

# Housing Rights



## A VICIOUS CYCLE:

The interactions between high cost credit and housing costs in Northern Ireland

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# Housing Rights

**Housing Rights** is Northern Ireland's leading provider of independent specialist housing advice. For over 50 years we have been working to prevent homelessness.

Housing Rights gratefully acknowledges the support of The Consumer Council in commissioning this research.

The Consumer Council is a non-departmental public body (NDPB) established through the General Consumer Council (Northern Ireland) Order 1984. Its principal statutory duty is to promote and safeguard the interests of consumers in Northern Ireland. The Consumer Council is funded by HM Treasury (HMT) in relation to the issue of illegal money lending in Northern Ireland. The focus of our work in this area is research, education and supporting the development of alternative forms of lending.

Sincere thanks also goes to the Housing Rights advisers and volunteers who contributed their experiences.

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# A VICIOUS CYCLE: THE INTERACTIONS BETWEEN HIGH COST CREDIT AND HOUSING COSTS IN NORTHERN IRELAND

**‘Credit can be a very good thing, if you use it right’.**

**Ann Pettifor (2016)**

## Introduction

For many clients of Housing Rights, access to affordable sources of credit can be a lifeline and an important means to helping them to avoid homelessness. The right kind of credit, used in the right way, can be a very good thing, as Pettifor demonstrated in her 2016 book ‘The Production of Money’. However, without access to mainstream and affordable credit, some people can come to the conclusion that they have no alternative but to borrow from high-cost sources of credit such as doorstep lenders or payday loan companies, or take loans from illegal sources such as paramilitary organisations or illegal loan sharks. All of these types of credit may end up having a seriously negative impact on people’s lives and on their ability to maintain their tenancies and keep a roof over their heads. By the time clients come to Housing Rights for advice, they are often on the verge of losing their home, often presenting with other debt issues alongside housing debt issues (mortgage or rent arrears). Housing debt and unsecured debt (such as high-cost credit and illegal lending) are more often than not inter-related.

The research, which was commissioned by the Consumer Council, explores the interaction between high-cost credit (including illegal lending) and housing costs, using the experiences of Housing Rights advisers with over 12 years of experience in dealing with clients with housing debt issues. In their experience, clients with housing debt issues often present with other debt issues as well and the research explores the interplay between these types of debt. The aim of the research is to explore the impact of the debt on clients’ ability to remain in their homes and/or sustain their tenancies<sup>1</sup>, rather than the scale of high-cost lending among Housing Rights’ clients.

## Methodology

Whilst Housing Rights advisers have dealt with clients with significant debts over the years, the focus has always been on preventing homelessness rather than debt advice per se. However, as a result of their interactions with clients who have tenancy problems as well as debt problems, our advisers have experience of clients with high-cost credit problems and some of this data has been recorded on our data recording system (when it is most relevant to the case). There is a limited amount of recorded quantitative data on actual debt amounts for clients and this has been used to inform the research.

1. Sustaining a tenancy in this instance refers to the ability to maintain rent payments in order to avoid arrears and thereby risk eviction for non-payment of rent.

The data available for analysis is from case records (<500 cases over past 8 years with non-priority debt, a small proportion of which (less than 10%) relates specifically to high-cost credit, including illegal loans). The available data includes some information on income, expenditure and loan repayments and total unsecured debt as well as detailed case notes. It is not anticipated that this data will be representative of our clients or will be able to speak to the prevalence of high-cost credit amongst clients with housing problems, but will be indicative of the experience of Housing Rights clients who have high-cost debt (including illegal lending) alongside housing debt. The lack of data recorded on the case recording system is because these types of loans would be regarded as ‘non-priority debts’, and advisers are mainly concerned with priority debts when dealing with cases which involve potential debt relief etc.

It is important to note that the majority of those cases relate to clients with mortgage debt and the remainder relate to rent arrears for social tenants. None of the cases taken directly from case records relate to clients living in the private rented sector (see below).

There are myriad reasons for debt accumulation, suggesting that debt is a complex issue which requires narrative analysis in addition to quantitative exploration. Furthermore, there are significant issues with asking clients directly to recall their experiences with debt as there is a reluctance to talk about debt, which for many people is a taboo subject. For this reason, the research relies heavily on interviews with Housing Rights advisers (present and past) with experience of dealing with clients over many years as well as input from one of Housing Rights volunteers with experience of working with clients who have emigrated to NI from her home country. These interviews will be used to provide recollections of clients who have had issues relating to high-cost credit, including illegal lending. The research includes some anonymised case studies on relevant cases taken from Housing Rights case recording system, spanning the past 10 years and sought to address the following key issues:

- What role did high-cost or illegal loans have on Housing Rights’ clients’ ability to maintain their tenancies?
- Did clients prioritise high-cost or illegal lenders over their housing costs and what impact did that have?
- What challenges did advisers face when supporting clients to maintain tenancies whilst also dealing with high-cost or illegal loans?

## Types of credit used by clients

Housing Rights’ advisers experienced clients with several types of credit in addition to their housing debt and often alongside mainstream credit, such as bank loans, overdrafts and credit cards:

**Store cards and catalogues** - often overlooked as a source of high-cost credit, store cards and catalogues are a very common form of credit used by Housing Rights clients. Repayment methods varied but included direct debit or standing order (often only for the minimum required payment).

**Credit Union** - this was a very common source of credit for clients who were often very reluctant to approach their local CU to reduce payments when they were in financial difficulties because of the need to maintain their credit union as a source of much-needed credit - but also because of the local nature of the decision makers in the CU who may know them or their family in a personal capacity. Repayment was often direct from a bank account but also could be in person at the CU.

**Doorstep Lenders (home collected credit)** - lenders like Provident and Morses Club were common among Housing Rights clients. Repayments were made in person to an agent, who is usually someone who lives locally and who works for one of the home collected credit companies such as Provident or Morses Club. However, the advisers suspected that many clients referring to 'doorstep lenders' were actually referring to illegal lenders who may also collect door to door in person.

