Criminal landlords in the shadow private rented sector in England

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The concept of 'rogue landlords' has strong currency within policy frameworks in England, and have been mentioned as a specific target for intervention in the Renters Rights' Bill, passed in October 2025. This project, taking a lead from a 2020 report *Journeys in the Shadow Private Rented Sector*, has completed a large-scale study of landlord-perpetrated crime and for the first time draws together combined expertise from criminology, housing policy and housing law. The research has considered modes of criminality in the private rented sector; the ways that the PRS fosters and incubates criminality; and the ways in which landlord-perpetrated crimes are explained by perpetrators and excused by statutory agencies.

- The desire to tackle criminal landlords has become central to policy intervention. Defining 'criminal landlords', 'criminal landlord behaviours' and the 'shadow private rented sector' can help to identify the core problems and focus interventions.

- The private rented sector is a complex system, combining multiple elements that interact in complicated ways. The nature of the tenure creates multiple opportunities for landlord-perpetrated crime. Agencies tasked with crime prevention are not well coordinated, and the criminal justice system does not serve sanctions with sufficient deterrent force.

- Understanding the complexity of this system suggests that concentrating policy attention on just one element is unlikely to lead to the desired outcome, which is a reduction in crime incidence.

- Criminals deploy 'techniques of neutralisation' to create a rationale for criminal activity. These techniques include denial of responsibility and denial of injury, and local authority interventions can tend to validate excuses that might be given for criminal landlord behaviours.

- Borrowing techniques from situational prevention suggests strategies for dealing with landlord criminality from multiple perspectives.

Modes of criminality

One obstacle to dealing with criminality in the PRS is confusion around terminology and intent. Policy interventions can be muddled. Qualitative work has been undertaken with enforcement officers, local authority homelessness teams, tenancy relations officers, trading standards and police operating at different levels. This work indicates that some value is attached to recognizing that there are different modes of criminality, and it is useful to define criminal landlords; criminal landlord behaviours; and the shadow private rented sector.

Criminal landlords

Criminal landlords and letting agents were likely to be involved in more than one type of criminality. Four types of criminal landlord were in evidence, although there was a degree of overlap.

Slum landlords

This group is defined in terms of four characteristics:

- Keeping properties where the presence of hazards is detrimental to the tenants' wellbeing;
- Engaging in behaviour that is detrimental to tenants' wellbeing;
- Repeatedly failing to regulatory obligations; and
- Engaging in activities intended to prevent effective enforcement.

All local authorities in the case study area reported serial-problem landlords who were 'familiar names' to local authority enforcement staff. Slum landlordism is a way of working that combines multiple practices (Box 1).

Box 1: Slum landlord practices

Maximising rent through overcrowding
No or limited investment in essential repair or routine maintenance
Attracting tenants through informal methods
Collecting rent informally
No/no legal documentation for the tenancy
Frequent recourse to harassment and illegal eviction to end tenancies
Coercive control of tenants to evade detection
Focus on vulnerable tenants who are less likely to complain
Tolerance of criminal activity in properties
Sufficient knowledge of the law to apply evasive techniques
Engaging in actions to prevent effective enforcement including vexatious appeals to discourage prosecution
Possible links to organised crime

It is not possible to be categorical about the circumstances in which an individual becomes a slum landlord. Anecdotal evidence indicates that these management techniques might emerge over a period of time, and is construed by the landlord as 'canny' working practices. Slum landlords may regard themselves as entrepreneurs.

Scam landlords

Scam landlords were more likely to be involved in fraudulent activity. Scammers defraud would-be tenants who have paid deposits for properties viewed online. This type of scam falls outside the purview of this project, since the perpetrators does not even need to own property to commit this fraud.

A more relevant type of scam involves rent-to-rent models.Here, a 'landlord' might rent a property from a legitimate landlord for single-household occupancy, and then subsequently sublet it as a shared property. This kind of scam tends to exploit legitimate absentee landlords who are not on hand to undertake property inspections. It also exploits tenants who may be overcrowded in rent-to-rent properties, and face obfuscation in attempts to contact the 'real' landlord.

