

GUARDIANS OF THE PROPERTY

POP-UP HOUSING FOR POP-UP PEOPLE

ARTICLE BY
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Across London and other European cities, a new way of living is taking root: property guardianship. Blocks of flats, police stations, social housing, libraries, offices, warehouses, schools – buildings that have been taken out of use – are occupied by a new anti-squatting measure: people who guard property by living in it. Whilst ostensibly a win-win situation for everyone, this industry is a symptom of the desperate state of urban housing and ultimately reinforces the factors that caused it, as well as normalising lower conditions and precarity.

The pitter patter of a keyboard hums in the dust-speckled London space. Two tattered sofas in the corner are dwarfed by 70 square metres of open office space. Matthew, a thirty-something freelance documentary film-maker, is working from home. One floor down, along from an old reception area, is a makeshift kitchen shared with 12 other people.

Matthew is a property guardian, one of many thousands living in European cities such as London. Property guardianship started out in the 1990s in the Netherlands as ‘Anti-Kraak’ (anti-squat), a way to counter squatting. The owner of a building would employ a company to manage the building until it was sold, demolished, or redeveloped. That company would find people – often students and artists who needed cheap living and working space – to live in the building for below market rents and very short-notice agreements. The building would remain occupied, and thus secured against squatting. Some of these companies are set up for the sole purpose of property guardianship

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while for others property guardianship is one option in their portfolio of security measures. These businesses have since spread from the Netherlands to other parts of Europe; industry pioneer Camelot Europe has offices in the UK, Ireland, Belgium, Germany, and France.

Whilst initially seen as a marginal and stop-gap solution for students or artists, property guardianship in London and elsewhere has become increasingly normalised, formalised, and expensive. Amidst the largely positive press, criticisms from lawyers and guardians themselves have joined those of squatter and housing organisations, pointing out that the legal grey area guardians occupy – as neither security guards nor tenants – opens the door wide open to exploitation of this new class of ‘sub-tenants’. On top of this, this practice represents a symptom of a problem; a symptom that has managed to market itself as a *solution*.

WHERE ARE MY RIGHTS?

Property guardians in the UK are legally classed as ‘licensees’, not tenants (they pay a ‘license fee’, rather than rent). They are not protected by tenant rights, such as those regarding privacy and tenure. The average contract between a guardian and the property guardianship company would include: the

right for the company to visit all areas of the property at any time without warning; no pets or children (even to stay one night); no guests in the building without the guardian present. Without tenants’ protection, there are no rules about how many toilets and showers are needed for a certain number of people, for example. In one old doctor’s surgery in South London, nine guardians shared one shower and one kitchen. Many properties don’t have internet or phone lines and often guardians are not allowed to install washing machines or ovens – the short notice period means this is often not worth the cost anyway. The deposit guardians have to give to their property guardianship company (up to 800 pounds) is not legally protected, and companies such as Camelot are notoriously bad at returning them. Initially, guardians were given as little as 24 hours to move out but this has increased to 28 days after lawyers highlighted this was not legal. Many contracts also prevent guardians from speaking to the media about their experience.¹ In order to legally protect themselves from having to provide tenants’ rights, property guardianship companies ensure guardians cannot claim ‘exclusive access to a space’, one of the key conditions of being a tenant. This they do through unannounced visits to the guardians’ rooms whenever they want, often once or twice a month. Mirela, a mental health nurse from

¹ ‘The high price of cheap living: how the property guardianship dream soured’. *The Guardian* 2015, Lucas Amin and Margot Gibbs. <https://www.theguardian.com/society/2015/dec/24/the-high-price-of-cheap-living-how-the-property-guardianship-dream-soured>

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Romania, explained, “I don’t feel comfortable with a stranger coming in my room and finding a note when I come back. Someone has been here. I feel like my space is invaded and also because I’m quite tidy I wouldn’t like people to know if I have clothes around. I’m paying, at least give me my privacy.”

Guardians are not protected from sudden rent hikes: one morning Matthew received an email informing him his monthly ‘fee’ would increase from 350 to 550 pounds the following month. Guardians have no idea whether they will stay 28 days or three years in a place. Alice, an archaeology graduate working in tourism, was given notice to leave within two weeks of moving into a new place, shouldering time and financial burdens that she could ill afford. The lack of security built into being a guardian affects their homemaking; they tend to make less effort or have less furniture and a more makeshift and temporary feeling leads to many never really feeling at home, even after years of inhabiting a place (especially knowing a stranger could enter at any moment). This is particularly visible in larger properties – such as ex-care homes or old office buildings – with locks on cupboards, new guardians coming and going without input from other residents, and the anonymous feel of a hostel. Many guardians report feeling anxious about the possibility of having to move on and uncomfortable with the lack of privacy and rights. Alice remarked of living in a property guardianship that “I didn’t feel secure, I never felt stable.”