**Online/Payday lenders** - in the early 2010s these became very common, particularly Wonga and other easy access online payday loans<sup>2</sup>. The advisers referred to these and other types of high-cost credit as a 'vicious cycle' for clients. Repayments were often made by credit card, and the process for this was not the same as a standing order in that it was more difficult for banks to stop a payment on a card. This meant that it was more difficult for clients to budget because they were never sure how much was coming out of their account as it was up to the lender how much they were taking out. In some cases, clients were going back to get further loans to help them to budget and in some cases the interest rates were over 1000%. In some cases the advisers had to negotiate directly with the client's bank on behalf of the client to stop the payments.

**Logbook loans** - this is where clients had to hand over their car log book - so the loan was secured on their car. The advisers pointed out that these were very common for a while in the early 2010s but seem to be less common now. Repayment methods varied.

**Guarantor loans** - such as 'Amigo' loans - by which clients apply for a loan along with a guarantor (usually a family member or friend). Advisers reported that these types of loans were particularly difficult for clients to avoid paying or renegotiate because of the impact that this would have on their relationship with the guarantor of the loan.

**Illegal loans** - usually from a local source known to the client from the community in which they live. These illegal sources include paramilitary lenders. Repayment methods varied, sometimes being collected door to door, but often (as illustrated below) the lender (or their 'representatives') accompanied the client to a cash machine to collect the repayment. In the past, clients on benefits had 'benefit books', and the advisers pointed out that it was common for these to be 'handed over' to illegal lenders to collect the money as repayment for the loan they had taken out. However, since the introduction of BACS transfers most clients had their benefits paid directly into their bank accounts, and this had meant that their repayments were made in cash and in person.

**Loans from family and friends** - these were the most difficult for clients to stop paying as their relationship with the lender was a close one. However, advisers speculated, based on information provided by their clients, that some of the clients who referred to borrowing from 'friends' were in fact borrowing from a local (illegal) money lender.

2. So called 'payday loans' have been the focus of regulation which came into effect in 2015 and which limited the amount of fees and interest which could be charged as well as a cap on the total amount which a borrower must repay (e.g. a borrower will not have to pay back more than twice what they had borrowed).

**Sub-prime mortgages** - although this is housing debt and not traditionally referred to as 'high-cost credit', the advisers pointed out that these types of mortgages were very common in NI in the early to mid-2000s. Clients still present with these loans, many of which are still being paid throughout NI and include interest only mortgages which were now coming to the end of their term. There are particular issues related to excessive fees and interest added to these loans when clients miss payments, leading to significant additional financial burdens and very high mortgage repayments.

Often clients presenting with mortgage or rent arrears had a mixture of these types of debts, rather than having issues with only one or two types of debt. In many cases (and particularly for clients who were homeowners), clients engaged in progressively more expensive types of credit as their access to more affordable sources of credit dried up as their debts mounted.

## Average loan amount

Using data available on 31 cases from Housing Rights case recording system where loan amounts (relating only to high-cost credit<sup>3</sup>) were recorded, the average loan was £970 - with loans ranging from £200 to £2000. Not all of the clients presenting with high-cost credit would have their loan information recorded however, and the advisers' experiences suggested that the average loan was around £300-£500. However, this related to the amount of each individual loan and it was the adviser's experience that clients would typically have several loans. In one case a client had 11 such loans and was completely out of credit options. This client had rolled over loans and borrowed from one source to pay another until she eventually sought help.

## Clients who have reported issues with high-cost credit

In the advisers' experience, some of the clients who had taken out high-cost loans were in work, particularly those who were also homeowners. However, many of their clients were reliant on benefits for some or all of their household income. A smaller proportion of clients who presented with high-cost credit were in well paid employment (which the advisers defined as above average income) but had maxed out their mainstream credit (such as credit cards and overdrafts). They had turned to high-cost credit in order to make repayments on their mainstream loans as well as to manage their household expenditure.

Exploring the cases extracted from the case recording system, most of these related to mortgage arrears and those clients were largely in precarious or low paid employment with several types of debts (including second mortgages), indicating a gradual reduction in availability of mainstream credit. For the clients who were social tenants there was a tendency for their debts to include catalogue debts and loans from family and friends in addition to their high-cost credit.

Whilst the Housing Rights advisers dealt almost exclusively with clients in social housing or who had a mortgage, one of the Housing Rights volunteers who worked on the BME Project<sup>4</sup> and was a community worker, had experience of helping clients from her own community and these clients lived almost exclusively in private rented sector (PRS) accommodation. Her experience was that these clients,

3. The following sources of high cost credit were used to select cases: unspecified lender (which includes 'illegal' lender), store card, doorstep lender (unspecified), Morses Club, Provident, Payday lender.

4. The Housing Champions Project, which involved volunteers from black and minority ethnic communities providing housing advice and support to those from their community.

who had borrowed from various sources including doorstep lenders and illegal lenders, had very few options when it became difficult to repay their loans.

This community worker stressed that the problem was getting much worse for people from her community. She felt that they were facing insurmountable problems because the majority of them lived in the PRS and were now out of work due to the pandemic. Her clients largely worked through agencies and were neither laid off nor furloughed as a result of the pandemic, but simply had no work at all. Many of them had no entitlement to state support, meaning that they were targets for illegal lenders because of having no other means of support. The debt that these people were accessing was for emergency use - to help them to keep a roof over their heads or to feed their children. Her experience was that these families were more concerned with the immediate needs of feeding their children than either paying the lenders or paying their housing costs, leaving them in danger of eviction and indeed, in danger of actual physical harm (in the case of non-payment of illegal debts).

It should be noted that the cases highlighted by this research represent a skewed sample and one that is not necessarily indicative of high-cost credit users in general. The clients who engaged with Housing Rights were doing so because of having mortgage or rent arrears in the first place and the non-priority debt information (including information regarding high-cost and illegal borrowing) was provided as part of their full financial disclosure to the adviser.