Criminal letting agents

Criminal letting agents may present in sophisticated ways, operating from shop fronts or online, and are often prepared to phoenix in and out of different ownership models to frustrate detection and prosecution. Criminal letting agents exploit landlord and tenant willingness to trust 'a professional'. Naive or absentee landlords can be misled as to the use of the property. Tenants using a criminal letting agent might find themself subject to scam practices, illegal eviction and agents blaming the landlord for poor property standards and failure to respond to repair requests.

Links to organised crime

Each of these kinds of criminal landlords and letting agent may in some instances be linked to organised crime groups (OCGs). OCGs are involved in a wide range of criminality in this space including cannabis cultivation, sexual exploitation and financial fraud including mortgage and benefit fraud.

OCGs are highly adept at identifying suitable targets to facilitate their criminal activities. OCGs can work in collaboration with other actors (landlords, letting agencies, other OCGs) or engage in forms of exploitation of these actors, having identified points of vulnerability such as financial hardship or poor landlord/letting practices.

It is also the case that OCGs purchase property and operate as landlords. Local authority respondents in more than one area had identified money laundering activity in their local PRS, linked to organised crime activity.

Criminal landlord behaviours

A second mode of criminality recognises that some landlords break the law only very occasionally, perhaps even only once. This creates problems for local authority enforcement officers, in judging an appropriate response.

The project interviewed a number of landlords who had broken the law in their role as a landlord. Almost all the landlords who were interviewed asserted that they would never consider breaking the law, although they felt justified in doing so within the context of letting property. The contexts in which the law-breaking took place included:

Inexperience;
lack of awareness of the relevant legislation;
being poorly advised; or
lacking the finance for required works.

In these circumstances, certain types of punitive response can seem disproportionate, given a landlord's intention to operate in the right way. Environmental health professionals were of the view that many landlords who are inadvertently guilty of criminal landlord behaviours quickly comply once their contravention comes to the notice of the authorities. Attention must be paid to circumstances in which the law is broken, but should also be alert to landlords drifting into more routine non-compliance if they find that their contraventions are excused or remain undiscovered. It should also be noted harms visited on a tenant by non-compliance are the same, irrespective of the landlord's intent.

The shadow private rented sector

A shadow market emerges where buyers and sellers are engaged in exchange that is not regarded as legitimate. In the 'shadow' PRS, letting takes place in violation of regulatory obligations that relate to issues such as property condition and tenancy law.

As with much of landlord-perpetrated criminality, the shadow PRS hides in plain sight, with renting often conducted within the framework of the 'legitimate' market: slum and sham landlords might advertise on online portals such as SpareRoom or Facebook Marketplace. Tenancies in the shadow PRS may be supported by licenses that offer little protection and sometimes include punitive clauses.

However, the shadow PRS also serves the needs of tenants who might be excluded from the mainstream market. This creates challenges in terms of complicity, and tenant unwillingness complain about or take action against their landlord.

Affordances for crime within the PRS

The private rented sector is a complex system. (Box 2).

Box 2: Elements of PRS complexity

Multiple sub-markets, each comprised of
- More or less well-defined demand groups (tenants), suppliers (landlords) and letting agents; and with
- characteristics defined by the specifics of the local economy; and where
- letting activities are subject to a range of statutory interventions from multiple government ministries whose agendas do not necessarily align
- using statutory enforcement agencies at national, regional and local levels, where commitment to and resources for enforcement vary markedly; and
- relying on a criminal justice system to deliver appropriate prosecution outcomes;
- landlord and tenants are supported through a variety of advice agencies and lobby groups that may offer guidance on rights and responsibilities.

Affordances for crime can be grouped into:

Crimes engendered by letting arrangements
- Informal nature of landlordism can normalise 'off-the-books' arrangements
- Letting agent opportunity to exploit landlord and/or tenant
- Culpability for crime is obscured
- Power dynamic between landlord and tenant suggests exploitation

Structural affordances
- High levels of demand lead to tolerance for poor management and property standards
- Cheap housing in low demand areas can attract criminal exploitation
- Tenant exclusion from the main market augments 'shadow' demand
- Seasonal work and migrant labour foster demand for cheap, overcrowded property

Lack of deterrence
- Patchy enforcement within authorities
- Enforcement deserts across authorities
- Siloed policing operation
- Multiple obstacles to prosecution
- Limits to tenant access to legal support
- Inadequate sanction.

