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Tenants’ Responses to Substandard Housing: Hidden and Invisible Power and the Failure of Rental Housing Regulation

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ABSTRACT
Unsafe and unhealthy housing is a major problem in the private rental sector in a number of countries, despite the existence of regulations intended to protect people from such housing. Rental housing quality regulation often relies on tenants reporting problems with their housing, but this fails to take account of power dynamics in the tenant-landlord relationship that make it difficult for tenants to do so. Drawing on Lukes’ three-dimensional view of power, we build a new framework for analysing power at the “micro” level of the relationship between tenant and landlord. We apply this to a review of qualitative research on tenants’ responses to housing quality problems in Australia, England, New Zealand and the United States. We find that the interactions of visible, hidden, and invisible dimensions of power work to prevent the effective airing and resolution of grievances about housing quality and render current forms of regulation inadequate.

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KEYWORDS
Power; Steven Lukes; rental housing regulation; rental housing quality

Introduction
In many countries, large numbers of private tenants live in cold, damp, or poorly maintained housing, despite the existence of housing codes and regulation intended to protect people from such unsafe and unhealthy housing. Rental housing tends to be in worse condition than owner-occupied housing, placing tenants at greater risk of injury and of poor respiratory, cardiovascular, and mental health. Much of the regulation around housing quality assumes that tenants will report problematic housing to their landlords, the courts or the authorities. However, evidence from a number of studies shows that tenants, in many cases, do not report problems with their housing. Clearly, private tenants are not behaving as policymakers assume they will. Why is this?

Theory can help explain underlying processes to understand why events play out as they do (Sutton and Staw 2007). Applying general theory to specific housing issues can help housing researchers “see their wider theoretical relevance or embed them in their wider societal context” (Jim Kemeny quoted in Allen 2005, 101). Political theory is particularly promising for housing research given the political nature of housing policy and relationships (Bengtsson 2009, 2012, 2015). The politics of housing can be analysed at a number of levels: the “macro” level of national housing provision, the “meso” level...
of local governance and planning, and the “micro” level: the supply of housing to the occupant, be they tenant or owner (Bengtsson 2012). Bengtsson (2015) has suggested that the work of Steven Lukes (1974) on power is important in the context of housing politics, allowing as it does for “analysis in terms of ‘three faces’ of actor-based power: decision-making, agenda-setting and ideological power” (italics in the original). In this article, we build on the work of Lukes, applying his ideas about power to the “micro” level of the supply of housing from the landlord to the tenant to understand the failure of regulation on housing quality to protect tenants.

This paper first outlines the context: the poor condition of rental housing, its regulation, and the failure of regulation to protect tenants. In the following sections, we introduce the literature on power dynamics in the tenant-landlord relationship, and build an analytical framework based on Lukes’ three-dimensional view of power. When Lukes’ work on power was first published, one view of power was as the imposition of the will of one over another, or a conflict in interests in which one actor emerges victorious. More recently, theorists had proposed a second dimension of power, which recognised that power could operate even when there was no overt conflict in interest or imposition of the will. Conflicts of interest may exist, but the workings of power could ensure that conflicts as such – with winners and losers – never came to light. Lukes built on this previous work to suggest that the first understanding of power was power in its first dimension, that the more nuanced understanding of power was power manifesting in its second dimension, and that there was moreover a third dimension of power, where power was invisible. In the third dimension of power, the conflict in interests remains, but is not experienced as such. Power works to shape people’s cognitions such that they are not aggrieved by an unjust situation. Our analytical framework is based on this three-dimensional understanding of power and supported by the insights of John Gaventa (1982), who provided tools to understand how the three dimensions of power play out in specific situations: in his case, the absence of rebellion in a marginalised mining community in the United States. Gaventa (2006) has usefully described the three dimensions as the visible (first dimension), hidden (second), and invisible (third) forms of power. We apply this framework to qualitative work exploring how tenants respond to problems with the quality of their housing. In the final section, the implications of the research are discussed, and the framework is analysed to glean policy prescriptions.

**Housing Quality and Regulation in the Private Rental Sector**

In the countries that are the focus of this article, many tenants live in poor quality housing. Surveys shows that 61 per cent of English private tenants have recently experienced problems such as mould, leaks and electrical hazards (Gousy 2014a); that 8 per cent of American tenants are very dissatisfied with the maintenance of their homes (JCHS 2013); that 8% of Australian tenants report that they are living in properties which need urgent repairs (Choice, National Shelter, and National Association of Tenant Organisations 2017), and that 67% of New Zealand tenants think that their homes require maintenance or repairs (Statistics New Zealand 2015). While each survey asks the question in a different way, and so the results are not comparable, the results across the surveys indicate that substantial numbers of people are experiencing housing problems in the rental sector in all the comparison countries. Moreover, in each of
these countries, assessors reports that poor quality housing is more prevalent in the rental sector than in owner-occupied housing (DCLG 2016; JCHS 2013; Baker et al. 2016; Buckett et al. 2017). This means tenants have greater exposure to the health risks associated with poor quality housing, including injury and poor respiratory, cardiovascular and mental health (Baker et al. 2016; Keall et al. 2008; Mendell et al. 2011; Turner et al. 2011). The poor state of rental housing should be of particular concern given the fact that between 30 and 37% of households in these countries rent (US Census Bureau 2015; Department for Communities and Local Government 2015; Johnson, Howden-Chapman, and Eaquib 2018; Chang 2017), and long-term renting is on the rise (Pawson, Hulse, and Morris 2017). Australia, England, New Zealand and the US have dualist rental systems, characterised by separation between a private rental market with weak security of tenure, and a means-tested social rental sector (Kemeny 1992, 2006). (The difference between this kind of rental system and integrated rental systems, such as exist in several European countries, means that the dynamics described in this article cannot be assumed to be universal.)

