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Welcome

To a special edition of

Feb. 2012

the London Landlord



Inside this issue



- ▶ *Forward by Dave Princep*
- ▶ *UKL P Award Ceremony Finalist*
- ▶ *UKLAP Event 1 March 2012 Sponsors*
- ▶ *Solicitor Tessa Shepperson: Sec. 21&8*
- ▶ *The New Tenancy Deposit Rules*
- ▶ *What is condensation Part 1*

Welcome to a special edition of the London Landlord

I have great pleasure in welcoming you to the first United Kingdom Landlord Accreditation Partnership (UKLAP) **Conference & Award Ceremony** at Thistle Hotel Marble Arch on 1st March 2012.

The ceremony is to recognise and celebrate the successes and achievements of the partnership and of its members. From the nominations we have selected the key players in each category who have demonstrated good practices and success.

2004 saw the inaugural development course being held in London which started the original London Landlord Accreditation Scheme. From this it has developed into the most successful letting accreditation scheme in the country

It took just over 18 months to achieve our 1,000th member in May 2006, but less than another 3 years to reach 5,000 and the membership now stands at well over 10,000 accredited members. The partnership comprises local authorities, landlord organisations, tenant groups, consumer groups and others with an interest in the private rented sector. In 2004 around 20 Councils had formally signed up to the partnership, now the number stands at 54, covering all London and much of the South East. The partnership's model approach to accreditation has been mirrored in both the West Midlands and Wales who have established their own successful regional schemes.

In 2004 the private rented sector was around 10% of the housing stock, but since then the sector has grown by almost two thirds. Back then licensing, tenancy deposits, health and safety rating system, energy performance certificates and many other key issues, although on the horizon, were yet to be implemented. The need for members to keep up to date with new initiatives and legislative changes has been recognised as a key requirement and over 3000 members have attended specific courses designed to provide in depth knowledge on popular topics and to keep members up to date with changes.

The partnership recognises that we must build on our successes and we will be launching two exciting new schemes. The Green Letting Award Scheme (GLAS) will recognise members who attend a course aimed at demonstrating the part the private rented sector can play in sustainability and will also allow the rating of individual premises for sustainability. The Tenants Accreditation Scheme (TAS) will provide tenant with basic knowledge on their rights and responsibilities and aims to improve their prospects of getting good quality accommodation.

Last but by no means least I would like to thank all the sponsors who have helped assure the success of the ceremony and in particular thanks to the support from Residential Landlords Association (RLA) and Total Landlord Insurance.

Daver Princep (Chair of LLAS & UKLAP)

The UK Landlord Accreditation Partnership Conference and Award Ceremony

We would like to take this opportunity to thank everyone that submitted a nomination either for themselves or for a 3rd party and the **Finalist** are:

Best Local Authority Landlord Services

London Borough of Islington(Procurement & Development Team)
London Borough of Harrow (Help2Let Social Letting Agency)

Best Small Landlord with 0 – 3 Properties

Alex Obasola
Ishaun & Rajpeet Sahni

Best Portfolio Landlord of the Year with 3 – 20 Properties

Cyril Jones
Rob Hunter - Place Group UK
Balbir Singh Mali
Maryann Richmond Coggan - Personal Property Services
Dudley Cooray
Christakis Matheou - Matheou Properties
Valerie Coleman
Ebele Muorah

Best Portfolio Landlord of the Year with 20 Plus Properties

Mario Carrozzo - Caridon Property
Hasmita Reardon - Reardon Properties
Azad Ayub Ltd
Weir Housing Ltd
Crystal Horwood - Property & Commercial Enterprises (PACE) Plc
Bindar Dosanjh
Rohit Nathaniel - Seraphim
Naveed Sarwar - Earfield Properties

Best Landlord for the Year for Student Housing

Balbir Singh Mali
Rob Hunter - London Student Group
Azad Ayub Ltd
Bindar Dosanjh
Andrew East – Toplets Student Accommodation

Green Landlord of the Year

Christakis Matheou - Matheou Properties
Azad Ayub Ltd

Best Letting Agent of the Year

Sunil Popat – Family Homes
An Deckers - Base Property Specialist Ltd
Kristjan Byfield - Base Property Specialists Ltd
Azad Ayub Ltd
Orchard & Shipman
Sangeeta Kaur - Oakland Estates Ltd
Joy Potter - MRS Lettings
Michael Oakes - Young London
Claire Empson – Daisylets
Michael Banks – Upad
Crystal Horwood - Property & Commercial Enterprises (PACE) Plc
Moses Hirschler - Cromwood Ltd
Erica Kacikova - AmicusHorizon Ltd/The Avenue

