



Aylesbury Vale District Council
Landlords' Forum
9th September 2009

1.	<p>Housing Benefits Surgery</p> <p>Janet Forsdike held an open surgery for any landlords who had questions about Housing Benefit.</p>
2.	<p>Fire Safety – Andy O’Brien</p> <p>Andy stood in for Stuart Buckland who was unable to attend the meeting. Stuart is the Fire Officer who deals with the Aylesbury Vale area.</p> <p>The main documents that landlords need to adhere to is the LACORS (Local Authorities Coordinators of Regulatory Services) protocol entitled, ‘Housing – Fire Safety’, and the guidance entitled ‘Keeping Your Business In Business’. Both documents can be found on the following website: http://www.bucksfire.gov.uk/BucksFire/Fire+Safety</p> <p>Andy explained that the Fire Service is responsible for the external areas of properties, such as the means of escape in HMOs (Homes in Multiple Occupation), and the Council is responsible for domestic areas.</p> <p>Andy mentioned that landlords have a duty of care to their tenants and therefore advised landlords to keep a log of the details of any fire detection equipment that is installed. This is for the benefit of both the landlord and the tenant and can be used as evidence.</p> <p>Fire safety measures advised by Fire Officers for domestic properties include keeping a fire blanket in the kitchen and two smoke detectors (one in the downstairs hallway and another one in the upstairs landing). If there is more than one family living in a property, different measures apply as well as for HMOs.</p> <p>Landlords may be responsible for any fire fighting equipment that they provide and it is therefore advisable to require the tenant to sign a disclaimer that they will maintain any fire safety equipment supplied by the landlord.</p> <p>The Fire Service carries out home safety checks for vulnerable tenants only and will provide fire safety advice over the phone and/or in writing for others.</p>

	<p>Please contact Stuart Buckland if you have any queries. Stuart's contact details are as follows:</p> <p>Phone number: 07795 126851 Email address: sbuckland@bucksfire.gov.uk</p>
<p>3.</p>	<p>Local Housing Allowance (LHA) Update – Janet Forsdike</p> <ul style="list-style-type: none"> • Benefits caseload has gone up by 1,000 cases since last year. • It takes on average 15 days to process a new LHA application and 6 days to process a change of circumstances. • From November 2009 <ul style="list-style-type: none"> ○ child benefit will be disregarded when calculating LHA payments ○ pensioner capital changes: capital below £10,000 rather than £6,000 will be disregarded • From April 2010 the £15 rent top-up will be removed.
<p>4.</p>	<p>Update on Gas Safe – Will Rysdale</p> <p>The Gas Safe Register was discussed in detail at the forum meeting held in February this year but we have recently discovered that engineers have a range of qualifications that allow them to carry out specific types of gas work. It is important that landlords check what work they are qualified to do before they are employed. You can find this information on the back of the engineer's Gas Safe Register ID card.</p> <p>You can also make sure that your engineer is qualified to work on your appliance by using the 'Check an engineer service' on the Gas Safe website - www.gassaferegister.co.uk</p>
<p>5.</p>	<p>Private Rent Scheme – Will Rysdale</p> <p>A discussion was had on potentially introducing a charge to landlords accessing the Private Rent Scheme. Generally, landlords were not keen on this idea and indicated that it may put them off accessing the scheme. Some landlords wanted to know what they would get for their money, such as more detailed credit checks and some form of guaranteed payment.</p>
<p>6.</p>	<p>The Government Response to the Rugg Review – Martyn Chuter</p> <p><u>Introduction</u> In January 2008, the Government commissioned an independent review of the private rented sector from Julie Rugg and David Rhodes at the Centre for Housing policy at the University of York. The review was commissioned in part as a response to concerns expressed by CAB, Shelter, RICS and the Law Commission</p>

about the stock condition and the activities of some unscrupulous landlords and letting and managing agents and partly as a counterpart to a review of the social rented sector by Sir John Hills.

Findings of the Rugg Review

The main findings of the Rugg Review were published on 23 October 2008 and include the following:

- performs an important role in the housing market;
- is responding flexibly to changing circumstances for individuals and structurally;
- offers quality and choice for those choosing to rent;
- offers a safety net for those unable to access other tenures.

On the negative side, the review also found weaknesses. Whilst most landlords are well-intentioned and deliver a good service, a minority are ill-intentioned and seek to operate outside and against the current regulatory framework.

Summary of Government Response to Findings of the Review

On 13 May 2009, the Housing Minister published the Governments response to the Rugg review entitled “The private rented sector: professionalism and quality”. This was published as a consultation paper, with an end date of 7 August for responses.