Laws regulating private rental housing quality largely rely on tenants taking some sort of action to ensure that the issue that confronts them is resolved. Housing standards, or codes, are contained within different pieces of legislation enforced by local, federal or central government authorities. In addition, there are laws governing the relationship between tenants and landlords, which also specify minimum standards or rights for repair; disputes are managed in courts or tribunals. For example, in the case of England, local authorities can assess homes using the Housing Health and Safety Rating System, and have the duty to issue improvement notices for repairs if hazards to health have been identified (Burridge and Ormandy 2007). For the most part, local authorities do not proactively assess private properties; rather, inspections are prompted by complaints from occupants (Battersby 2015). In addition, tenants can take their landlord to court or report their landlord to council if they refuse to meet their obligations around repairs (Gousy 2014b). Similarly, in New Zealand, the US and Australia, tribunals or courts are responsible for handling disputes between landlords and tenants around housing repair and maintenance. While local or central government authorities have the power to proactively enforce legislation on housing quality, for the most part they rely on occupants notifying them of problems, and reserve proactive enforcement for extreme cases of health risk (Bierre, Bennett, and Howden-Chapman 2014; Hatch 2017; MacRoy and Farquhar 2010; National Shelter 2010; Super 2011). An exception in the United States is the housing of the 6% of private tenants that receive federal rent assistance, which is inspected annually (Houston Housing Authority 2011).1 (People who live in housing provided by social or public landlords present a different case, which is outside the scope of this article; while poor quality housing in this sector is also a problem, in many cases tenants have greater security of tenure, housing is subject to regular inspections, and landlords have different motivations to private landlords. This means that public or social tenants are likely to respond differently to housing quality problems. In this article, we are interested in tenants who live in the private rental sector, including those who receive public financial assistance to contribute towards their housing costs).

Legal theorists have argued that private tenants cannot enforce their rights due to lack of information, the difficulty of managing the legal system, and fear of eviction. In some cases, tenants do not know about their rights (Arden and Partington 2006; Super...
2011; Bright 2007), lack clear information about their rights (Bierre, Bennett, and Howden-Chapman 2014), and lack access to legal aid or tenancy advice (Chisholm, Howden-Chapman, and Fougere 2017; Law Society 2017; Super 2011). Tenants who know about their rights will not necessarily assert them as doing so is risky, especially given that under most tenancy arrangements landlords can end a tenancy without any grounds (Burridge and Ormandy 2007). Laws against retaliatory notice, where they exist, do not entirely protect against this as it is easy enough for a landlord to claim that a tenancy has been ended for another reason, rather than because the tenant asked for repairs or improvements (Bierre, Bennett, and Howden-Chapman 2014; Desmond 2012; Super 2011). Therefore, “given the high stakes, most tenants, particularly the poorest tenants, are likely to be quite risk-averse and hesitant . . . to confront their landlords over repairs” (Super 2011, 411). Risk aversion is likely to be connected to the experience of insecure occupancy, which is determined not only by particular tenancy legislation, including grounds for notice and length of notice, but also the ability to keep paying rent and people’s subjective perception of their ability to stay long term (Hulse and Milligan 2014). As Bierre, Bennett, and Howden-Chapman (2014, 11) “it is not clear that tenants can ‘in practice’ effectively enforce the rights that they theoretically hold in law”. Many tenants fail to even taken the initial step of reporting a housing problem to the landlord, let alone the next step of taking the landlord to court (Bennett et al. 2014; Choice, National Shelter, and National Association of Tenant Organisations 2017; Gousy 2014a). The clear contrast between the assumptions contained within regulation and actual events make this a worthy area to investigate the role of power in preventing action from being taken. In the next section, we do this by building a framework based on the three-dimensional view of power developed by Steven Lukes.

**Power and Rental Housing**

The idea that landlords have power over tenants is commonly understood, referred to in daily life and in the literature. Housing researchers describe “the power of the landlord over the tenant” (Grineski and Hernández 2010, 206), “the tenancy relationship and its inherent power differentials” (Lister 2005, 522) and the landlord’s “power to dictate who could stay and who could go” (Desmond 2016, 129). The power imbalance exists because of this ultimate control of the property, and because in most cases tenants have a greater dependence on, or attachment to, their home than landlords have on their rental income (Vaughan 1968; Popplestone 1972; Lister 2006). The landlord, by carrying out an eviction or refusing to maintain the property, has a “greater ability to affect the tenant’s life than the other way around” (Keller 1987, 1668).

The discussion of power in the context of the tenant-landlord relationship is by and large a discussion of power as domination, where one actor has “power to” determine the course of events, or “power over” another actor (Giddens 1991; Lukes 2004). For this reason, our focus in this article is the idea of power as domination, rather than theories of power that have emphasised its positive aspects as manifest in interactions between members of a group (Arendt 1958) or as a productive force that is dispersed through society in every relationship (Foucault 1977, 1978). The idea of power as domination has old roots: Hobbes (1641) understood power as the imposition of will; similarly Weber (1978, 53) focussed on “the probability that one actor within a social relationship will be
in a position to carry out his own will despite resistance.” Along the same lines, Dahl (1957, 202–03) described an “intuitive idea of power” in which “A has power over B to the extent that he can get B to do something that B would not otherwise do”.

Subsequent theorists agreed with Dahl and others on the fruitfulness of understanding power as domination, yet suggested that the analysis failed to provide a complete understanding of how power worked. Bachrach and Baratz (1970) argued that there was a “second face” of power which determined whether the issues Dahl and others observed ever came to light. Power is at work even when it is hidden: some concerns are “suffocated before they were even voiced; or kept covert; or killed before they gain access to the relevant decision-making arena” (Bachrach and Baratz 1962, 44). Building on this, Steven Lukes (1974/Lukes 2004) proposed a third dimension of power which “prevent[s] people... from having grievances by shaping their perceptions, cognitions and preferences in such a way that they accept their role in the existing order of things, either because they can see or imagine no alternative to it, or because they see it as natural or unchangeable” (Lukes 2004, 28). People may think or act against their interests; they “may not express or even be conscious of their interests, but...the identification of those interests ultimately always rests on empirically supportable and refutable hypotheses” (Lukes 2004, 29). Using the example of Crenson’s (1971) work on the failure of air pollution to become a political issue in certain American cities, Lukes (2004, 48) notes “there is good reason to expect that, other things being equal, people would rather not by poisoned... even where they may not even articulate this preference”.