POP-UP PEOPLE

Looking at the characteristics required of a guardian, we can begin to see how property guardianship represents an extension of deeper contemporary socio-economic trends into the area of housing. For the characteristics required of them – reliable, flexible, disposable – are also those of the growing group of people who make up what economist Guy Standing has dubbed the ‘precariat’. For this ‘class-in-

the-making', work is increasingly precarious, short-term, and flexible. The rise of zero-hour contracts exemplifies this: in the UK today there are 1.7 million zero-hour contracts, making up 6 per cent of all employment contracts.² This is four times higher than in 2000. This shift towards temporary jobs and being 'independent contractors' underpins what many have called the 'sharing economy' but in reality is better described by the term the 'access economy'.³ This includes platforms that enable people to monetise temporary access to their assets – such as their property (Airbnb) or their cars (Uber and Lyft) – and platforms that just connect service users with service providers, such as Deliveroo. Property guardianship as a platform linking service users with service providers to extract money from the use of temporarily empty properties, and the provision of this service by people on insecure and right-less contracts, is the epitome of these processes. It is a new manifestation of these under-the-surface dynamics that foster ever more imaginative efforts to bring new areas into the market and extract profit from them; bringing it to a level at which even the spaces in between the owner's usage – when assets are apparently *unused* – can be used to extract money. In a new twist, guardians also pay for the privilege of providing the service of guarding properties.

The rights of the 'pop-up people' who maintain these new structures have been watered down if not dissolved. Just as guardians don't have tenants' rights, Uber drivers or Deliveroo couriers as independent contractors shoulder the financial investments and risks of their trade and don't have rights such as sick pay or insurance. Just as Uber doesn't have the responsibilities towards its drivers that taxi companies do towards theirs, property guardianship companies do not have the same obligations towards their guardians as a landlady towards her tenants. What this represents in the broader picture is the creation of new structures of work and living which appear the same as before, but lack the same rights and protection and require a huge level of flexibility and insecurity of the person providing the service. Property guardianship represents the creeping of these processes of flexibilisation, precarity, and decreased rights into the new area of housing. In this scheme, which seems more emblematic of neoliberal logics the more one learns about it, housing becomes a by-product of providing a service, not a right. These pop-up people are also commodified as products as well as service users: guardians' bodies are effectively replacing infrastructure (security companies would previously have boarded up the buildings and installed CCTV). Guardians like

2 'Number of zero-hours contracts stalls at 'staggering' 1.7m'. *The Guardian* 2017, Angela Monaghan.

<https://www.theguardian.com/uk-news/2017/may/11/number-of-zero-hours-contracts-stalls-at-staggering-1-7-million>

3 'The Sharing Economy Isn't About Sharing at All'. *Harvard Business Review*. Giana M. Eckhardt and Fleura Bardhi <https://hbr.org/2015/01/the-sharing-economy-isnt-about-sharing-at-all>

Matthew, Alice, and Mirela are also products marketed to property owners; “we provide reliable and trustworthy guardians”, as Ad Hoc Property Guardians company boasts.⁴ Guardians often have to provide references and, in some cases, proof of a social conscience and willingness to invest in the local community (such as with Dotdotdot Property Guardians).

WHOSE CITY?

More than most cities in Europe, London shows us how extreme the housing crisis can get. Private renters there spend around 70 per cent⁵ of their income on rent, sterile luxury developments are being built in areas once known for being affordable and vibrant, and social housing is being demolished and neglected, and replaced with private housing – with young professionals displacing working-class people who are pushed further and further out. Property guardianship plays a role in facilitating this.

Research by Green London Assembly Member Sian Berry found that 24 out of London’s 32 local governments were using property guardians in their empty properties⁶, with over 1,000 people in over 200 publicly-owned buildings in 2016. East London’s iconic social

housing building, Balfour Tower, was recently transferred to a housing association. Since its social residents were moved out in 2014 for so-called ‘refurbishments’ guardians have lived there, and the housing association has now announced it will be renovating the flats with a property developer and selling them on the private market. By preventing neglect and squatting for years, property guardians *unwittingly* – for they are victims of these same processes – played a role in facilitating its passing from public to private hands, easing the process by allowing the housing association to sit on it without doing anything for several years. This is actively encouraged by the state – through recent legal changes such as criminalising squatting in residential properties and loosening regulations about changing a building’s use from commercial to residential (to let guardians stay there), as well as the deregulation of the housing market that started under Margaret Thatcher in the 1980s. Almost all properties managed by property guardianship company Ad Hoc are in council-owned estates. Property guardianship also obscures and normalises the fact that there are so many empty houses in cities like London, private as well as council-owned, that have been emptied of residents in order to sell to private developers.