## Housing tenure - the interaction of housing debt and high-cost debt

It was clear from the experience of advisers and the community worker, as well as from exploring the case records, that accessing high-cost credit was not restricted to any one housing tenure, with clients who were living in social housing, private tenants and homeowners engaging with high-cost credit.

Whilst Housing Rights advisers found that clients who were homeowners or social tenants were more likely to pay their debts than their mortgage or rent, the community worker stressed that for private tenants the reverse was often the case.

### Private renters

None of the clients which the advisers dealt with were living in the PRS. This is not to say that there were no Housing Rights clients who lived in the PRS and who also had high-cost debt, but that there was often little that could be done by advisers in these cases and therefore their non-priority debts would not be recorded or discussed:

*you can't deal with these cases because the landlord doesn't need to establish a ground to take possession of the property if there is no tenancy agreement, so if the landlord wants the property back, the court can't force the landlord to let the tenant stay there and find a way to clear the arrears. There's nothing that can be done to help them. In those cases, where do they go? They will find it really difficult to get another property because a new agent or landlord might look for a reference from their previous tenancy - and if they try to present as homeless, they will be regarded as intentionally homeless.*

However, all of the clients which the community worker had dealt with were living in the PRS and her experience of those clients was exactly as the advisers described. For these clients, non-payment of rent was not an option because of the risk of eviction and yet, non-payment of their debts was also not an option because of the risk of physical harm (in the case of illegal lenders). This situation often drove the clients to increase their borrowing in order to pay their rent.

However, many of these families lost their accommodation and this was an increasing problem due to the pandemic, with many families unable to repay their loans or their rent (see further information on 'The Impact of Covid-19' on P.12). Finding alternative accommodation was very difficult for these people because they would have no reference from their previous landlord and many ended up renting from 'rogue landlords' and living in very poor conditions, or sharing with another family. There were serious issues with over-crowding because of this increasing problem in her community, which in turn had implications for viral spread during the pandemic.

### Social tenants

For Housing Rights clients who were social tenants, the advisers felt that the tendency to prioritise non-priority debts over housing payments was because their clients were constantly playing 'catch up'. In this way, clients would occasionally avoid paying their rent in order to pay their debts down, with the intention that they would be able to catch up on the rent at a later stage - but their financial position was such that this was not always possible.

Advisers also felt that the client's priorities with regard to paying for their housing was affected by the nature of the loans. If the lender was an illegal lender or if the money was borrowed from family, the clients were more eager to ensure that repayments were made because of the consequences of non-payment (either damaged relationships, or in the case of illegal lenders, actual physical harm to them or their families).

One client would pay her rent for a few months and stop in order to pay her debts with this cycle repeating many times, leading to a very 'patchy' rent payment history which was impacting on her potential for sustaining her social tenancy. The advisers had experience of clients who were easily pushed over the edge financially:

*Some clients were managing a hand to mouth existence for months or years but then one thing pushes them over the edge - and it doesn't take much, maybe a broken down car, broken fridge or washing machine. They don't know there are options rather than going to a local lender or buying out of a catalogue - but there are other options for them if they were able to get the advice they need.*

The advisers recalled that clients presenting with high-cost loan problems were particularly prevalent in the period after Christmas. It was clear that some clients were taking out loans to pay for Christmas and were reluctant to ask for help at those times, often believing that the type of charitable help was reserved for people other than themselves. Instead, they were more likely to access high-cost borrowing.

Fuel poverty was cited as another major factor driving clients to seek high-cost credit. One client who was balancing repayments on several loans had recorded a huge amount of expense for oil on her financial statement.

It transpired that she was buying an individual drum of oil from the local garage every week, whereas if she had been able to get help to fill the tank, she could have got a monthly top up from then on and been able to afford it:

*the way she was operating meant that she just could never get ahead of her expenses.*

The advisers felt that the propensity to prioritise high-cost credit over housing costs was because of the immediacy of the consequences of non-payment:

*With high-cost credit, once you miss a payment there's an immediate impact - you face huge fees and/or you can't get any more credit, whereas with mortgage payments or social rent - you might just get a letter for the first missed payment, so it's easier to skip that than miss paying your loan... That's not the case in the PRS though, because the landlord might evict quicker than could happen in social housing or for homeowners.*

### Homeowners

As was the case for social tenants, the advisers recalled that clients with mortgages alongside other non-priority debts had often got into arrears because of avoiding making their mortgage payments in order to pay other debts down, with the intention that they would catch up with mortgage payments once the debts were at a manageable level. Some clients who were homeowners were unaware of the support to which they might be entitled. One adviser recalled a client who had a mortgage and had been in trouble in the past due to mortgage arrears. This client was not aware of the support she was entitled to (she was eligible to apply for charitable funds).

The advisers stressed that high-cost credit must also be considered in the form of sub-prime mortgages. These were quite common in NI in the early 2000s although a lot of the lenders are not lending in NI anymore, a lot of people still have those mortgages and many of them have been sold on to venture capitalist type firms who are collecting the debt. These companies are not regulated to lend however, which means that there is no way for the borrowers to have their mortgage debt restructured. These clients were also more likely to have borrowed unsecured credit from other sources.

The advisers reported that the interest charges are around 15% for these types of mortgages and that very high fees for missed payments etc. were common. For example, one couple took out an equity loan of £18k and faced financial hardship a few years later. By the time they came to Housing Rights, the couple owed several times the original loan due to the fees and interest that had been added due to the missed payments.

One of the advisers recalled a client who was living in a small terrace house which was in substantial negative equity. The client was on an interest only mortgage and was paying a very high mortgage payment each month. This client had turned to high-cost credit in order to try to manage their finances during a difficult period in their lives and was determined to remain in their home. The client was making additional payments to clear the mortgage arrears, but the interest accruing (on both the original loan and interest applied to the arrears) was more than the amount they were paying every month which meant that they were getting further behind in their debt, despite making their monthly payments in full and on time.

