

Landlord News



Issue 50, Winter 2015

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**This issue is sponsored by:
Total Landlords Insurance**

Do you have any stories or items of interest that you would like to share with other landlords? If so please contact **Julie Norris** on:

Tel: **0117 352 1853**

Email: **Julie.norris@bristol.gov.uk**

Government consider extending mandatory licensing

The Government has launched a new technical discussion document regarding the private rented sector which contains a proposal to extend mandatory licensing of Houses in Multiple Occupation (HMOs).

The paper suggests amending the three-storey criteria for licensing, either by changing it to two-storey or extending licensing to all HMOs containing five or more people.

The Government is also considering national minimum room sizes of 6.5 sqm for a single room and 10.2sqm for a double room in line with existing overcrowding standards.

Further details and the online survey can be found at www.gov.uk/government/consultations/extending-mandatory-licensing-of-houses-in-multiple-occupation-and-related-reforms

The consultation closes on 18 December and the changes are due to be introduced next year.

Right to Rent introduced

From 1 February 2016, all landlords in England will have to check that a tenant or lodger can legally rent.

How to make a check:

1. Check which adults will live in the property as their main home.

2. See the original documents that allow the tenant to live in the UK.

You need to check that:

- the documents are originals and belong to the tenant
- the dates for the tenants' right to stay in the UK haven't expired
- the photos on the documents look like the tenant
- the dates of birth are the same in all documents
- the documents aren't too damaged or don't look like they've been changed
- if any names are different on documents, there are supporting documents to show why, eg marriage certificate or divorce decree

If the tenant is arranging their tenancy from overseas, you must see their original documents before they start living at the property.

3. Check that the documents are genuine and belong to the tenant.

4. Make copies and record the date you made the check

Keep copies for the time they're your tenants and for one year after.

You can be fined up to £3,000 for renting your property to someone who isn't allowed to stay in the UK.

You must make a further check on your tenant if their permission to stay in the UK is time limited. You can get a fine if you don't do this. You must make a further check either:

- just before the expiry date of your tenant's right to stay in the UK
- within 12 months of your previous check

You won't have to make a further check if your tenant doesn't have any restrictions on their right to stay.

You must tell the Home Office if you find out that your tenant no longer has the right stay. You might get a civil penalty if you don't.

You can ask any agents that manage or let your property to carry out the checks for you. You should have this agreement in writing.

If a tenant sub-lets the property without you knowing, they're responsible for carrying out checks on any sub-tenants. They will be liable for any civil penalties if they don't do the check correctly.

There is a guidance document on illegal immigrants and private rented accommodation, this can be found on www.gov.uk and search 'right to rent'.

#GetWinterReady: Don't get caught out this winter

As a landlord, winter is not only about keeping you warm and putting more layers on perhaps, but it is also important to ensure that your rental properties are well insulated. A badly insulated property is more likely to fall victim to damage caused by a frozen pipe and can cost you dearly. At Total Landlord Insurance, the months between November and March are the busiest ones for claims, as many landlords get caught out by a cold spell and pipes can freeze really fast! Before you know it, you have a leak or a burst pipe and your rental property needs urgent repair.

Our team are experts in providing advice on how to prevent damage to your property during the winter. The claims we encounter again and again each year during the cold seasons are mostly related to poor maintenance and preparation for the winter because landlords got caught out.

That is why we have put together some expert advice to help landlords navigate those difficult months and make sure their properties are prepared for winter. Make sure you take advantage of this free advice, covering topics such as flood damage, what to do ahead of a cold spell, preparing your property for snow and information on what can be important to prevent a burglary during the darker season. Each week in the run up to Christmas, we will be releasing a new factsheet on our dedicated winter page.

Go to www.totallandlordinsurance.co.uk/winter-2015 and follow us on Facebook, Twitter and YouTube and search for #GetWinterReady on Twitter for regular updates.

For a quick quote, please go to www.totallandlordinsurance.co.uk or call **0800 63 43 880**.



Ethical Lettings Charter – A message from Acorn

We – the Private Rental Sector – are now the 2nd most common form of housing tenure and an increasingly complex and diverse community. This vital service industry is still young, perhaps going through growing pains, and will certainly need to change as it develops. But how?

The Ethical Lettings Charter is a statement of intent, a declaration of decency and one part of the answer.

More than 10,000 renters have signed their support for the Charter, and it was initially created in consultation with more than 200 Bristol Renters. Not only that; several landlords, letting agents, charities and local authority representatives also helped shape the Charter – a truly collective creation which is now supported by Bristol City Council.