The main proposals of the paper were:-

1. Compulsory register- A national ‘no-hurdle’ register that all landlords must join before letting property, to include details of all rented properties. Poor landlords could be banned from the register and so prevented from trading.
2. Regulation of letting agents- Letting agents would be regulated similarly to how estate agents are currently.
3. Compulsory contracts- All tenancies should take the form of written agreements, possibly with standard elements.
4. Redress for tenants- An improved complaints procedure so that tenants can register official complaints about sub-standard landlords.
5. Local authority letting agencies- Local government will be encouraged to set up local letting agencies to help those in housing need find good accommodation.
6. Increasing AST (Assured Shorthold Tenancy) threshold- A proposal to increase the current limit from £25,000 to £100,000 of aggregated annual rent.
7. Regulation of agents- Full mandatory regulation of letting and managing agents by an independent body.
8. Institutional investment- Encouragement of institutional investment in the sector by creating opportunities for large scale and long term investment.
9. Better decision making- Improving the evidence base on which decisions are made.
10. Training for voluntary organisations- Voluntary organisation staff (CAB, Shelter etc) should receive training in private rented sector housing management.
11. Training support- Encouragement for landlord organisations to make support and training services more widely available to enable better understanding of what is involved in “truly professional private rented

	<p>sector housing management”.</p> <p>12. Local government engagement- Local authorities should be actively encouraged to explore ways in which to improve their engagement with private landlords in their areas.</p> <p>13. Landlord accreditation- Making accreditation available to all landlords, wherever they operate. Consideration was also proposed for whether a national accreditation scheme should be established.</p> <p>14. Repossession help- Increasing the protection for tenants whose landlord defaults on a mortgage by ensuring lenders give a minimum of two months when repossessing.</p> <p><u>Response to the Consultation</u></p> <p>The main issue here for the Private Housing Team was the proposed intention to require landlords to register. Our concern surrounded the manpower implications of the process and its impact on our other services. Given that around 73 % of all landlords are individuals or couples, then licensing all landlords could be a major task with the number of people involved, especially so when the intention was to regulate the behaviour of just a small proportion of landlords.</p> <p>The proposals sought to add value to the process. This included advertising properties for rent, including Energy Performance Certificate (EPC) data. The proposal was that licensing of landlords would be simple but misbehaviour would lead to removal from the list and an inability to trade.</p> <p>The response from the Local Government Association and Lacors said that registration for private landlords is ‘widely supported’. Their joint response also supported the proposal for a code of good management practice. Both bodies said they were concerned to ensure that enforcement and policing of the landlord register should not become a burden on councils and called for the registration scheme provider or a central regulator to take up the role.</p> <p>Plans for legislation to regulate private landlords are receding. Despite publishing the consultation paper, a spokesperson for the Department for Communities and Local Government, speaking in August, said ‘There are no plans to publish a green paper at the moment. Ministers will be looking in the autumn as to what they will be doing in the next parliamentary session, which will obviously be the last one before the general election.’</p> <p>The Landlords Forum will be updated with any further information as it becomes available.</p>
<p>7.</p>	<p>Update on the Landlord Accreditation Scheme – Khyati Vaughan</p> <p>Standards for the scheme have been drafted by the working group and these have been split into the following three areas - overall scheme standards, property standards and management standards. These include the minimum legal standards plus some extra for example, having a tenancy agreement. Khyati offered to give copies of the draft standards to landlords present at the meeting and is happy to provide them to others on request.</p>

	<p>The scheme will be a combined landlord and property based scheme which means that there will be both management and property standards to adhere to but we will accredit the landlord instead of individual properties. This way, a landlord can still become accredited even if one of his or her properties doesn't meet all of the scheme standards but all properties must meet the legal requirements. Landlords will not be able to use their accreditation benefits for any properties that do not meet the scheme standards.</p> <p>The scheme has been approved in principle by the Cabinet Member who deals with housing matters and is due to approve the final version within the next few months.</p> <p>After the scheme has been launched, the daily administration will be carried out by the Environmental Health and Licensing Team. They will send application packs to interested landlords and deal with the accreditation process.</p> <p>Landlords were asked how they would like to show their accredited status and the feedback received was that access to use the accreditation logo would be sufficient.</p>
<p>8.</p>	<p>Any Other Business</p> <p>There is a new webpage on the AVDC website with details of the Landlords' Forum meetings. It can be found by clicking on or copying and pasting the following link: http://www.aylesburyvaledc.gov.uk/housing/housing-services/private-sector-housing/landlords-forum/. You can download a copy of the previous meetings minutes and a copy of the forthcoming meetings agenda.</p> <p>Khyati is due to be on maternity leave from 30th October 2009. There will be maternity cover for Khyati's post but if you have any queries in the meantime please contact Will Rysdale on 01296 585561 or at wrysdale@aylesburyvaledc.gov.uk.</p>
<p>9.</p>	<p>Date and Time of the Next Forum</p> <p>The date for the next forum is Tuesday 16th February 2010. The forum will start at 6.30pm and will be held in our Gateway Building. This building can be found on Gatehouse Road, near to the roundabout at Bicester Road and there is parking on site.</p>

Contacts

Aylesbury Vale District Council Switchboard – 01296 585858

Landlords' Forum and Landlord Accreditation – Will Rysdale – 01296

585561

Benefits Advice Line – 01296 585618

Private Rent Scheme – Bernadette Hryb – 01296 585270

Private Sector Housing, including Houses in Multiple Occupation –

Martyn Chuter – 01296 585151

Nigel Parsons – 01296 585592