Several clients who had these sub-prime mortgages (many of whom had bought their property as a result of the 'right to buy'<sup>5</sup> scheme), had taken out a second mortgage on their property when the property prices were increasing in NI, and several clients had lost their homes over the arrears on the second charge mortgage. By the time they had got to the point of being at risk of losing their home, their credit rating was so poor that they were unable to access much lower cost credit to cover the second charge loan (e.g. a loan from a bank or high street lender, which would have helped them to stay in their home). These clients were often unable to renegotiate their mortgage with the lender because of the reasons outlined above. The advisers recalled that many of these clients had also turned to high-cost credit to manage their outgoings.

## Why do clients borrow from high-cost and illegal lenders?

### Convenience / ease of access

The advisers recalled that some clients turned to doorstep lenders in the first instance rather than preferring any other method of securing credit. This was often because of a familiarity with this type of lender (perhaps using the same company used by family or friends). Some clients clearly preferred the immediacy and convenience of the doorstep lender (even though interest payments were higher). Some clients were reluctant to approach their Credit Union, for example, because of the potential to be turned down for a loan, whereas they were guaranteed to get the credit they needed with a doorstep lender. For others, the anonymity of online borrowing was important and approaching their credit union, particularly for a loan to cover other sources of credit, was not an option because of the potential for local people to know the situation clients were in (as outlined above).

None of the clients the advisers dealt with had been turned down for credit with a high-cost lender. This is an important point to stress because the surety of knowing that you will be able to get the credit you ask for (or perhaps being offered more than you had asked for) was a major draw for these clients and something that was not likely to happen with mainstream lenders.

### Economic context / personal struggles

It is important to note the wider economic context in which high-cost debt accumulation takes place, as well as the personal struggles which clients faced. Some of the client stories used in this research which were taken from Housing Rights case records go back as far as 10 years ago, and so these clients were impacted by the housing crash as well as the effects of austerity in the wake of the reforms brought about after 2010. Many of the clients had experienced job losses or reduced hours and therefore reduced pay, making managing their finances much more challenging. Others were impacted by more personal issues, such as relationship breakdowns and illnesses which had caused them to be out of work for long periods of time.

One such case (from the early 2010s) involved a young couple with mortgage arrears who were threatened with repossession. The repayments on their high-cost loans were hampering their ability to pay their mortgage but this was compounded by a recent job loss. The client had started taxi driving to make up for lost income but there were further costs incurred in this and the resulting irregular income impacted on the couple's further accumulation of debt. Their financial situation eventually stabilised, but only when their unsecured debt repayments were brought under control (as their Housing Rights

5. The scheme is known as the 'House Sales Scheme' in NI (commonly referred to as 'Right to Buy' which is the term used in GB) which allows social tenants who fulfil certain criteria to buy their home. It was introduced in the 1980s and by 2018, around 120,000 NIHE properties had been bought under the scheme. NIHE Research Unit (2020) House Sales Scheme: Outcomes and Experiences 1979-2019.

caseworker advocated on their behalf to get the interest halted on some of the debts which enabled others to be paid down). The client was able to remain in their home with a repayment plan to deal with the mortgage arrears and after successful negotiation with creditors. All of the debts were owed to mainstream and legal lenders, although several were high-cost lenders.

For some clients, case records show that underemployment (in the form of zero hours contracts, precarious jobs or reduced working hours) was a primary cause of their indebtedness. One client who was living in social housing, was working three part-time cleaning jobs and had fallen into rent arrears after she split from her partner. The client had taken a payday loan and had also borrowed from two local lenders. Another client living in social housing had accrued rent arrears of £3,000. Her income fluctuated each week and she had been finding it difficult to manage her outgoings, which included repayments on a Credit Union loan, catalogue debt and 'debt to other lenders'.

Clients also borrowed from high-cost lenders in order to bridge the gap between income and expenditure, particularly as other options dried up and this was a particular issue for clients in precarious employment. From the case records it is clear that many of those with high-cost credit were in precarious employment (e.g. working as cleaners and drivers including taxi drivers, in some cases clients were working in two or three of these jobs part time). This experience of precarious employment has been an increasing feature of employment in the UK (Rajan 2010; Standing 2010; O'Riain et al., 2015) and should not be under-estimated in regard to the effect on debt repayments or default. For example, one client with adult children living at home who was at risk of losing her social tenancy as a result of arrears had resorted to borrowing from an illegal lender. She was currently working three part-time cleaning jobs and was still in receipt of support for her housing costs (albeit much reduced because of non-dependent deductions). The illegal lender came to her door every week to collect her repayments on a £500 loan and the client was understandably adamant that she would not risk non-payment, even if it meant that she would lose her tenancy. The client had borrowed the money to support her now ex-partner who was in insecure employment and whose weekly income fluctuated significantly.

Relationship difficulties were prominent among the advisers' clients and this was also evidenced from the sample of cases extracted from the case records. Such difficulties included divorce and separation which were both a cause and a consequence of the clients' debt problems.

One client worked as a cleaner in a hotel and was estranged from her husband for several years. She lived in the house with their adult children who were helping her with the mortgage payments, although by the time she contacted Housing rights for help, she had mortgage arrears of £8,000 and several non-priority debts. There was considerable equity in the property, and whilst she was reluctant to sell, her ex-husband was trying to force the sale of the property and she was not in a position to buy him out of the mortgage. The client had been getting fewer hours of work in the past few years and after suffering a back injury, rendering her unable to work for long periods of time, she was eventually let go from her job. Whilst the sale of the house had paid off the non-priority debts and the mortgage arrears, the client had ended up presenting as homeless and renting privately whilst she was on the waiting list for social housing.