Power: A Radical View, first published in 1974, was “enormously influential”, leading to conceptual debates and empirical work (Dowding 2006, 136). Perhaps the most important of these works, for its useful methodological insights, is John Gaventa’s (1982) book Power and Powerlessness, which explored the absence of rebellion in a US mining community. In the context of housing, the three-dimensional view of power has been used to explore the failure of tenants to resist redevelopment in Sweden (Ekstrom and Danermark 1991), to explain how alternative housing policy ideas fail to enter political discourse (Conley and Gifford 2006), and to differentiate between “faces” of path dependence (Bengtsson 2004; Bengtsson and Ruonavaara 2011). These studies, as well as the two exemplary studies reviewed in (Lukes 2004) reissue of the work (Gaventa 1982; Crenson 1971) look specifically at power at the macro or meso level – how groups influence or fail to influence local decisionmakers or national policy. While meso and macro level politics clearly shape microlevel politics, Lukes fails to consider in any detail the operation of power at the micro-level. Yet the three dimensional view of power has proven useful to understanding such relationships, for example, between welfare recipients and caseworkers (Handler 2005), between homeless social service users and social service providers (Watts 2014), between employers and employees (Edwards 2006; Wilson and Thompson 2001) and between spouses or other romantic partners (Komter 1989; Breeze 2009).

In the housing literature, similar ideas to three-dimensional power have been explored in other studies of micro-level relationships. Scholars have observed how behaviour in the housing realm is shaped by unactivated and emergent powers (Lawson 2006; Fitzpatrick and Pawson 2013), hidden forces (Vaughan 1968), and unconscious decision-making (Lister 2004; Pickvance and Pickvance 1994). However, since these studies do not draw on Lukes specifically, they fail to analyse each dimension and the interaction between the
three dimensions. In this paper, using the tenant-landlord relationship as an example, we build an analytical framework based on Lukes’ three-dimensional understanding of power that can be used to analyse any micro-level relationship.

The Research

The research framework identifies how power operates in each of the three dimensions, and identifies how researchers can analyse power in each dimension. This use of Lukes’ ideas aligns with Gaventa’s (1982) seminal study of a US mining community: each dimension is analysed separately, and interactions between the dimensions are also considered. Lukes (2005, 5) notes that in the first dimension, where power is visible, it can be “‘measured’ by understanding its exercise – by ascertaining the frequency of who wins and loses... that is, who prevails in decision-making”. In the context of rental housing, who wins and loses may be studied in decision-making or conflict situations. Though not defined as such, this dimension has been well traversed by theorists, in regard to the advantages landlords have over tenants when they are in conflict, including over issues of quality, for example, in tenancy courts or tribunals (Arden and Partington 2006; Bierre, Bennett, and Howden-Chapman 2014; Burridge and Ormandy 2007; Super 2011). However, many conflicts or decision-making processes take place privately, in negotiations between tenants and landlords over issues such as repairs, maintenance, and housing improvements. Studying power in its first dimension, where power is visible, in this context should consider observable conflicts or negotiations between landlords and tenants over housing quality, and consider the outcomes of these processes, not only in courts or tribunals, but in interactions at home.

Studying power in its second dimension, where power is hidden, relies on identifying instances where “B is prevented, for all practical purposes, from bringing to the fore any issues that might in their resolution be seriously detrimental to A’s set of preferences” (Bachrach and Baratz 1962, 948). Lukes (2004, 23) describes the process thus: “to identity potential issues where nondecision-making prevents them from being actual [issues]” (italics in the original). In the case at hand, therefore, researchers can study the second dimension of power through identifying instances where tenants have grievances about their housing, but do not raise the issue with their landlords. The conflict over housing quality exists, but is not observable from the outside: it is not known to the landlord, the courts, or other authorities, and is only revealed by the tenant to the researcher or to others who cannot influence the situation.

Establishing where the third dimension of power at work is achieved through “taking steps to find what it is that people would have done otherwise” (Lukes 2004, 52); – that is, in the case that they were not dominated by a more powerful actor. Gaventa (1982, 26) has set out a process for this: observe where what is valued is unevenly distributed, note the absence of attempts by the less well-off to gain what is valued, and establish “relevant counterfactuals” “to substantiate the expectation that B would have thought and acted differently, were it not for A’s power”. In the case at hand, researchers establish where housing is in objectively poor condition, and yet tenants do not express dissatisfaction. The “relevant counterfactual” in this case is that because tenants tend to prefer homes that do not leak (for example), they would take steps to ensure the roof was fixed, if it were not for the power of the landlord to negatively affect their lives.
While Lukes and his predecessors provide clear descriptions of each dimension of power at work, and Gaventa (1982) provides a model for exploring their interactions in his case study of a mining community in Appalachia, Lukes’ work has nevertheless been criticised for failing to provide clear methodological guidance (e.g. Swartz 2007). However, consideration of their work in the context of a clearly dominant relationship (landlord-tenant) in a situation where interests can conflict (rental housing quality), leads to clear research questions that can be explored in a number of ways. These are set out in Table 1. The questions are illustrated with reference to the study at hand, but could easily be applied to other situations.

We tested the analytical framework on qualitative research on the tenant-landlord relationship. Drawing on a number of studies was useful to test out Lukes’ ideas as they play out in conflicts and potential conflicts over rental housing quality in a range of settings. Using this type of evidence to understand power is useful as qualitative studies enable researchers to explore how people make sense of their world – why they do what they do and how they understand what they do. If we are to understand how power works, we need to observe how people act in situations of dominance, as much as what they say about how they act. A qualitative researcher “listens carefully to what people say or do in their life settings” (Creswell 2009, 8).

Articles were deemed relevant for this study if they were published in journals between the year 2000 and March 2017 and were based on empirical work that included investigations into how private tenants responded to problems in housing quality in Australia, New Zealand, the United States, and England. We focussed on these countries because, as noted already, they all have dualist rental systems, which suggests that similar landlord-tenant dynamics will be at play (Kemeny 1992, 2006). The review drew on peer-reviewed, published literature, excluding grey literature to limit the studies to a manageable number, and to ensure that the data and analysis was high quality and subject to ethical approval, while enabling us to capture a diversity of rental experiences from different yet comparable countries. To obtain the papers reviewed, we searched key words relating to rental housing (renter/s, rental, tenant/s, tenancy/ies) along with key words related to qualitative research (qualitative/interviews/participant-observation) in the Scopus database. Searching these terms resulted in around 1300 resources. We scanned the titles and abstracts of the articles, discarding those that were set outside the focus countries, published prior to the year 2000, which did not draw on qualitative

Table 1. Analytical framework for researching three-dimensional power.