The Charter lays out Bronze, Silver and Gold commitments (for landlord and letting agents respectively) on key issues of concern including “Quality & Maintenance”, “Stability & Security of Tenure” and “Cost & Barriers to Entry”. While ensuring real choice is a key challenge for the PRS, the more than 10,000 renters who are supporting the Charter represent an increasingly organised customer community – and they’re searching for property professionals who meet their needs.

By signing up to the Charter, landlords and agents will not only be able to secure a clear market advantage by taking advantage of that community, but will be actively joining that community in collectively shifting the market in favour of quality, affordable, stable housing. Progress!

If this could be you – let’s start the conversation! Reach out now at www.ethical-lettings.org.uk



Redress reminder to agents

All agents are reminded of the requirement to belong to a redress scheme. Bristol City Council will shortly be serving notices where agents are not complying. Please check that you are a member of one of the national redress schemes, see www.gov.uk for further details.

Home is where the heart is...



There are many families in Bristol looking for private rented accommodation.

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#newdealforlandlords

For details of our new offer go to www.bristol.gov.uk/tenantfinder

E: private.renting@bristol.gov.uk
T: 0117 352 6888



Bristol Landlord Forum – Special meeting

Introduction from George Ferguson, Mayor of Bristol

To include:

- Support of Acorn Ethical Lettings Charter
- Launch of Private Renting Team new offer for landlords
- Launch of West of England Rental Standard
- Presentation from Home Office speaker on Right to Rent requirements.

Tues 5 January, 6.30 – 9pm,
Armada House,
Telephone Avenue,
BS1 4BQ

Booking: www.eventbrite.co.uk
(Search Bristol Landlord Forum)

For further details email:
Julie.Norris@bristol.gov.uk

Tel: **0117 352 1853**

UWE SU Campaign

The Students' Union at UWE will be launching their 'Rent SMART' Campaign at the end of December. This campaign will encourage students to rate their landlord through an App and educate them on their rights when it comes to renting – ensuring they are choosing quality accommodation, stressfree.

Check out www.thestudentsunion.co.uk/RentSmart – launching later in the month.

The Students' Union at UWE Lettings Agency is excited to announce that our Student lettings agency has now removed their agency fee charged to the tenant when a property is let.



The Students' Union feel that the housing market in Bristol is currently leaving students out of pocket and hope that with us removing the agency fee we can get other agencies to follow suit. Research shows that agency fees in Bristol are some of the highest in the UK, this just isn't acceptable. www.thestudentsunion.co.uk/lettings

Prosecution news

On Wednesday 18th November 2015 a Bristol landlord was convicted for offences under the Housing Act 2004 and the Local Government (Miscellaneous Provisions) Act 1976.

The landlord has a property in the discretionary licensing area of Easton. In May 2014 it had come to the attention of officers from Bristol City Council Private Housing Team that the property in Easton was licensable and required a selective licence under the Housing Act 2004. The landlord as the owner of the property had failed to apply to the Council for the appropriate licence.

At trial in Bristol Magistrates Court, the landlord was found guilty of failing to licence a property that required to be licensed within the discretionary licensing area under Section 95 Housing Act 2004. He was also found guilty of failing to comply with notices requesting him to provide documents and information to the council.

The landlord was required to pay a total of £4,140 in fines and costs. The magistrate found the landlord guilty of the offences as he had "chosen" not to apply for a licence and had "chosen" not to comply with the notices served.

In April 2013 Bristol City Council declared a discretionary licensing scheme within the area of Stapleton Road, Easton and surrounding streets.

Discretionary licensing is the collective term used for Additional and Selective licensing schemes in the Housing Act 2004. The scheme requires properties that are rented by private landlords to be licensed by Bristol City Council.

It is important that Landlords in the private rented sector with properties in the area of Easton realise the importance of ensuring that their properties are licensed with the Local Authority.

There are still properties in this area that have not been licensed even though the scheme has been in force since April 2013.

Failure to communicate with the Council and ignoring formal requests for information and documents can lead to conviction and high fines issued by the court.

It is an offence that on conviction could lead to a fine of £20,000 to operate a Licensable property without a licence.

If you would like this information in another language, Braille, audio tape, large print, easy English, BSL video or CD rom or plain text please contact: Julie Norris, 0117 3521853



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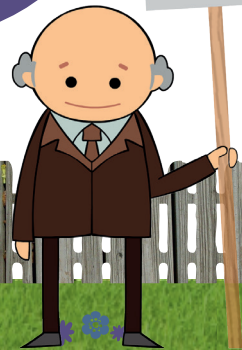
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