### The impact of Covid-19

It should be noted that the demand for Housing Rights advice has increased as a result of the pandemic. Case records which were analysed for the period between March and June of 2020 (during the first lockdown) show that private tenants who contacted Housing Rights who had been affected by the pandemic and lockdown represented three quarters of all cases during this time (McAuley, 2020).

Private tenants were more likely to be working in the sectors which were worst hit by lay-offs and reduced hours or were self-employed. PRS tenants were also more likely to have to seek state support to help with their housing costs at this time than either social tenants or homeowners.

Between March and May 2020, the rate of new claims for Universal Credit from PRS tenants was more than double that of social tenants (McAuley, 2020). Many of the clients contacting Housing Rights at this time were engaging with the benefits system for the first time in their lives and others had been in a precarious financial position before the pandemic began, with the impact being that even a reduction of 20% of their income (e.g. for those able to access the furlough scheme) was enough to push them into financial hardship. Almost two thirds of the PRS cases which were to do with the pandemic and lockdown had affordability issues. Many of those living in the PRS who were affected by reduced income would find it difficult to find the means to move to alternative accommodation due to not having access to a deposit upfront and rent in advance, as well as finding it more difficult to get into a PRS tenancy because they had reduced income or uncertain future income. This impacted not only individuals and families who had to move because they were coming to the end of their fixed term tenancy or if their landlord was seeking to sell the property, but also for clients who could no longer afford their rent. It should be noted that whilst there was no official ban on evictions in NI during the Covid-19 pandemic, the NI Court Service announced a ban on all but urgent business. This meant that the courts effectively stopped dealing with matters relating to eviction unless the case involved serious anti-social behaviour.

For clients living in properties which were difficult to heat, the impact of reduced income over the winter months was such that they would find it difficult to maintain a reasonable level of comfort in their home. PRS properties which are cheap to rent are also more often in poor condition, and many clients report that inefficient heating systems and/or lack of insulation has a major impact on their expenses. The impact of the pandemic suggests that there were potentially many PRS tenants who would be in need of financial support or access to credit as the pandemic progressed, potentially with few options, particularly if their income was adversely affected.

### Financial capability

The financial capability argument (Zinman, 2014; Bridges et al., 2006; DWP, 2007) suggests that it is individuals' lack of financial education which leads them to engage in risky borrowing, but this argument ignores the influence of friends and family (for example in normalising doorstep lending). It also ignores the impact of lack of access to mainstream credit, which in the recollections of advisers, was often what drove clients to access high-cost credit and to seek out local (illegal) sources of credit. However, the advisers felt that lack of financial acuity was a factor in some of the cases which they dealt with.

One such case involved a young couple with several debts (including high-cost credit), with the total amounting to £20,000. They were in arrears on their mortgage as well. One of the partners worked in the public sector on an average income and the other was self-employed in the construction industry. This industry was particularly badly hit after the Global Financial Crisis and the couple had experienced a gradually declining income as a result. Their repayments became unsustainable with several loans taken out to supplement their loss of income. The clients found that the interest rates were becoming more expensive as their credit options (from mainstream sources such as credit cards and overdraft) gradually ran out. They had approached Housing Rights because of mortgage arrears, but were reluctant to face their financial reality and eventually disengaged from Housing Rights. The couple had four young children and were reluctant to engage with debt relief because they would have to face the possibility of losing access to credit, which they felt they would need in future.

Many of these cases evidence the fact that different types of debts often go hand in hand. One client had two mortgages on his property and had several credit cards and store cards, eventually turning to borrowing from a doorstep lender when his financial situation got difficult in the run up to Christmas. This client was a lorry driver and his partner worked several cleaning jobs. He felt that for the previous few years they had no money for anything other than basic living costs. The couple eventually left their home and moved to the PRS. Another couple who also had two mortgages had several payday loans and catalogue debt. This client, who was in his 50s and ran a small business, was unaware that their first charge mortgage was interest only and had only a few years left on the term.

### Lack of access to mainstream credit options

For many of the advisers' clients, turning to high-cost credit was part of a gradual build-up of debt over many years, with clients often having exhausted lower cost sources of credit. For some clients, the end of favourable mortgage terms had impacted their ability to manage their finances. One client who was unable to negotiate a new mortgage deal due to a change of circumstances had begun to rely on loans to help with household expenses. The repayments on several loans had become unmanageable alongside their mortgage payments and they had fallen into mortgage arrears. They had defaulted on their unsecured debts and some of these had been sold on to debt recovery companies, who were unwilling to engage in debt relief and the clients faced losing their home.

Many of the clients' experiences which were extracted from case records suggest a gradual process where incomes did not meet expectations, with increasingly more expensive credit being used to fill the gap which this created, supporting findings by Kennerly (2009) and Pardoe, et al (2015). Some clients who presented with debt problems had experienced the pressure to maintain their standard of living against the experience of reduced real incomes with debt potentially being used to fund the gap, which supports research on this use of debt (e.g. Kus, 2013; Montgomerie, 2013). The prevalence of such a gradual build-up of debt suggests that incomes had become detached from expectations (Bone, 2011) or that individuals were hoping that their circumstances would change such that they would be able to manage the debt eventually, which suggests a level of optimism (Soederberg; 2014; LeBaron, 2011) or cognitive dissonance with regard to their debt levels (Lea et al., 1992). For example, one of the advisers recalled:

*I think there's an element of thinking that they won't be put out [of their property] because they have kids, but that's just not the case at all... They also are reluctant to reduce their spending sometimes - especially when they have kids - they're paying for big Christmas presents and mobile phones and things for their kids and borrowing to do that, so they need access to the credit.*

Some clients had multiple and intersecting issues which were both a cause and a consequence of their debt accumulation. One client had split from her partner and was struggling to manage the mortgage payment alone. She had been in and out of temporary jobs over the past few years and although she had now secured a permanent job, she had accrued mortgage arrears and multiple loans over the years since her marriage breakdown. This client also suffered from ill-health and depression, both of which had impacted on her need to borrow and the consequence of having to repay the loans further exacerbated her stress and affected her mental health. She had managed to avoid having her home repossessed in the past by clearing the arrears from the sale of her car, which in turn had impacted on her ability to get to work as she lived in a rural area.