Green Agent of the Year

Azad Ayub Ltd

Overall Landlord of the Year

Hasmita Reardon - Reardon Properties
Cyril Jones
Rob Hunter - Place Group UK
Azad Ayub Ltd
Balbir Singh Mali
Bindar Dosanjh
Maryann Richmond Coggan - Personal Property Services
Dudley Cooray – London & Overseas Property Co
Ebele Muorah - Dunife Corporation Ltd

10000th Accredited Landlord Award and the Award for the Local Authority with the Highest Number of Accredited Landlords and agents will be announced on the day of the Event

Conference and Award Ceremony 2012

On: Thursday 1st March 2012,

Time: 6pm At: the Thistle Hotel Marble Arch, Bryanston Street, London W1H 7EH,

To purchase your tickets please login at www.londonlandlords.org.uk contact us on 0207 9741970 or 0207 9746902 or email us at llas@camden.gov.uk

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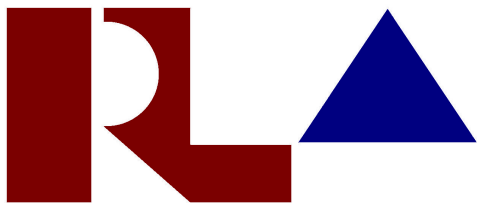
The Private Rented Sector now provides as many homes as the public sector – sharing about 16% each. But rents in the public sector are not market rents and come with considerable public subsidy.

The PRS houses some eight million people - families, students, working people and some 2.5m of those on benefit.

Says RLA chair, Alan Ward: "Let us be clear, this is at no cost to the economy : no capital subsidy from the public purse, no PFI, no long term financial commitment, no tax subsidies."

More than a million individuals are landlords – who have bought houses and flats with their own money, and taken on substantial debt at their own risk, in order to provide housing to those unable or unwilling to afford their own homes.

The PRS has done the housing market proud in the last decade - it increased the supply of homes by a million. The PRS is part of the enterprise economy, though it gets no recognition from the Treasury since landlords' income is treated as unearned. Try telling that to a proper working landlord who buys and renovates a 100 year old terraced property, selects the tenant, and maintains the property out of the rental income at no additional cost to the occupants.



**RESIDENTIAL LANDLORDS
ASSOCIATION**

Landlords ~ Vital in a crisis

The private rented sector is an economic necessity to Britain's 21st century housing. Half of those aged under 35 are its tenants; their homes are inexpensive, and they can move to follow work and relationships with none of the burdens of property ownership.

The PRS will take a prominent role in helping the Government get to grips with the UK's housing crisis.

Winner of the Campaigner of the Year award for two years, the Residential Landlords' Association is campaigning on a wide range of issues, including Local Housing Allowance, the Green Deal, the proposed EU Directive on residential mortgages, landlord accreditation, selective licensing and Article 4 directives.



The Montague Review of institutional investment in the PRS; the Red Tape Challenge; and Boris Johnson and Ken Livingstone's announcements, ahead of the London Mayoral election in May, on London-wide accreditation and rent controls respectively,



Whether leading cross-industry efforts to ensure that tenants decide how their housing benefit is paid or supporting MPs and Peers to establish the very first PRS All Party Group, our message to policymakers remains simple - free the PRS to reach its full potential to provide decent and safe accommodation at rents which tenants can afford.

All of the RLA's campaign can be tracked at <http://www.rla.org.uk/lobbying>.

DepositGuard

New Deposit Protection Choice

Launching DepositGuard, the RLA has teamed up with TDS - the Tenancy Deposit Scheme - which protects the largest number of deposits in England and Wales and has previously been available to regulated letting agents.

RLA members can register with the scheme for FREE and protect deposits up to a £500 value for just £15 each and over £500 for £22.50 each.

The protection lasts for as long as the tenancy agreement including any statutory periodic continuation provided there are no changes to the tenancy. It also allows landlords to keep hold of the deposit throughout the tenancy and take advantage of a dispute resolution service should a dispute arise.

New documentation and systems on the DepositGuard webpages are designed to help prevent landlords from making costly administrative errors. They are also ready for changes being introduced by the Government in April.

<http://www.rla.org.uk/depositguard>



Learning in your own time

Endorsed by the tv property guru Phil Spencer, RLA's on-line course contains 18 separate modules to cover creating,

managing and ending a tenancy, with special sections on deposits and possession. And being on-line, not only does it remain completely up-to-date, but participants can use their subscription to check information any time after then have completed the course. “

It's like being able to ask questions anytime you get a problem” says one satisfied user.

Participants get to work at their own pace, in their own time, with multi-choice questions to check they understand the material which is presented using video, graphic and text backed up by thousands of pages of material on the RLA website.

It also provides forums for landlords to share their experiences, another unique feature to this ground-breaking course.