<table>
<thead>
<tr>
<th>Dimension of power</th>
<th>Description</th>
<th>Research questions using the example of rental housing quality</th>
</tr>
</thead>
<tbody>
<tr>
<td>First – visible power</td>
<td>People are dissatisfied with conditions and attempt to change these. Conflicts in interest are clearly observable.</td>
<td>What grievances are voiced? Who wins and who loses in disputes over rental housing quality?</td>
</tr>
<tr>
<td>Second – hidden power</td>
<td>People are dissatisfied with conditions, but there is no visible conflict. Conflicts in interest are hidden.</td>
<td>What grievances are not being voiced to landlords or other authorities that could influence the situation? What prevents tenants from voicing complaints about housing quality?</td>
</tr>
<tr>
<td>Third – invisible power</td>
<td>People appear satisfied with conditions that are objectively dissatisfactory. Conflicts in interest are invisible.</td>
<td>What grievances are not experienced as grievances? What is the “relevant counterfactual” – how would tenants in poor quality housing behave were it not for the power of the landlord to negatively affect their lives?</td>
</tr>
</tbody>
</table>
research, and which did not concern tenants in private rental housing. This left 36 articles. We read these articles and retained those that included qualitative data about how private tenants responded to problems in their housing conditions. There were 15 such articles. Many of the excluded articles discussed disrepair, lack of maintenance, and otherwise poor quality rental housing, but did not describe how tenants responded to this issue.

The articles reviewed mostly drew on semi-structured interviews with tenants and key informants, several accompanied by photo-elicitation; one drew on participant observation. In the case where articles drew on mixed methods or presented results for both public and private tenants, we only included responses gleaned from qualitative research with private tenants. The first author read these articles closely and grouped tenant responses and reasoning into themes within the framework, which were then tested on the co-authors and subsequently refined.

Two studies were based in Australia (Fozdar and Hartley 2014; Palmer et al. 2015), two in England (Lister 2004, 2006), two in New Zealand (Bierre, Howden-Chapman, and Signal 2010; Chisholm, Howden-Chapman, and Fougere 2017), and nine in the US (Skobba, Bruin, and Yust 2013; Hernández and Phillips 2015; Grineski 2008; Grineski and Hernández 2010; Durst 2014; Dillahunt, Mankoff, and Paulos 2010; Desmond 2012; Cook et al. 2002; Bachelder et al. 2016). The studies draw on data from a range of different groups. They focused on tenants in general (Bierre, Howden-Chapman, and Signal 2010; Chisholm, Howden-Chapman, and Fougere 2017; Bachelder et al. 2016), low-income tenants, including those receiving welfare (Dillahunt, Mankoff, and Paulos 2010; Cook et al. 2002; Desmond 2012; Skobba, Bruin, and Yust 2013; Hernández and Phillips 2015), low-income tenants with asthmatic children (Grineski 2008; Grineski and Hernández 2010), tenants interested in sustainability practices (Palmer et al. 2015), tenants with refugee backgrounds (Fozdar and Hartley 2014), tenants in informal settlements (Durst 2014) and young tenants in three groups: in higher education, claiming housing benefit, and low-income full time employed (Lister 2004, 2006). Each of these groups have different access to social and economic capital, which places them in different positions in the rental market (Morris, Hulse, and Pawson 2017; Bourdieu 1986). Despite the differences in the groups they focus on, however, the different studies reported a number of common issues affecting how tenants respond to housing quality.

Findings: The Three Dimensions of Power as Manifest in Tenant-Landlord Conflicts over Housing Quality

The First Dimension of Power (Visible Power)

The first dimension of power, where power is visible, in the context of rental housing quality relates to who prevails in decision-making around repairs, maintenance and improvements. As our framework shows, the key questions to ask to assess the effects of power in the first dimension are: What grievances are voiced? Who wins and who loses in disputes over rental housing quality? For the most part, the research showed that tenants that reported housing quality problems found it a stressful experience, with repairs taking a long time to be carried out, or not carried out at all (Bachelder et al. 2016; Cook et al. 2002; Dillahunt, Mankoff, and Paulos 2010; Durst 2014; Fozdar and Hartley 2014; Grineski and Hernández 2010; Hernández and Phillips 2015; Lister 2004,
In some cases, landlords asked tenants to pay for the modifications, which few could afford (Grineski and Hernández 2010). One tenant reported that when she complained about leaks from the kitchen plumbing, the landlord told her “Well, if you don’t really like it here, then leave”; the tenant could not afford to (quoted in Grineski and Hernández 2010, 208). In one household, when tenants requested repairs, “usually all we got was a phone call and a ‘promise’ but they never did anything” (quoted in Bachelder et al. 2016, 5). For one participant, the landlord “just started to get on my nerves so much because he was so slow [with repairs]” (quoted in Lister 2004, 323). A tenant reported that “it took four months for repairs to our broken stovetop” (quoted in Fozdar and Hartley 2014, 166). In other cases, tenants could not get in touch with their landlord. As one tenant told a researcher, the landlord is “the hardest person to reach in the world” (quoted in Hernández and Phillips 2015, 57). One tenant vividly described how “there’s nothing more miserable than not having any heating and not being able to sort out the situation because you’re being ignored and fobbed off and just feeling like you’re constantly battling, you know?” (quoted in Lister 2006, 154).

In three studies, tenants that reported problems with their housing were evicted or had to move out of their home (Desmond 2012; Chisholm, Howden-Chapman, and Fougere 2017; Grineski and Hernández 2010). One tenant in the Arizona study had reported vermin, roaches, and mould to her landlord, and as a result, had been given notice at the time of interview. She told the researchers, “the landlord wants us out because we have been complaining” (quoted in Grineski and Hernández 2010, 210). Even if landlords did not terminate tenancies, the tenant might have to move out as a result of having reported housing problems. Reflecting on a tenant she had supported through a tribunal process, a key informant said that the tenant was planning to leave because “their relationship [between tenant and landlord] would have been abysmal after that” (quoted in Chisholm, Howden-Chapman, and Fougere 2017, 102). Tenants in New Zealand, where that study was carried out, are protected from retaliatory notice, but making a complaint about housing conditions can still effectively deny them housing.