### Borrowing for essential needs or borrowing for other reasons?

The advisers recalled that some of their clients were borrowing to make ends meet or to meet an unexpected and sudden expense. The advisers recalled that a lot of their clients had regularly used credit to buy groceries. One client had borrowed £250 to replace a broken washing machine and was paying back £500 for the loan. Some clients stressed that these loans were essential in order to help them to pay for Christmas or for school uniforms or other expenses which were regular but only occurred once or twice a year. The advisers did not feel that there was much evidence of clients borrowing for luxury items.

However, the advisers did recall that some clients had clearly moved from mainstream credit to higher cost credit in an effort to keep up appearances and avoid friends, family or neighbours discovering that they could not afford a holiday or to change their car or decorate etc. In other cases, the debt was clearly linked to addiction (drugs and gambling in particular), either their own or that of a family member (usually a child of theirs).

This pattern of borrowing money in order to save face or to look like they could afford something, suggests that the behavioural economic concept of 'loss aversion' (Kahneman and Tversky 1979) may provide a lens through which to view borrowing behaviour. Research on debt accumulation has recently focused on this aspect of behaviour (Fligstein and Goldstein 2015; Warren and Tyagi, 2016) which is often overlooked when debt problems are associated primarily with the experience of poverty.

### Client experiences with illegal debt

One adviser recalled a client who came to see her and was 'in a very bad state'. It took almost half an hour before the adviser could get any interaction with the client because she was so distraught. It transpired that this client had significant rent arrears which she had accrued as a result of paying money to illegal lenders. The debt was not hers but her son's - but since he had left the country, his mother had been made to take on the repayments. Her son had borrowed the money to pay drug debts. The illegal lenders' 'agents' had accompanied her to a local cash machine every week after she was paid and made her reveal the amount in her bank account, at which point they got her to withdraw all of the money and gave her a small amount of money in cash, which was all that she then had to live on for the week. This had been going on for some time and the woman was obviously at her wits end by the time she approached Housing Rights as she was on the point of being evicted from her social tenancy due to the arrears. She hadn't told anyone about the debt, not even other family members - partly out of a feeling of shame regarding her son's position but also out of fear of retribution from the illegal lenders.

The adviser was able to work through community channels to reach the lenders and the interest on the debt was stopped, and the repayments reduced, meaning that she was able to clear the debt within a few months. Her housing situation was also dealt with and a transfer was arranged to a new property out of the area.

One of the important points in this case was the intervention involving the illegal lenders because as it transpired, the community worker who helped secure the debt restructuring was able to explain to the adviser that each of these groups in local areas had their own 'patch' - there was nothing centralised and no way to intervene except directly with the local group or individual who lent the money. The fact that the debt was not accrued by the mother but by her son was irrelevant to the illegal lenders - the debt had to be repaid.



This was the case for another client whose ex-husband had run up debts with illegal lenders. The client had been estranged from her partner for a long time but the lenders were continuing to pursue her for the repayments because her ex-husband had left the country. She ended up paying the debt but she was left with substantial rent arrears as a consequence and was at risk of losing her home when she contacted Housing Rights.

One adviser had a client who was an immigrant and who had an illegal loan from a lender from their own community. The lender was particularly sinister, threatening the client with bodily harm if the loan was not repaid. The client had accrued substantial arrears because she was not paying her rent in order to enable her to pay the illegal loan.

This experience was corroborated by the community worker who was experienced in advising people from her own community who were living in NI. She recalled that many of her clients had loans from 'doorstep' lenders or had told her that they had borrowed from 'friends'. She felt that the clients were reluctant to divulge that they had borrowed from an illegal lender, sometimes someone from their own community. In her experience these clients were often having to pay back double the amount they had borrowed and risked harm if they did not pay. One of her clients had fled the country in order to avoid the consequences of being unable to pay back a £3,000 loan. This client had lost his job due to the pandemic and had no means to pay the loan back, but the lender was not willing to accept any reduced payments or non-payment. The client was unable to go back to their home country because of the connections which the lender might have there.

The community worker herself had borrowed from an illegal lender when she had just started working in NI. She borrowed £400 to help to pay the rent and in order to bridge the gap between her rent payment and her income from working in retail at that time. She was introduced to the lender via a work colleague and it was a local man (not from her own community). He called to her door to collect the repayments every week in cash and she ended up paying £800 back over 10 weeks for the £400 she borrowed. She was told that this lender would only lend £400 the first time but that, if she repaid it, she would be able to borrow a higher amount the next time.

Several cases extracted from the case recording system noted 'illegal lender' or 'doorstep lender, unspecified'. One such case involved a client who worked as a cleaner and her husband worked two part-time jobs. They were paying more than half of their income on their mortgage payments (including an amount to clear previous arrears), but were struggling to make the payments in addition to payments for a loan from a doorstep lender of £20 per week and another payment of £240 per month to an illegal lender. The clients were adamant that they could not approach this lender to ask for a reduced payment. Their property was also in negative equity and so they would not be able to sell their property to clear their debts. At the point at which they contacted Housing Rights, they felt that their financial situation was unsustainable.

