

‘Locked into a mortgage, locked out of my home’

How perpetrators use joint mortgages as a form of economic abuse and how to stop them.

Executive summary

September 2024

A person with long, wavy hair is seen from the back, looking out a window with horizontal blinds. The image is overlaid with a teal tint. A large white quote is positioned in the center-left, and the name 'Tina' is below it.

**“And he has achieved what he
always set out to achieve, which
is to ensure that for the rest of
my life, I'm living in housing
insecurity.”**

Tina



Author:

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Content warning:

This report includes detailed accounts of domestic abuse, including economic abuse, mental health needs, self-harm, and suicide. Please read with care. These accounts are in grey boxes, so that they easily stand out to the reader, in case they do not wish to read them.

Please visit our website [here](#) for resources which you may find useful. Further information about other specialist domestic abuse support can be found [here](#). For mental health needs support, including feelings of self-harm or suicide, please visit the [Samaritans website](#) or call their helpline on 116 123.

Acknowledgements

This report is dedicated to women who have had their lives devastated by abusers' use of a joint mortgage to economically abuse. We hope it will bring about much-needed change to prevent joint mortgage economic abuse and help them access the support they need to regain safety, freedom, and rebuild their lives.

Thank you to all the women who shared their experiences of economic abuse through the joint mortgage they shared with an abuser with us. Thank you to the five victim-survivors of economic abuse who generously took the time to speak with us about their experiences and allowed us to share their stories.

Thank you to our frontline partner [Money Advice Plus](#) for their contributions to the report. We would like to thank [Latham & Watkins](#) for their support in producing this report, and all our other stakeholders who had feedback on the report to help strengthen its recommendations.

We would also like to thank the [Joseph Rowntree Charitable Trust](#) and the [abrdn Financial Fairness Trust](#) for funding our vital research, and our work pushing for positive change for economic abuse victim-survivors through the financial services sector and its products and services.

Thank you also to the [Aviva Foundation](#) for their previous funding, which supported early thinking on the issue of joint mortgage economic abuse, without which this report would not have been possible.

THE
JOSEPH
ROWNTREE
CHARITABLE
TRUST



The Joseph Rowntree Charitable Trust is a Quaker trust which supports people who address the root causes of conflict and injustice. It is a charity registered in England and Wales (210037).



abrdn Financial Fairness Trust funds research, policy work and campaigning activities to tackle financial problems and improve living standards for people on low-to-middle incomes in the UK. It is an independent charitable trust registered in Scotland (SC040877).

Foreword:

Latham & Watkins

We are proud to have partnered with Surviving Economic Abuse in its efforts to transform the UK legal and regulatory landscape to empower victim-survivors of economic abuse.

Working towards a framework to address jointly-owned mortgage property will provide certainty and clarity for victim-survivors as they strive to rebuild their lives.

Foreword:

Nicole Jacobs

Domestic Abuse Commissioner

In 2021, the Domestic Abuse Act defined economic abuse in legislation for the very first time. This pivotal moment of recognition was thanks in large part to the advocacy efforts of Surviving Economic Abuse whose pioneering work has completely transformed our understanding of economic abuse.

Fast forward to today, and a case involving economic abuse is reported to the police every twenty minutes [1]. Whilst the high frequency of reports is concerning, I fear that it only scratches the surface of the real figures. However, I am encouraged to see this level of economic abuse awareness which will undoubtedly have a positive impact on the lives of survivors.

Over the years, Surviving Economic Abuse's research has shown us a wide array of economic resources that perpetrators co-opt to further their abuse, including benefits, joint bank accounts and credit cards.

This report is no different. It provides a chilling insight into the misuse of joint mortgages as a form of 'economic exploitation, sabotage and restriction'.

That the detrimental impacts of this form of economic abuse are so far reaching for survivors and their children is shocking, but unfortunately not surprising. From mortgage arrears and destroyed credit ratings, to a lifetime of housing and economic insecurity, and even repossession and homelessness. This simply must be addressed.

That's why I support this report's recommendations for urgent protections to be put in place for survivors impacted by this form of economic abuse, and for banks to adopt a flexible approach to cases of domestic abuse.

Economic abuse can be devastating, with long-term consequences felt long after the relationship has ended. Every survivor deserves the support they need to recover from the abuse, and rebuild their lives, including the economic and financial means to do so. This must include disrupting perpetrators' abusive behaviour.