Some studies reported positive experiences in obtaining repairs (Dillahunt, Mankooff, and Paulos 2010; Grineski and Hernández 2010; Lister 2004). Landlords were more responsive when the issue affected them financially, as is the case for example in some US buildings, where landlords pay for water and heating. One tenant, whose landlord responded quickly to a report of leaking water pipes, said “They pay for it. That’s why he was concerned” (quoted in Dillahunt, Mankoff, and Paulos 2010, 13).

The first dimension of power, where power is visible, “involves a focus on behaviour in the making of decisions on issues over which there is an observable conflict of (subjective) interests” (Lukes 2004, 9) (italics in the original). In this dimension of power, the workings of power are easy to discern. Key questions to ask are around what grievances are voiced, and who emerges victorious in disputes. Grievances are voiced, in this case, over repairs, maintenance and improvements. The qualitative research reviewed showed that, in many cases, tenants desire for housing repairs or improvements conflicts with landlords’ willingness to carry these out. While tenants who report problems are sometimes successful in resolving these, in other cases, the problem remains resolved, or the tenant is forced to leave the home. The power of the landlord over the tenant is observed when tenants lose in disputes or negotiations, through having to leave their homes or live in unsatisfactory conditions.
The Second Dimension of Power (Hidden Power)

In the dimension of power, tenants experience poor quality housing, but the conflict is never overt, and only communicated to the researchers or to others who will not challenge the situation. A number of surveys have made it clear that experiencing a housing problem does not necessarily lead to tenants reporting the problem to their landlord or relevant authorities (Choice, National Shelter, and National Association of Tenant Organisations 2017; Gousy 2014a; Bennett et al. 2014). As our framework shows, the key questions to ask to assess the effects of power in the second dimension, where power is hidden, are: What grievances are not being voiced to landlords or other authorities that could influence the situation? What prevents tenants from voicing complaints about housing quality? The reasons behind why tenants fail to report problems with their housing are explored in the qualitative literature.

In some cases, tenants experience poor quality housing but are unaware of their ability to assert their rights (Chisholm, Howden-Chapman, and Fougere 2017; Grineski and Hernández 2010; Lister 2006). Key informants in one study noted that “Many of the tenants are not well informed and don’t have the capacity or ability to advocate” (quoted in Chisholm, Howden-Chapman, and Fougere 2017, 99). Lister (2006, 150) noted that participants were not aware of landlords’ legal duty to carry out a gas safety check. In another study, none of the tenants interviewed appeared to be aware of a provision in state law that rental units must be in “fit and habitable condition” (Grineski and Hernández 2010, 10).

Other studies reported that a major reason tenants avoided asking for housing improvements was because they did not think that doing so would be effective (Fozdar and Hartley 2014; Lister 2004, 2006; Skobba, Bruin, and Yust 2013). Of her landlord, one tenant stated “I honestly don’t think he would do anything and it’s more hassle than it’s worth” (quoted in Lister 2006, 151). Tenants in another study decided against requesting improvements that would improve environmental performance because, “we can do other things to make our contribution rather than having the hassle of speaking to [the landlord’s representative] and being rejected” (quoted in Palmer et al. 2015, 929). Tenants’ belief in the ineffectiveness of reporting problems was often based on past experience. As one tenant stated, “We stopped complaining now – nothing changed when we tried” (quoted in Fozdar and Hartley 2014, 166). Reporting problems was stressful and took up energy. Another participant stated: “By this point… [we] were all just like ‘I can’t be bothered’ you know, they wear you down so much just trying to get through, so we just put up with it” (Lister 2004, 323). Some tenants preferred to make repairs themselves rather than make requests of the landlord: one tenant said that “If I can fix something in my apartment without calling my landlord, I will do that for my sanity and my dignity and my self-respect” (quoted in Skobba, Bruin, and Yust 2013, 249).

Tenants also stated that they choose against reporting problems because they were afraid of eviction (Chisholm, Howden-Chapman, and Fougere 2017; Grineski and Hernández 2010). Tenants in a US study “were resistant to report problems” due to fear of eviction, and, in the case of illegal immigrants, deportation (Grineski and Hernández 2010, 206). Tenants sometimes did not report problems because they might be evicted for breaching their tenancy agreement by allowing too many people
to live in the home. The key informant noted that “you’ve got so many repercussions for being honest so you keep it quiet” (quoted in Chisholm, Howden-Chapman, and Fougere 2017, 8). Another key informant said, “We encourage people [to take their landlord to tribunal] but they just can’t be bothered. It’s about power – these people are shit scared they’re going to be asked to leave” (quoted in Chisholm, Howden-Chapman, and Fougere 2017, 102). One tenant decided against filing a complaint about housing quality to the authorities because her husband was afraid that it might endanger her tenancy (Grineski and Hernández 2010, 10).

Other tenants did not report problems because engaging with the landlord made them uncomfortable (Bierre, Howden-Chapman, and Signal 2010; Chisholm, Howden-Chapman, and Fougere 2017; Lister 2006). Tenants avoided reporting problems because they were “afraid to phone up” or “worried about having arguments” (quoted in Lister 2006, 151). A key informant working with tenants said that, “The really vulnerable don’t want to draw attention to themselves” (quoted in Chisholm, Howden-Chapman, and Fougere 2017, 102). Another participant noted the importance of “that human factor of not wanting to rock the boat while things are sort of working okay…[i]t is not always the most comfortable situation to be in, to be living in a property when you are in a dispute with your landlord” (quoted in Bierre, Howden-Chapman, and Signal 2010, 10).

A special case of fear of damaging the relationship with the landlord arises when personal and not simply contractual ties are involved. Tenants sometimes did not want to report problems because of these personal relationships (Bierre, Howden-Chapman, and Signal 2010; Lister 2006). Some tenants had complex or close personal ties to landlords, with landlords sometimes offering assistance or leniency. For example, an American study showed that some landlords accepted tenant labour in lieu of rent, or agreed to lower rent to tenants in times of trouble (Desmond 2012). In some cases, a more personal relationship encouraged tenants to report problems: tenants in long-term tenancies felt comfortable asking for repairs because they had built trust with the landlord (Lister 2004). Yet in other cases, this relationship prevented tenants from reporting housing problems. The informal, reciprocal relationship between one set of tenants and their landlord meant that the tenants were tolerant of delays in fixing problems. The tenant said, “We like it as a home so he hasn’t put our rent up. He looks after us. He is a bit slow sometimes. But it works both ways” (quoted in Bierre, Howden-Chapman, and Signal 2010, 28). In another study, a tenant reported “I was kind of really nagging him about it [some repairs] and then he brought up the subject of how much rent I owed him so I shut up about that for a bit” (quoted in Lister 2006, 149). The implication is that the landlord had the power to end the tenancy due to rent arrears. This occurred in the American case already mentioned: a landlord who had previously shown leniency to a tenant by accepting late payment of rent evicted a tenant for non-payment of rent after she complained about the condition of her dwelling to authorities (Desmond 2012).