## Reluctance to talk about debt or engage with debt relief

It is understandable that people are reluctant to open up about their debt, particularly when they are having difficulties repaying their debts, but even more so when the source of borrowing is an illegal lender. Any kind of debt can be seen to be used as a way to mask reduced circumstances, to bridge the gap between income and necessary outgoings (Kus, 2013; Stockhammer, 2012) or as a defensive

measure to defend lifestyles, particularly at times when finances are squeezed (Fligstein and Goldstein, 2015; Warren and Tyagi, 2016). In order to avoid admitting to financial difficulties, it is often necessary to pull a veil of secrecy over household finances (Soederberg, 2014), making debt a taboo subject in many ways as people continue to try to 'keep the plates spinning' (Burton, 2008). The advisers recalled several cases where the level of debt accumulated came as a total surprise to one or other member of the household:

*...absolutely loads of cases like that. One woman who had 5 kids, her problem was with online scratch cards and she was even borrowing to pay for them. Her husband didn't know anything about it. She had stopped the mortgage payments - they hadn't paid the mortgage for months and he had no idea.*

In several other cases, clients had stopped rent or mortgage payments without their partner knowing, in order to cover the other debts they were paying off:

*They were letting on things were fine - the debts meant the pretence was kept up, so their other half had no idea. There was a lot of 'keeping up with the Joneses', a lot of debt built up that way. Those are really hard cases to deal with because there's so much secrecy. Sometimes it's only when you get to see the bank statements that you see where the money is going. Addiction is a really difficult one - gambling in particular. It's so easy to gamble online - and they often use credit cards and other loans for that too - it's part of the spiral.*

One explanation for the apparent reluctance to talk about over-indebtedness relates to the emotional responses to debt problems which often focus on feelings of exclusion because of a sense of stigma attached to over-indebtedness (Major and Eccleston, 2005). Over-indebted individuals often report a sense of guilt (Graeber, 2011; White, 2010), shame (White, 2010) or worry and stress, particularly as they try to 'keep the plates spinning' (Burton, 2010). These are all emotions which are associated with isolation (Abrams et al., 2005). The advisers stressed the importance of acknowledging the links between debt problems and clients' mental health. Many clients had become depressed and unable to engage with their debt problems, putting off seeking help until it was too late.

The advisers felt that clients were even more reluctant to disclose illegal borrowing because of the potential consequences, but also because of the shame of engaging in such risky financial behaviour. Some clients also expressed concern regarding the potential for others to find out about the illegal debt and in an effort to help could inadvertently 'out' the client, which could have potentially life-threatening consequences. They felt that it was safer to just continue to pay the illegal debts.

For many of those clients, the adviser found it very difficult to get to the bottom of their lack of available expenditure to cover housing debt. In their experience, clients were reluctant to divulge any information about other debts that they had and it was only after probing and analysing their income and expenditure that the truth about the debt surfaced, as one of the advisers recalled:

*getting people to tell you about their debt is really difficult. It was usually only after I'd done a detailed income and expenditure analysis for them that I'd ask them about any other outgoings they haven't told me about because maybe they had £400 a month left unaccounted for - and then they'd tell you 'oh I have a wee catalogue' and then 'I have a wee loan with Provident' and you literally had to draw it out of them.*

In some cases the clients were unwilling to go through any kind of debt relief because of the potential for friends or family to find out about their debt. One client was reluctant to engage with debt relief even when he was facing losing his home because, as the adviser recalled *'he said he couldn't do bankruptcy because he played golf with doctors and people like that who would be horrified to find out about his debt'*.

In many cases it was difficult for the advisers to help their clients to realise that their debts were unmanageable and that they had to take action. One adviser felt that the clients she had dealt with, by and large, had tried to bury their heads in the sand and not face up to their debts, or the fact that they were not manageable, until it was too late and their homes were at risk. This supports findings by Kennerly (2009) and others, that people tend to avoid seeking timely help for their debt problems, allowing their financial situation to deteriorate further.

In some cases, the advisers felt that it was difficult to get their clients to understand the difference between their unsecured debts and their housing debts, with advisers having to stress that they could become homeless if their housing debt was unpaid. Whereas the worst that could happen with non-paid unsecured debt was that they would have to engage with some form of debt relief, but it was unlikely that doing so would affect their housing situation. This led the advisers to believe that at least some of the debt which their clients were declaring, was in fact owed to illegal lenders.

The need to protect their privacy was also a reason cited by many clients in not approaching their local Credit Union for help to repay high-cost or illegal debts

*because they don't want local people to know the situation they're in. If they go to the Credit Union for a loan to cover their debts, it's someone in their local community they will be dealing with. People are also reluctant to approach their Credit Union to ask for a reduction in their payments for the same reason - because it's maybe someone they know who will then know about their financial situation.*

The advisers recalled that some clients were incredibly reluctant to engage with any form of debt relief or restructuring because they knew that they would need to access credit again in the future and if they were not able to get credit with these companies, it would leave them with no options. The advisers were aware that clients with no options for mainstream credit or even legal sources of high-cost credit, were more likely to turn to illegal sources.

One such client was a single parent who had become ill because of the stress caused by her financial situation. She had fallen into mortgage arrears and had taken a second job to try to make repayments on her mortgage and her mounting debts. However, she had prioritised the debt repayments (which were high-cost loans) in order to ensure that she would not lose access to this source of credit.

One of the advisers recalled a client who was a single parent with three young children who was paying £50 per week to a doorstep lender. As a result, she had nothing much left with which to feed and clothe her children. She had prioritised her repayments to the doorstep lender over paying her rent (in social housing) and after missing rent payments, was facing eviction. The adviser recalled that this client was reluctant to stop paying the lender because she felt that she needed access to this form of credit to enable her to pay for Christmas.

The advisers had experienced clients who had disengaged from advice because of a reluctance to engage with the necessary debt relief which would mean that they would not be able to borrow again from these sources in the future.

The advisers noted that some clients were reluctant to consider debt relief even when they were eligible (e.g. for a Debt Relief Order) because of having a guarantor loan, which would have to be included in the debt relief. For some clients, their relationship with a family member was in jeopardy because of either borrowing from them directly, or having the family member act as guarantor on a loan. Such was the case for one client who was at risk of losing her social tenancy as she had built up significant arrears, rather than stopping payments on a guarantor loan. The client's sister had agreed to be guarantor on the loan but the client had ended up being evicted rather than defaulting on her loan repayment because her sister would have been left to pay the loan.