A joint mortgage should never be used as a weapon of abuse against a survivor. I hope Government acknowledges the important recommendations in this report and considers how it can work in a Coordinated Community Response with the specialist domestic abuse and financial sectors to implement much-needed reforms.



Executive summary

Summary of findings

One in eight UK women who held a joint mortgage in the last two years experienced joint mortgage economic abuse from a current or former partner – equivalent to over 750,000 people, according to a new report by Surviving Economic Abuse (SEA) [2]. This form of abuse is locking victim-survivors into a joint mortgage with the abuser and out of a safe and secure home.

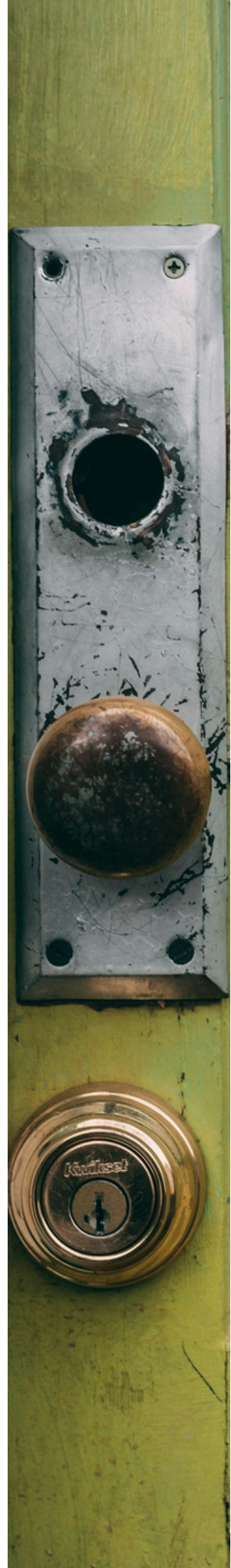
Joint mortgages are a form of secured lending typically with joint and several liability. This means that under current laws, both people are jointly and separately responsible for paying the whole debt, whether they live in the property or not, and any contractual changes to the mortgage require both parties' consent. This stands even in cases of economic abuse, including in cases where the perpetrator is using the joint mortgage to cause financial harm to the victim-survivor, including long after they have fled.

Economic abuse is a form of domestic abuse as defined in the Domestic Abuse Act 2021. It includes the perpetrator controlling a partner or ex-partner's money and finances, and the things money can buy, to prevent victim-survivors from accessing safety and freedom.



750,000

**UK women who held
a joint mortgage in
the last two years
experienced joint
mortgage economic
abuse from a current
or former partner**



Victim-survivors have shared that perpetrators are using joint mortgages as a form of economic abuse, often alongside other economically abusive behaviours, to control them and cause economic harm. This includes perpetrators using behaviours such as:

- Exploiting the victim-survivor's joint mortgage liability by forcing them to pay all or more than their 'agreed share' of the mortgage, even when they have been forced to flee the property. This also includes accruing debts against the property for which the victim-survivor is jointly liable, or stealing their money that is otherwise used for paying the mortgage.
- Sabotaging the victim-survivor's ability to make their monthly mortgage repayments by refusing to contribute to other costs, such as child maintenance. This can also include preventing repossession or sale of the property to trap survivors in the joint mortgage. For example, perpetrators making 'token' payments to halt repossession proceedings, or stop a sale by disrupting house viewings or damaging relationships with estate agents.
- Restricting the victim-survivor's ability to make decisions regarding their mortgage which are in their best financial interests, as well as controlling the income they intend to use to pay the monthly mortgage.

The life-threatening impact of this form of abuse is astounding. Over three-quarters (78%) of women who experienced joint mortgage-based abuse surveyed said the perpetrator's joint mortgage abuse prevented them from leaving an unsafe living arrangement or their current or ex-partner.

Victim-survivors shared desperate circumstances of being denied access to life-saving refuge. Owning their own home meant they could not access the housing benefit required to cover the rent while remaining contractually responsible for mortgage payments on the unsafe home they had to flee.

While some victim-survivors have been forced into immediate and long-term homelessness to escape the abuser, others shared that their only option was to return to the abuser, where they faced the risk of further harm or being killed.