In some cases, the conflict over housing quality remains hidden because tenants move out, rather than work towards the resolution of problems (Bachelder et al. 2016; Cook et al. 2002; Fozdar and Hartley 2014; Grineski 2008; Lister 2004): to “exit”, rather than “voice” (see Chisholm, Howden-Chapman, and Fougere 2016; Hirschman 1970). Lister (2004, 323) notes that 8 of the 15 people in her study “stated that they wanted to leave or would leave their current tenancy at the earliest opportunity”, six of these due to negative experiences. Similarly, another tenant noted that “They [landlords]
just grind you down till you just give up and we thought ‘We’re leaving now and we’ll never deal with him again and we’ve learnt from the experience’” (quoted in Lister 2004, 324). One tenant described the problems with their housing – “the windows are coming out of their frames” – and said “We’re moving again, I don’t like it here” (quoted in Cook et al. 2002, 307). Another reported that they had previously been unable to get the landlord to resolve issues with the home and that as a result they “will hopefully move by next year” (quoted in Fozdar and Hartley 2014, 166). In the cases reported, tenants often moved out without explicitly telling the landlord that this was due to problems in housing quality or lack of repairs. The conflict over housing quality remains hidden, only disclosed to the researcher. Moving may resolve the immediate problem for the tenant, but it leaves the issue for future tenants. As one author noted, this means that “exit” cannot fulfil the market function of sparking improvements (Lister 2004, 324).

As noted already, fear of damaging the relationship with the landlord prevents some tenants from reporting problems or asking for improvements to their housing. Vaughan (1968, 214) reflects that “the tenant has one power leverage – the threat to move”, but that this threat lacks force because both tenant and landlord know that “with their limited resources, [tenants] cannot hope to do appreciably better”. For an American family experiencing poor housing conditions, “due to limited income, they were unable to move elsewhere” (Durst 2014, 208). Tenants with low incomes, aware of the lack of alternative housing, are less able to raise issues. Lister (2004) noted that those tenants in her study who received housing benefit had fewer options than workers or students due to their lower income. This “constrained their ability to move and resulted in a ‘forced’ maintenance of a tenancy relationship regardless of satisfaction levels” (Lister 2004, 325). If tenants knew that other properties on the market in their price-range were similar, there was little point in moving.5 After listing a number of problems with her housing, one tenant said that the family would stay put because “we do not have any other options” (quoted in Grineski and Hernández 2010, 209). Some tenants were in a stronger position. One author observed that American tenants receiving a Housing Choice voucher to pay for their rental homes in the private rental market (approximately 6% of all private rental households) were able “to stand up to landlord abuses and to acquire homes with characteristics they prefer”, in contrast to other low-income tenants (Grineski 2008, 449). The relationship between economic status and the ability to complain suggests that in markets with plentiful rental supply, including in lower price brackets, tenants will have more power to assert their rights. However, this situation did not come up in any of the reviewed studies.

As illustrated by the examples in this section, second dimension conflicts in interest over the quality of homes exist and are discussed among tenants, other trusted people, and potentially, a researcher. However, they are hidden: they are not raised with the landlord or to other authorities who could potentially address the issue. Tenants who are unhappy with housing quality often do not report the problem to their landlords, because it is awkward or uncomfortable to do so, because they think it would not be effective, or because they are afraid of this having negative repercussions, such as a rent rise or eviction. As Gaventa (1982, 161) observed, “it is not the actual exercise of coercion but the constant possibility that it might be exercised that supports the routines of non-challenge.” Personal ties with the landlord can also prevent tenants raising issues.
Thinking about the second dimension of power, where power is hidden, enables researchers to understand that power is at work even when it cannot be seen: “it allows for consideration of the ways in which decisions are prevented from being taken on as potential issues over which there is an observable conflict of (subjective) interests” (Lukes 2004, 25) (italics in the original).

**The Third Dimension of Power**

The third dimension of power may be at work where tenants in poor quality housing do not appear to experience this as objectionable, because they see this as “as natural” (Lukes 2004, 28). As our framework shows, the key questions to ask to assess the effects of power in the third dimension are: What grievances are not experienced as grievances? What is the “relevant counterfactual”? Researchers observed that tenants were accustomed to living in substandard housing and knew that there were no superior options available to them. The authors of one study reflected that the tenants involved in the study had low expectations for housing quality because they “do not have experience living outside of low-income housing to compare to” (Dillahunt, Mankoff, and Paulos 2010, 3). In the Iowa study, one participant reflected that “the house is a definite improvement over the last place she [her infant daughter] lived” (quoted in Cook et al. 2002, 303). To another participant, the problems in her current home – a leaky roof and a lack of hot water – were “insignificant” compared to her previous home, where she had experienced gas leaks (Cook et al. 2002, 304). Lister (2004, 326) notes that the participants in her study who received a housing benefit to supplement low incomes (in contrast to those that worked or studied) “appeared to modify or lower their expectations about standards in the property and the levels of service provided by the landlord”. Tenants told the interviewer that the housing problems they experienced were “normal for rented property” (quoted in Lister 2006, 151); the researcher reflected that participants “appear to be unaware of the potential [health] risks they face” (Lister 2006, 149) One participant said, “It could be a lot worse just going by our experience of the past house we were in, so I think we’re all quite happy” (quoted in Lister 2004, 326).

The third dimension of power is at work in these examples because the “relevant counterfactual” (Gaventa 1982; Lukes 2004) is that because people value qualities such as safety, comfort and warmth, it can be judged that a tenant would act differently, were it not for the power of the landlord to raise the rent, deny repairs, or initiate eviction. Objectional circumstances observed by the researcher are not experienced as such by the tenant, because the third dimension of power has shaped their cognitions and preferences such that their housing meets their expectations, and they see housing problems, as one tenant put it, as “insignificant”. The third dimension of power may explain why occupants of housing tend to rate their home in better condition than independent housing assessors (Buckett, Jones, and Marston 2011; Buckett et al. 2017). Their previous experience of the housing available to them, has meant “they accept their role in the existing order of things, either because they can see or imagine no alternative to it, or because they see it as natural or unchangeable” (Lukes 2004, 28).

