reported to Propertymark that some local authority teams do not have the resources to support landlords and landlords are unable to access support. In other cases, there is sometimes a lack of clear understanding of the powers that Community Safety Partnerships occupy to deal with anti-social behaviour with evidently few sanctions issued in some areas such as Community Protection Notices, Public Spaces Protection Order, Anti-Social Behaviour Order and injunctions.

6. Propertymark strongly thinks that prevention methods are the most effective tool in tackling anti-social behaviour before it becomes a significant issue including youth diversion programs to provide young people with activities, mentorship and skills to engage them away from antisocial behaviour, education programmes for landlords and tenants and mediation services to prevent relationships between landlords and tenants from breaking down. To underpin these strategies, we recommend that local authorities and Community Safety Partnerships should adopt an Anti-Social Behaviour Policy, and we recommend Sandwell Council as an example of good practice and clear partnership working between landlords, property agents and tenants³.

Landlord and property agents' actions against anti-social behaviour

7. Unfortunately, even with the most effective prevention methods in place, anti-social behaviour can occur including within private tenancies. When this does happen, landlords and property agents are generally instructed to diarise examples of anti-social behaviour including times and dates of incidents including sound recordings if appropriate. This is sometimes intimidating and potentially dangerous work and given the unpredictable nature of anti-social behaviour, hard to evidence. This is chiefly why many landlords and property agents are reluctant to seek possession on anti-social behaviour grounds.
8. Propertymark also encourages property agents and landlords to cooperate with the police to allow them to extend their powers during investigations. If a tenant is engaged in criminal activity, landlords may be required to support police action in some cases. This could include providing access to properties during police investigations or assisting in the enforcement of orders related to crime prevention.

³ [anti-social-behaviour-policy](#)

When using grounds for eviction for anti-social behaviour

9. Courts and the UK Government expect landlords to treat eviction as a last resort after all other means of correction have been tried. Even when landlords seek possession via anti-social behaviour grounds, the court system is severely delayed and inadequate to deal with current capacity. For instance, a letting agent in Somerset recently informed us that they are currently experiencing dramatically extended periods of time for court hearings from the application of a possession order to the actual hearing date. Pre-covid the normal hearing timescale would have been 4-6 weeks in Taunton. This is now 4-6 months on average. As we explained in our response to the Justice Committee's Inquiry into the Work of the County Court⁴, these delays are likely to increase once Section 21 possession order are abolished meaning all possession cases must go through the courts further increasing capacity. The excessive waiting times for possession hearings, shortages of judges, bailiffs and other key legal personnel and the general poor condition of the court estate is likely to further undermine confidence and the ability of landlords and property agents to be supported against anti-social behaviour.

Safeguarding vulnerable people

10. Propertymark also welcomes provisions within the Bill to protect vulnerable people including specific measures to protect people from 'cuckooing' and the impact of County Lines through Community Protection Notices. Unfortunately, some tenants who privately rent are particularly vulnerable to both 'cuckooing' and County Lines. However, we think that professional property agents such as Propertymark agents could be at the vanguard of protecting vulnerable tenants and supporting measures against such activities. We would be very happy to share the provisions within the Bill to our membership.
11. Professional property agents are in a particularly strong position to identify vulnerable tenants susceptible to cuckooing and County Lines. This could include training on spotting the signs of vulnerability including mental health issues, substance abuse, or being at risk of exploitation. We also encourage our membership to engage with tenants to assess any changes in behaviour, financial distress, or signs of exploitation can be noticed early. We already provide our

⁴ committees.parliament.uk/writtenevidence/137729/default/

membership with specific guidance including a factsheet on spotting the signs of a cannabis farm and have previously held webinars on anti-social behaviour.

12. Additionally, letting agents perform several standard checks (e.g., credit, employment, references), which supports agents to assess the vulnerabilities of tenants when appropriate. This could be done by collaborating with support services, such as charities or local authorities, to identify tenants who may be at risk of exploitation. Agents should also have safeguarding policies in place and have built up relationships with both local authority Community Safety Teams and Safeguarding Teams to refer vulnerable tenants to local authorities when appropriate.
13. Fundamentally, educating tenants about their rights and what to do if they suspect they are being exploited is crucial. Letting agents can provide materials or organize events that focus on safety and exploitation risks. Equally, we would be very happy to support any awareness raising through sharing and sign posting materials or through webinars or articles.

Sexual offences

14. Propertymark welcomes part 5 of the bill which specifically introduces several measures aimed at tackling child sexual abuse and other sexual offending. Propertymark recognises the importance of these measures including recommendations from the Independent Inquiry into Child Sexual Abuse⁵ which makes grooming a statutory aggravating factor when sentencing an adult for a child sex offence and create a statutory duty for certain individuals to report child sexual abuse. While we think that property agents should not be part of this proposal, we certainly believe that letting agents might be in a strong position to report any concerns they may have within child exploitation and sexual offences.
15. However, we are disappointed that there are no provisions within the Bill to eliminate the abhorrent practice of 'sex for rent' within the housing sector where so-called landlords procure accommodation for sex. We condemn this practice, and the Bill needs to be amended to address this issue to eliminate the practice through sharing intelligence and raising awareness.
16. Propertymark responded to the Home Office Call for Evidence on the exchange of sexual relations for accommodation⁶. Our response emphasised that most landlords who operate in the Private

⁵ [Reports | IICSA Independent Inquiry into Child Sexual Abuse](#)

⁶ [Home-Office-call-for-evidence-on-exchange-of-sexual-relations-for-accommodation-Propertymark-response.pdf](#)

Rented Sector (PRS), are good and provide housing accommodation for a variety of people for a fair financial return. However, there is a small number of rogue and criminal landlords who do not adhere to these principles and exploit tenants especially those who are vulnerable including young women and tenants from overseas. We recommended any landlords who engages with sex for rent should be charged under Section 52 and 53 of the Sexual Offences Act⁷, dealt with accordingly with criminal proceedings and banned from operating in the PRS for the future. Furthermore, the Online Safety Act 2023⁸ includes sections 52 and 53 of the Sexual Offences Act 2003 in a list of priority offences that internet companies will need to take proactive steps to tackle. in ensuring adverts for sex for rent is prohibited.

17. While there have been developments in legislation to specifically tackle sex for rent, we believe that the Crime and Policing Bill could add extra provisions to protect vulnerable people impacted by sex for rent and to give perpetrators lifetime bans from providing accommodation in the future.
18. In addition, extra provisions could provide sufficient resources for local authorities to enforce and investigate against sex for rent along side any health and safety checks that they provide. Secondly, providing relevant local authority officers including environmental health inspectors a specific route to refer suspected cases of sex for rent and finally an opportunity for the overwhelming number of responsible and professional landlords and their property agents to support investigations and cases by sharing intelligence and information.

Conclusion

19. Propertymark supports the provisions within the Bill which we hope will ensure that persistent and serious anti-social behaviour will be tackled. Regardless of the effectiveness of the tools to tackle anti-social behaviour, they will only be effective if stakeholders, such as landlords and their property agents are aware of them.

⁷ [Sexual Offences Act 2003](#)

⁸ [Online Safety Act 2023](#)