## Conclusion

The advisers stressed that the loans which their clients were dealing with were often 'not massive' but since they were often on low incomes and/or in insecure employment, the loans were not affordable or regular repayments were unmanageable because of their fluctuating income. This would suggest that being able to have access to affordable sources of credit (bearing in mind that the average loan was under £1000) could make all the difference for these clients, particularly if the loan was a form of 'revolving' credit (like a line of credit or overdraft), which could be easily accessed or topped up as required.

In terms of the questions posed in this research, these are addressed as follows:

### **What role did high-cost or illegal loans have on Housing Rights' clients' ability to maintain their tenancies?**

The evidence presented in this research suggests that very often tenancy difficulties (if caused by arrears) and debt accumulation go hand in hand. For clients who had financial difficulties, the lack of money to pay housing costs and/or debt had a significant impact on their ability to maintain their tenancies, but this was more pronounced for PRS tenants. The experience of advisers and evidence from case records suggests that there was a less immediate impact on homeowners and social tenants in the event of non-payment of housing costs than was the case for PRS tenants<sup>6</sup>, who were more likely to face a swifter eviction process in the event of non-payment of rent.

The evidence presented also points to the role of financial capability in helping clients to understand the implications of non-payment of their housing costs. Often there was a reluctance to engage in necessary debt relief and this impinged on the financial resources with which they had to pay for their housing. In addition, clients' expectations about what they should be able to afford, given their income and outgoings, also plays a role, suggesting that easy access to information and resources for budgeting and financial planning would be beneficial.

6. Case records related to homeowners and social tenants only. Housing Rights advisers reported that there were few housing debt cases specifically linked to PRS tenants but their experience was that housing debt for PRS tenants would be prioritised because of the risk of eviction and this was confirmed by the experience of the Housing Rights volunteer who was a community worker.

However, the inescapable truth is that, more often than not, the accumulation of debt (including from high cost and illegal sources) had to do with a lack of available finances to cope with unforeseen circumstances or was used in an effort to smooth out expenditure in the face of fluctuating or reducing incomes. This suggests that their financial capacity may have more of an impact, perhaps regardless of their financial capability. There was evidence of the impact of economic factors which were outside of the clients' control as well as the impact of relationship issues and illness. The potential to have a pot of savings from which to draw upon in the event of these financial pressures is fairly low, given the constrained financial situation which many of the clients had experienced (for clients who were in low income or precarious employment for example).

***Did clients prioritise high-cost or illegal lenders over their housing costs and what impact did that have?***

It was clear from the evidence presented that the clients who were homeowners or in social housing prioritised high-cost debt repayments over their rent or mortgage payments, but that the reverse was often the case for private tenants. The difference appeared to be the potential for a speedier eviction for PRS tenants whereas there was a more prolonged process for possession of social housing or owner-occupied housing.

It is important to note that all of the clients who presented to Housing Rights with high-cost credit were seeking advice and support for their housing debt primarily - and so the sample is in no way representative of all homeowners or social tenants.

However, when it comes to illegal lending, the evidence suggests that repayment of these debts takes precedence over all other expenses. This puts illegal lending into a completely different category of debt than any others, in that non-payment risks harm to life and limb rather than to a credit rating or the risk of losing access to credit. When it comes to prioritising debt, there really is nothing that compares.

What challenges did advisers face when supporting clients to maintain tenancies whilst also dealing with high-cost or illegal loans?

One of the major challenges for advisers was that their clients were often not aware of the support and advice / advocacy services that are available to them. This meant that clients were not approaching services which could help at an early stage and which could help them to avoid high-cost credit. The advisers recalled that often the clients' need was so immediate because things had spiralled out of their control, that accessing high-cost credit seemed like the only solution. For example, advisers were frustrated when clients who were in receipt of benefits were not aware that they could get discretionary support and instead had turned to high-cost lenders.

The advisers reflected that very often clients who present with debt issues alongside their housing debt were seeking help at a point when it was almost too late. They felt that it would have been easier to deal with their debts if clients had sought help at an earlier stage. There was a feeling that many clients 'had their heads in the sand' and had been reluctant to seek help until their housing was in jeopardy.

The advisers recalled several clients who were distraught over their situation and often the first hurdle to overcome was in getting the client to be able to talk about their debt. For clients who presented with illegal debts, the advisers had much difficulty getting the information they needed and often these types

of loan repayments were uncovered by piecing together the details of the client's financial income and outgoings. Clients with illegal debts were often scared and were painfully aware that they were in danger of actual physical harm if they didn't pay the debts. This made dealing with these clients and with their debt situation very challenging.

Although privacy was of the utmost importance to many of their clients, the flip side of privacy is that individuals can feel isolated when they have debt problems. This suggests the importance of remaining neutral in any discussions about debt and advisers stressed the importance of building trust with their clients in order to help them to address their debt issues.

As well as being reluctant to disclose their debts or to talk about them, clients were sometimes reluctant to engage in seeking a solution, as this would inevitably mean that they would lose access to what they saw as much-needed credit.

***The impact for NI going forward***

It is important to note the impact of life changing events and the complexity of real world relationships on the propensity for clients to engage with high-cost credit including illegal lending. This is important to bear in mind as NI slowly emerges from the effects of the global pandemic and the advisers all anticipated having to deal with similar cases in the months and years ahead. This is perhaps best summed up by one of the advisers:

*There are so many factors that impact on our clients - relationship breakdowns, people gambling, job losses etc. If anyone was on the verge before Covid, they're going to be in a lot of trouble by now. The truth is we won't know the full extent until further down the road. People might already be turning to high-cost debt - we just don't know - because they're maybe coming to the end of their options or have already come to the end of their credit options - they turn to online high-cost credit. We won't know how much trouble they are in until later when they come to us when they are at risk of losing their homes over it all.*

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