The second and third dimension of power in the context of rental housing may be easily confused. In both dimensions, tenants are living in objectively poor quality housing, but are not making any effort to challenge this situation. However, the tenants
in the second dimension are aware that their situation is objectionable, and may discuss the situation with their friends, family, the researchers, or other people who will not challenge the situation. The conflict in interest is hidden from the landlord and the authorities, but it is known to the tenant. In contrast, the tenant in the third dimension of power, where power is invisible, is living in an objectionable situation, but does not think of the situation as objectionable. As the examples in this section have shown, they may well describe their housing in positive or neutral terms. As a result, when conflicts in interest appear in the third dimension of power, they are more difficult to study: we rely on the contrast between how researchers and how occupants assess their housing. Or, to put it another way, the contrast between the “relevant counterfactual” established by the researcher and the tenants’ own experience.

**Discussion and Conclusions**

In this paper, we have built a framework based on the theoretical work of Lukes, and the methodological work of Gaventa, that can be used to analyse the different aspects of power that affect dominant relationships between actors at the micro level. The research questions help determine what dimension of power is in operation in any situation. The framework is useful to analysing different aspects of power and explaining how they interact and perpetuate each other. In this study, we have illustrated the framework with reference to the tenant-landlord relationship in dualist rental systems. The small sample of papers reviewed means the results should not be overstated. Future research could test the framework on the tenant landlord relationship via specific studies, as well as reviews of studies, as we have done. Including other countries and grey literature in such reviews would be likely to yield more examples of the operation of power in its different dimensions. The framework could equally be applied to a number of other potentially dominant micro-level relationships within housing, such as between homeowners and body corps, social tenants and social landlords, and local authorities and homeowners or developers, tenants and landlords in integrated rental systems, as well as outside of housing (e.g. within workplaces).

In the housing literature, it is easy to focus on observable phenomena, such as, in the case at hand, the disadvantages tenants face when they try to improve their conditions. This is where tenants’ actions to get improvements and repairs fail, or when they experience negative consequences such as rent rise or eviction. However, the qualitative literature on why tenants fail to report housing problems support Lukes’ instruction that “we need to attend to those aspects of power that are least accessible to observation: that indeed, power is at its most effective when least observable” (Lukes 2004, 1). In the second dimension of power, where power is hidden, tenants are unhappy with their housing but fail to report problems to the landlord. This is because they do not believe doing so will result in repairs being made; because they are afraid of drawing attention to themselves; because they fear damaging the relationship with the landlord, and potentially, being evicted; and because they have a personal relationship with the landlord that makes it awkward to complain. Where possible, a tenant may move out of a house in response to problems, rather than report problems to the landlord. In the third dimension of power, where power is invisible, tenants do not find poor housing conditions objectionable, and therefore do not complain about them.
Viewing tenant-landlord power three-dimensionally highlights the diverse disadvantages tenants have in asserting their rights to quality housing, and emphasises the importance of taking into account the hidden dimensions of power that shape and limit social behaviour. The analytical framework we have proposed is also useful in bringing into relief the interaction of the different faces of power. As Gaventa (1982, 256) pointed out, “it is only through the interrelationship of the dimensions and the re-enforcing effect of each dimension on the other that the total impact of power upon the actions and conceptions of the powerless may be fully understood”. For example, only two studies reported that tenants had been evicted as a result of reporting problems – a clearly visible, first dimension manifestation of power. However, tenants in a number of other studies feared eviction, which prevented them reporting housing problems – the grievance remained hidden, in the second dimension of power. The decision against complaining about housing conditions because of the belief that doing so would not be efficacious exists in the second dimension of power, as the landlord may never be aware of a tenant’s grievance. Yet, it is clearly connected to people’s previous experience, or the experience of people they know – the failure of previous attempts to assert rights, a visible manifestation as documented in the first dimension of power. The third dimension of power – where conditions are not challenged, as they are expected and seen as natural – are based on cognitions shaped by a variety of life experiences, potentially including visible and hidden conflicts in interest in power’s first and second dimensions.

Similarly, for people to be able to assert their rights, and have any hope of gaining superior housing, their relationship to power must change. They must first become aware that the situation is unjust: in other words, invisible power must become discernible to them. Only then may they talk about the situation amongst themselves (hidden power) and even, then, to make the conflict visible, through voicing their grievance to their landlord, to the authorities, or to someone else who can challenge the situation.

Attending to these aspects of power, and their interaction, helps illuminate why regulation that relies on tenants reporting problems with their housing to the landlord, or the authorities, fails to protect many tenants. It also helps us to think holistically about possible interventions to remedy the problem of tenants failing to report housing problems. To address the identified issues in the first dimension of power – where power is visible, and where tenants who take action fail to see results, or are evicted – policy-makers should ensure that all tenants have access to tenant advocates or legal aid, which support tenants to assert their rights, gain compensation or find alternate housing. To respond to the problem of landlords ignoring requests for repairs, authorities could supervise the lodging of repair requests in web-based systems, which establish clear records, automate reminders to the landlord, and provide an opportunity for authorities to step in if repairs are unduly slow. Improving security of tenure by limiting the grounds for tenancy termination and instituting or improving protection against retaliatory notice may also help protect tenants as they could win improvements to their home safe in the knowledge that they could remain there.

Addressing identified issues that prevent tenants reporting problems in the second dimension of power, where power is hidden, requires a suite of policy measures. Experience of success in resolving issues is likely to encourage more tenants to take action. A more professionalised rental sector may reduce some of the anxieties created by personal ties. Policies that encourage purpose-built rental housing will increase...
supply and ease the pressures on private tenants that are wary of reporting problems because they would have nowhere to go if they have to move out. A greater supply of social or public housing would mean that those private tenants that are most vulnerable to the changes in income and rent that make endangering a private tenancy so frightening, are no longer put in this situation. Tenancy reform, such as longer leases or ending no-cause evictions, will encourage some tenants who may have been scared of eviction to speak up about housing problems; however, the myriad of other factors discouraging tenants from reporting housing problems means that this will not guarantee healthy rental housing.