4 ‘Living the Ad Hoc way’. Ad Hoc Property Guardians website. <http://www.adhocproperty.co.uk/property-guardians/living-the-ad-hoc-way/>

5 ‘Tenants in England spend half their pay on rent’. *The Guardian* 2015. Hilary Osborne <https://www.theguardian.com/money/2015/jul/16/tenants-in-england-spend-half-their-pay-on-rent>

6 ‘Property Guardian Use in the Public Sector in London’. Sian Berry Assembly Member website. http://www.sianberry.london/wp-content/uploads/2016/08/SianBerry_Property_Guardians_London_2016.pdf

The point here is that property guardianship is not a natural and inevitable consequence of market forces in which people who need housing fit neatly into naturally empty spaces, but is part of a wider process where buildings that *are* in use are emptied of their residents and turned into vehicles for monumental levels of profit. Its increasing profitability is due to state intervention in some areas – in supporting property owners in extracting more rent from their properties – and the withdrawal of state intervention in others, when it comes to ensuring affordability and protection for tenants. Whilst some guardians liked the idea of living in large and unusual spaces, most we spoke to were motivated by the high cost of renting. In this situation, renters in London are forced to trade in rights and security by becoming guardians for rents they can afford. And whilst the state is the main engineer of this process, the winners are private actors and companies for whom the London housing market is an increasingly lucrative cash cow – whether by buying up London’s public housing stock and turning it into unaffordable private accommodation or now through property guardianship (Camelot Europe having a yearly turnover of five to six million pounds). This slow takeover of publicly-owned properties and assets by private actors, supported by the state, is a classic feature of neoliberalism and bears out

Naomi Klein’s argument that neoliberalism, rather than weakening the state, is highly dependent on it.

CONFUSING THE SYMPTOM WITH THE SOLUTION

Property guardianship is a symptom of London’s broken housing market – but its appearance as a win-win solution which both solves the blight of empty properties and provides cheap housing means it is confused by many with the solution. It thus obscures the extent of the problem and provides an excuse for politicians not to act. Owning empty property used to incur costs, but now it is increasingly profitable, and this will surely have an effect on property owners, just as research has shown that Airbnb drives up property prices.⁷ Whilst reinforcing the narrative that the ‘invisible hand of the market’ will eventually sort out all problems, property guardianship is actually state-led and it is part of the problem, not the solution – not only that, but it contributes to it, by normalising corporate control of housing, lower tenant rights, and insecurity, by easing the process of gentrification, and masking the extent of the problem. It is a new way of extracting rent from properties, exploiting people like Mirela, Alice, and Matthew’s desperate need for housing in London.

⁷ ‘American Prospect: The Unsavory Side of Airbnb’. *American Prospects* 2015. Steven Hill. <http://www.steven-hill.com/american-prospect-the-unsavory-side-of-airbnb/>

When David Harvey, in his seminal book *Rebel Cities*, wrote about the city as the factory for a new type of class struggle that would birth real revolutionary movements, he argued that it was against new types of urban rent extraction and human desperation such as property guardianship that these movements would arise. This edition explores how cities foster new forms of political and social experiments – yet these cannot be understood without identifying what they are reacting against. And whilst a key characteristic of the ‘precariat’ – and of guardians – is being fragmented, dispersed, and not rooted anywhere, which makes it harder to organise and demand their rights, groups of urban precariat workers, such as Deliveroo couriers and Uber drivers, are starting to stand up for their rights, as are guardians such as Rex Duis who has published a charter for property guardianship companies.

A recent court case in the British city of Bristol has called into question whether property guardianship will continue in the UK. Regardless of the outcome, this practice has exposed certain processes at play within European cities, such as the tendency to put the needs of corporate actors before even something as basic as the right to decent housing. It raises questions about urban space: how are neoliberal economic processes reshaping and curtailing people’s access to urban space, and how can this access be safeguarded? What will happen to the already feeble political will

to solve the deep yet politically resolvable housing crisis of London and other European cities if the expansion of property guardianship is seen as a viable alternative? Instead of being a solution, property guardianship must be a catalyst to examine and respond to the worsening crisis it springs from.



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