Whether victim-survivors are forced to flee, remain with or return to the abuser, they have to cut back on essentials for themselves and their children to try to keep a roof over their heads and maintain mortgage repayments.





82%

**of UK women who
experienced
mortgage-based
abuse surveyed
said the cost-of-
living crisis
worsened its impact**

As living costs and mortgage interest rates soared during the cost-of-living crisis, victim-survivors have increasingly struggled to make ends meet. The victim-survivors we interviewed described dire circumstances of needing to rely on food banks to feed their families and turn off the heating in the winter so they could keep up with monthly mortgage repayments.

Despite making these profound sacrifices, our report includes detailed accounts of victim-survivors who have had their lives destroyed by the perpetrator's joint mortgage abuse. They have been left with mountains of mortgage arrears, destroyed credit ratings, homelessness, and a lifetime of housing and economic insecurity. It's no wonder that a staggering 89% of women who experienced joint mortgage-based abuse surveyed disclosed negative mental health impacts because of the abuse, such as anxiety, depression, and suicidal thoughts.

Furthermore, due to long, expensive, inaccessible civil legal proceedings – which are often prolonged or derailed by the abuser as a form of economic abuse – victim-survivors are forced to wait many years for a legal outcome awarding one party the home following separation. This could enable the contractual removal of the perpetrator or victim-survivor from the joint mortgage, or the sale of the property.

These legal proceedings often fail to consider the impact of economic abuse when determining the division of finances and assets. For example, if one party has coerced the other into debt or deliberately accumulated mortgage arrears to erode equity in the joint property. Furthermore, they often fail to pre-empt how a perpetrator may obstruct the enactment of the court order, for example, by refusing to sign or comply with the order.

The restrictive legal aid means-test and a severe lack of legal aid solicitors mean that victim-survivors can rarely access legal support or representation in navigating these proceedings. As a result, many victim-survivors do not access these remedies at all and are left without their fair share and economically worse off. For cohabiting couples, these prospects are even worse, with no existing legal mechanism for a fair division of money and assets outside inappropriate property law rules.

The financial services sector is committed to supporting victim-survivors of domestic, including economic, abuse. Through the introduction of the Financial Conduct Authority's (FCA) Consumer Duty (2023) [3] and Guidance for Firms on the Fair Treatment of Vulnerable Customers (2021) [4], financial services firms are required to avoid causing foreseeable harm to vulnerable customers, which includes victim-survivors of domestic abuse. The fair treatment of customers is further supported by the Mortgage Conduct of Business Rules (MCOB) [5].

Following the publication of the Financial Abuse Code [6], UK Finance has worked with industry stakeholders and legal partners to identify the risks faced by victim-survivors and highlight some of the solutions in its recent report 'From Control to Financial Freedom' [7]. Critically, the UK Finance report recognises that victim-survivors need to be supported to separate joint financial products, including joint mortgages, to achieve financial stability and independence.

Our report welcomes and reiterates many of the recommendations made within UK Finance's report, and seeks to build on its findings by providing a strong evidence base on how perpetrators' joint mortgage abuse causes severe harm to victim-survivors. The findings in our report demonstrate a clear and urgent need for improved protections for economic abuse victim-survivors and opportunities for perpetrators to use joint mortgages to cause devastating harm to be closed down, both during a relationship and post-separation.

Working closely with pro-bono legal partners, we make recommendations for the government, financial services firms, and the regulator. The detailed list of recommendations can be found at the end of the full report on page 73.



Summary of recommendations

In summary, our priority calls are:

- 1. Alongside UK Finance, we are calling for the government to urgently convene a cross-government task force on economic abuse.**

This should be led cross-governmentally by the Home Office and Treasury, focusing on joint mortgages in the first instance, with input from stakeholders across the financial services, legal, and violence against women and girls (VAWG) sectors.

We encourage partners to explore potential legal mechanisms, including the pros and cons of court-ordered interim several liability in cases of domestic abuse, to prevent perpetrators from causing significant harm while awaiting the outcome of civil legal proceedings.