This article has shown that different incomes or lease situations can make a difference to whether tenants feel able to take action in response to housing problems. The security of occupancy afforded by having a high income or living in a rental market with plentiful supply may clearly impact on tenants’ decisions to take action on housing quality problems. However, the examples from some of the reviewed studies which included tenants from higher-income groups, such as people interested in sustainability practices and renters who did not receive welfare assistance, indicates that even higher-income people can be subjected to forms of power that prevent the airing or addressing of grievances. The relationship between market position, or specific rental market, and domination in regard to housing quality matters could be further explored through research that explicitly explores the responses of tenants of different groups to housing grievances. This could look at how different degrees of secure occupancy (Hulse and Milligan 2014) – partly measured by market conditions, income relative to rent, lease conditions, and tenure norms – affect tenants’ ability to report housing problems. These issues clearly take into account factors such as class and spatial location; such an analysis might also include how household composition affects this dynamic.

The process for addressing power in the third dimension, where power is invisible, is subtler. The reinforcing and interacting nature of the different dimensions of power means that if tenants were to experience success in resolving housing problems (first dimension, visible), and if this enabled them to bring to light issues previously silenced (second dimension, hidden), then tenants might be more likely to see their housing conditions not as, in Lukes’ words, “natural” (third dimension, invisible), but as unjust and able to be challenged. In addition, it may be that tenants’ expectations can be raised through changes in the public discourse. Gaventa (1982, 257) describes a process of “conscientization” which can work to “overcome the effects of the third dimension of power”, where the powerless are “able to explore their grievances openly” and “develop their own notions of interests and actions, and themselves as actors”. This may have occurred recently in New Zealand. A 2010 survey found that tenants were more likely than owner-occupiers to believe their housing was in good condition, despite independent assessors finding that the owner-occupied housing in the survey was in superior condition. It was suggested that this was because tenants “have lower expectations surrounding the condition of the home” and “accept lesser conditions as ‘the norm’” (Buckett, Jones, and Marston 2011, 10). However, in 2015, tenants were more likely than owner-occupiers to believe their housing was in poor condition. The authors suggested that this change was due in part to “the political climate, [and] media attention to the condition of rentals” (Buckett et al. 2017, 26). Indeed, recent years have seen increasing attention on the poor quality of New Zealand’s rental housing (Bierre and Howden-Chapman 2017). It may be that the work of researchers and advocates
to draw attention to the poor state of rental housing – which has been accompanied by the sharing of tenant experiences in political and media campaigns – is being reflected in higher expectations for housing quality, that will assist to challenge the poor state of rental housing. Due to the close interaction of the different dimensions of power, as noted above, any measure that supports conflicts in interest to move from being invisible, to hidden, to visible, will support tenants to ultimately assert their rights.

A point often made in the papers under review is that in liberal free market systems, tenants have little power – or less power than they appear to have – to assert their rights to quality housing. Lukes’ three-dimensional view, operationalised in this paper through a framework, enables exactitude in this diagnosis, allowing us to recognise the different ways – visible, hidden, and invisible – that power operates to ensure tenants are unable to assert their rights, and how these different dimensions of power interact and reinforce each other. This enables thinking through policy solutions that address each of these dimensions. Yet the myriad of factors that prevent tenants from challenging housing problems, in all three dimensions of power, are likely to mean that many tenants will remain unable to report housing problems for the foreseeable future. Therefore, it is worthwhile considering ways of providing for housing quality that do not rely on tenants’ reporting problems. As we have seen, power, in all its dimensions, can work against tenants’ reporting problems with their housing. One way of overcoming this problem are schemes whereby rental properties are required to meet a checklist of basic standards (Telfar-Barnard et al. 2017). This might be enforced through universal inspections, or through landlord guarantees that properties meet standards, backed up by random audits of properties by authorities (Blick and Davies 2014). In the United States, when several jurisdictions mandated regular and systematic inspections of housing, it led to significant improvements in quality, particularly in high-risk and rental housing (MacRoy and Farquhar 2010; Ruffer and Boyce 2008). Given that such regulation can impact on rental housing supply (Burfurd, Gangadharan, and Nemes 2012; Coleman and Scobie 2009), and as already noted, a limited supply of housing is likely to work against tenants having the confidence to voice their concerns, such regulation should be accompanied by the aforementioned measures to encourage rental housing supply. Taking action – either by improving the enforcement mechanism, or introducing a suite of measures that help counter the workings of power that prevent tenants reporting problems – is crucial to ensuring that rental housing standards protect tenants from harmful housing.

Notes

1. In England, people that receive housing benefit may have their homes inspected, but this is to confirm fair market rent and does not necessarily require rent officers to enter the building (Valuation Office Agency 2018).
2. A report on the same study drawn on in an article in this review (Palmer et al. 2015) makes a similar point. Tenants were reluctant to ask their landlord to ask for improvements related to energy efficiency because they did not want to “upset” or “push” the landlord, because they were “trying not to be a demanding renter”, or, in one case, because they were afraid the request might prompt the landlord to raise the rent simply because his attention had been drawn to the property (quoted in Instone et al. 2013, 112).
3. Personal relationships with the landlord worked against tenants making complaints about housing quality were also noted in a number of studies outside the scope of this review.
(McDonald 2014; Popplestone 1972; Vaughan 1968). For example, in one study, “tenants did not want to...make any requests that might be seen as unreasonable, reportedly because of concern about the landlord’s own financial situation” (McDonald 2014, 25).

4. Gray (2014) observed a similar problem – what she calls “the price of proximity” – on small farms with immigrant workers in the United States. Asked what would happen if a problem in the working situation arose, one worker said, “Honestly, I wouldn’t know what to do, because the boss is a good person and gives us a home and doesn’t charge us rent” (quoted in Gray, 2014, 60).

5. A report on the same study drawn on in an article in this review (Palmer et al. 2015) makes a similar point. The low vacancy rate in the area meant that “the market pressure tenants can apply to landlords for sustainability changes to dwellings is limited” (Instone et al. 2013, 108).

6. Dillahunt, Mankoff, and Paulos (2010, 3) found that experience of living in public housing gave tenants higher expectations of housing conditions, while Cook et al. (2002, 307) found that public tenants had lower expectations for housing quality.

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