Innovation and regulation gaps
- Regulation gaps on newer letting models including exempt accommodation and rent-to-rent arrangements.

The PRS offers multiple opportunities for criminal activity and limited risk of discovery and sanction. Structural problems with the housing market means there will always be tenant demand.

'Techniques of neutralisation'

'Techniques of neutralisation' are ways that a criminal can rationalise and justify their criminal activity. Criminologist have identified a standardised set of excuses given to deflect criticism, and these are often used by landlords. .

'Denial of responsibility' is used by the landlord to deflect blame elsewhere. It is notable that cannabis farming is a practice where landlord, tenant and letting agent can easily deny charges by insisting that other actors are the instigators of the criminality. Denial of responsibility also follows where a landlord blames a solicitor, letting agent or even the local authority for misleading them about their statutory responsibilities.

'Denial of injury' rejects the notion that any injury has occurred. This may be the case with, for example, HMO licensing where securing a license is regarded as a bureaucratic nicety where a failure to comply does not create a victim. Denial of injury can also be claimed where a landlord asserts that a tenant left a tenancy of their own accord: the tenant simply found somewhere else to live. The fact that the tenant felt obliged to move out of an abusive letting arrangement is not regarded as important.

'Denial of the victim' takes place where a landlord claims that the tenant's qualities are such that they cannot be regarded as a victim. One landlord respondents described tenants as *nasty people*, who deserved the poor living conditions he offered; another landlord said that his tenants *choose to live in squalor and a pigsty*.

It was common for landlords to excuse their lax property standards by claiming that the council was worse, as a landlord, so 'condemning the condemner'.

Finally, an 'appeal to higher loyalty' includes landlords claiming a higher moral ground. This very often includes claiming that the landlord is serving a social purpose (Box 3).

Box 3: Landlords claiming a higher moral ground

I think that people are missing a lot of the point that landlords actually… should be thanked for doing what a local authority is unable to do, and also to help people who would otherwise be homeless.

(Landlord 7 - Properties in substandard conditions)

It's the system that's broken, but then it trickles down to landlords to fix it.

(Landlord 14 - Overcrowding, health and safety breaches)

Policy intervention to deal with landlord-perpetrated crime often validates the excuses that a landlord gives for their behaviour. For example, where landlords might blame poor advice on a failure to license their property, the local authority might respond with 'soft enforcement' and look to additional funding for landlord liaison officers.This suggests that the landlord could not be expected to secure reputable legal advice.

Slum landlords might 'deny a victim' where a tenant chooses to leave a property that has become unlivable. Local authority responses where a tenant presents as homeless because of an illegal eviction have tended to regard the tenant as the primary problem. Mediation takes place to resolve the landlord's issue with the tenant, rather than dealing with the landlord's illegality. This practice again validates the landlord's belief that the victim is to blame.

Conclusions

Borrowing from situational prevention suggests a suite of responses to the varied modes of landlord criminality.

Primary prevention to reduce the criminogenic conditions in the PRS. Landlord (and letting agent) registration should be used to control access to the market; reducing tenant exclusion from the mainstream market can be best served by increasing local housing allowance rates within Universal Credit and increasing funding for charities supporting individuals who are No Recourse to Public Funds. Improve landlord access to information and training and foster an expectation that letting is a professional business activity, not a 'hands-off' investment.

Secondary prevention targets early signs of criminal behaviour and prevents escalation through increased 'soft surveillance' of the sector; tighter regulation of market intermediaries; and registering minor infractions. Early interventions where problems arise between landlord and tenant can reduce the situational causes of criminal behaviour.

Tertiary intervention seeks to contain the harm of criminal landlordism by removing prolific reoffenders via banning orders and reducing their access to assets via prohibition and interim management orders. A focus on victims can empower tenants to seek recompense through Rent Repayment Orders. An increased emphasis on victim protection contributes to a reframing of cultures around letting , by indicating that these tenants are indeed valued, and signals to the landlord that active efforts are being made to protect the welfare and rights of all tenants.