- 2. For financial services firms to consider actionable steps they could take to stop perpetrators from using mortgage products and services to cause harm and offer support to victim-survivors.**

Key recommendations for firms include:

- Take an individualised approach to forbearance in economic abuse cases by considering acting on the consent of one customer to agree to interim forbearance measures where it supports good outcomes for victim-survivors and prevents causing foreseeable harm to other joint mortgagors. This approach could also be reflected in the terms and conditions of joint mortgages and firms' domestic abuse policies, so that this approach is clearly set out within the policy framework and the mortgage terms.
- Apply flexibility and discretion to affordability assessments by considering evidence of victim-survivors consistently paying monthly repayments in full, as well as how the perpetrator's economic abuse may have previously impacted the victim-survivor's disposable income.
- Apply flexibility and discretion when implementing repossession proceedings, for example, by providing tailored communications to victim-survivors or disregarding perpetrators 'token' payments to trap survivors by delaying repossession.
- Use specialist training, specialist vulnerability teams, and specific domestic abuse policies and procedures to ensure customer-facing staff are equipped to identify and respond to economic abuse, and safely manage contact with both parties.

3. For the regulator to clarify and strengthen the regulatory basis for financial services firms to avoid causing foreseeable harm to economic abuse victim-survivors through perpetrators' abuse of joint mortgage products and services.

We propose that simple and straightforward amendments could be made to MCOB, the Consumer Duty Guidance via the Guidance for Firms on the Fair Treatment of Vulnerable Customers FG21/1, and the Financial Abuse Code to provide clear and robust guidance and rules to support firms to provide tailored support to economic abuse victim-survivors as a vulnerable customer. This will help ensure all victim-survivors can consistently access the support they need from firms to achieve good outcomes as vulnerable customers.

4. For the Secretary of State for Work and Pensions to review and amend current universal credit, including housing benefit, eligibility criteria, so that victim-survivors with a mortgage are not denied the means to flee abusers and access safe accommodation for them and their children.

5. For the Lord Chancellor to ensure the Ministry of Justice (MoJ) will work alongside relevant stakeholders to improve economic abuse victim-survivors' experiences and outcomes in financial remedy proceedings.

Key recommendations for the MoJ include:

- Ensure greater consideration is given to economic abuse in financial remedy proceedings, and strengthen and clarify court orders related to the property to enable enforcement.
- Ensure victim-survivors can access legal information, advice, and representation by exempting them from the legal aid means-test, improving the supply of legal aid solicitors, and providing standardised information about the steps needed to be completed after a court order is made. This is a recommendation also made by UK Finance in its 'From Control to Financial Freedom' report.
- Ensure and improve the effectiveness of occupation orders for victim-survivors with a mortgage and honour the government's manifesto commitment to afford legal rights and protections to cohabiting couples.

6. Alongside UK Finance, we are calling for government leadership in developing an industry-wide approach to coerced debt, credit reporting, and restoration in economic abuse cases.

We welcome and reiterate the recommendations made by UK Finance in its 'From Control to Financial Freedom' report that calls for the Steering Committee on Reciprocity (SCOR) to assess how coerced debt should be reflected on credit files and seek a consistent, principled, and understandable approach to reporting.

We also invite interested firms to consider working alongside Money Advice Plus and SEA, to explore how the Economic Abuse Evidence Form (EAEF) [8] could be extended to secured lending, including mortgages, to reduce the number of times that victim-survivors must retell their story.

Annie's story

Annie had cohabitated for over 20 years with her abusive partner before she felt able to leave with her young children. She left while he was out of the house, during the summer holidays, after giving in her notice on a secure full-time job. Annie began renting a property far from the abuser and near her family, while the perpetrator remained in their mortgaged home.

Annie had already endured many years of coercive and controlling behaviour, including economic abuse, which prevented her from leaving the abuser. She shared how at the end of every month she had no money left, as she was pressured into paying all the household bills and coerced into taking out loans in her name on his behalf, which he did not reliably repay.

When the abuser wanted to take out a joint mortgage, he insisted that they include a drawdown facility of £20,000, which he stated she could use as a deposit for a future home if the relationship was to break down. Instead, the abuser coerced Annie to jointly consent to him using the drawdown to buy a new expensive car which made leaving even more difficult.

Annie was also coerced into consenting to the abuser being named as the primary payee and for the mortgage repayments to come from his sole account, so this would enable him to get a greater share of the equity after separation. Annie had no choice, but to agree to these terms for fear of harm.

As a means of ongoing economic control after Annie fled with her children, the perpetrator coerced Annie to maintain her contribution towards the joint mortgage, by insisting it would "look bad" if she didn't continue to "pull her weight."

Annie was aware that she could face significant and long-term economic harm if she did not maintain her agreed share of the mortgage payments, so she continued to pay both her rent and her share of the mortgage. While Annie struggled to make ends meet – working only part-time so she could care for her youngest child, pay her rent and her half the mortgage – the abuser had taken on lodgers, who paid their rent directly to him.

Annie knew the only way to separate herself from the abuser was to sell the property and split the equity. However, the perpetrator continued to sabotage the sale, including contesting the valuation, switching estate agents, and attempting to coerce Annie into dropping the sale. Annie had no other choice, but to instruct a solicitor to order the sale of the property.

In response, the abuser sought parental responsibility for the children with unsupervised contact. For fear of the abuser's further physical and emotional harm to her children, Annie knew she could not allow this to happen and was further forced to go through separate children's proceedings. Annie described the complexities of navigating the children and the housing legal systems separately and the reliance on legal professionals who had no understanding of or consideration for how her experiences of domestic, including economic, abuse was relevant to both outcomes. The impact of these stresses on Annie's physical health led to her being hospitalised.

Throughout these processes, the abuser coerced Annie to return with the children every other weekend, as the only means of receiving any child support, which would drastically fluctuate each time.

Annie described how she had no choice but to stay there with the children for fear of the harm he would do to them, and because there was a string of lodgers living there. Annie described that it felt as though she was constantly being forced back into a relationship with him, where he continued to abuse her and control her access to economic resources for her children.

After two years of legal proceedings, a sale went through with Annie being awarded less than 50 percent of the equity. Annie said that had it not been for the help she was able to have from her family, she would have been far worse off. Due to the impact of the abuse on her health, she has not been able to work again. As a consequence of having to give up her safe job in order to get away, Annie was unable to continue making her pension contributions as she no longer earned enough to contribute to her pension and feed and clothe her family. Annie has been left with far less financial security than her original job would have afforded her.

References

- [1] Surviving Economic Abuse (2023): "Seen Yet Sidelined: How economic abuse is reflected and responded to within successful prosecutions of the Controlling or Coercive Behaviour Offence": <https://survivingeconomicabuse.org/what-we-do/research-and-evidence/seen-yet-sidelined/>
- [2] All figures are from an Opinium survey for Surviving Economic Abuse of 1,178 nationally representative women across the UK who currently or in the past 24 months have held a joint mortgage. The survey was conducted online from 11th – 22nd July 2024. To understand women's experiences of abuse through joint mortgages, the survey asked them, 'In the last 24 months, have you experienced any of the following behaviours from a current or ex-partner related to a joint mortgage you hold or held with them? Please select all behaviours that apply in the last 24 months.' You can find the full list of behaviours in the appendix.
- [3] Financial Conduct Authority (2023): [Consumer Duty Consumer Duty | FCA](#)
- [4] Financial Conduct Authority (2021): Guidance for Firms on the Fair Treatment of Vulnerable Customers FG21/1: [Guidance for firms on the fair treatment of vulnerable customers \(fca.org.uk\)](#)
- [5] Financial Conduct Authority (2024): Mortgage Conduct of Business Rules: [MCOB 13 – FCA Handbook](#). Updated rules are coming into force on 4 November 2024 and we have used these throughout our report: [Policy Statement 24/2: Strengthening protections for borrowers in financial difficulty: Consumer credit and mortgages \(fca.org.uk\)](#)
- [6] UK Finance (2021): Financial Abuse Code: [Financial-Abuse-Code-2021_Updated_2022.pdf \(ukfinance.org.uk\)](#)
- [7] UK Finance (2024): 'From Control to Financial Freedom': [From Control to Financial Freedom: Empowering victim-survivors on their journey from economic abuse to financial independence \(ukfinance.org.uk\)](#)
- [8] MAP and SEA: Economic Abuse Evidence Form: [EAEF \(survivingeconomicabuse.org\)](#)

Surviving Economic Abuse (SEA) is the only UK charity dedicated to raising awareness of economic abuse and transforming responses to it. The charity works day in, day out to ensure that women are supported not only to survive, but also to thrive.

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Read the full report:



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