<http://www.lettingskills.co.uk/>



Are you a **LANDLORD** looking for...

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A range of services designed especially for Landlords?

Tenancy deposit protection where you can hold onto the deposit for less cost?

Up to date news and legislation affecting Landlords?

Professional advice and support?

The RLA saves Landlords time and money and gives access to a wealth of invaluable resources.

Being a member of the RLA means you will be joining over 10,000 landlords throughout England and Wales and will help ensure your voice is heard by central and local government.

MEMBER BENEFITS

NEW Exclusive Deposit Protection Service – RLA Members now have exclusive access to Deposit Guard (www.rla.org.uk/depositguard) -A new service that cuts the cost of protecting tenant deposits for those landlords who wish to keep hold of the deposit as opposed to handing it to a custodial scheme.

Members' Helpdesk - Regardless of the type of question you have, you can be confident that the advice you receive is pertinent, up-to-date and above all, legally practical.

Landlord Documentation - Every document you will ever need to manage your properties and tenancies. Including tenancy agreements, application forms, possession notices letter packs and much more.

Discounted Services - Including Insurance, Inventories, Mortgages, Tenancy Deposit Protection, EPC's, Property Software and more.

Credit Checking Service - Don't take risks, check potential tenants' financial worthiness, CCJ's, credit history, electoral role and credit risk.

Residential Property Investor - The RPI is the leading magazine for landlords in the UK, containing all the latest industry news and information relevant to today's landlord. Sent to all members every two months, the RPI is a must read.

Discounted Training Courses - Enrol on a training course that is delivered by one of the largest landlord training organisations in the UK and perfectly designed to help you overcome the problems and pitfalls of tenancy management and rental law.

Voice in Government - As a member of the Residential Landlords Association you are being represented in the highest levels of Government by an organisation that was voted Best Campaigner in 2010/11 and 2011/12.

Plus much, much more!

Call us today on 0845 666 5000, E-mail info@rla.org.uk or visit us online www.rla.org.uk/llas



Call us Today on 0845 666 5000
www.rla.org.uk/llas



Total Landlord Insurance is brought to you by Hamilton Fraser Insurance and has been created as a specialist provider of affordable, simple and practical landlord insurance.

Building upon the extensive knowledge and experience of Hamilton Fraser, Total Landlord Insurance was launched in December 2010 to offer easy to understand insurance for landlords without sacrificing high quality buy to let cover, at a great price.

Based in New Barnet we provide dedicated insurance services for residential and commercial landlords throughout the UK. The company is regulated by the Financial Services Authority (FSA) and is also a member of the British Insurance Brokers Association (BIBA).

Total Landlord Insurance is a founding member of the Landlord Syndicate, a not-for-profit organisation dedicated to providing bespoke services to landlords and raising standards within the industry.

At Total Landlord Insurance we pride ourselves on our ability to provide excellent customer service and quality financial products. This is exemplified by the company vision:
“Providing you with the highest quality specialist insurance at the best level of service in every communication”

Most landlord insurance policies follow a one size fits all approach, which would be great if we were all the same, but we're not! **That is why we have developed two distinct policies, Essential and Premier.**

Our Essential landlord insurance policy provides just that, essential cover for landlords. It provides lower levels of cover at a more affordable price. Whilst landlords who prefer to have that extra peace of mind can spend a little more on our Premier policy and benefit from enhanced insurance features and benefits that many landlord insurance providers cannot match.

Our clients range from accidental landlords looking to insure a single property, to professional landlords with significant portfolios. It is through our unique understanding of the buy-to-let industry that we are able to offer not only good value buildings and contents insurance, but valuable insight into the most effective ways to protect your investment, giving landlords total peace of mind.

We are also committed to identifying additional solutions to meet the ever expanding needs of our landlords. This includes services such as Landlord Emergency Cover, Legal Expenses & Rent Guarantee Insurance and Tenant Referencing.

Steve Barnes, Broking Manager -Total Landlord Insurance

<http://www.totallandlordinsurance.co.uk>



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Weir Housing Ltd is one of Birmingham's leading private sector providers of Interim accommodation and management services. We provide full property management solutions for local authorities throughout the West Midlands.

We are an independent family company specialising in interim and emergency accommodation and property management. As specialists we are fully focused on the priorities and the needs of our clients, our loyalties are dedicated to providing a diplomatic and sensitive service.

Weir Housing bases itself on focusing all its letting and management services on the needs of our Clients, Tenants and landlords.

Weir Housing Ltd do not lease to private tenants only to the local authorities, this gives us the ability to focus all of our time and experience on our clients.

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Midland Accreditation Scheme Members No 287 & 288

NLA Membership Number: 079384

Contact Number: 0121 523 0713 Fax Number: 0121 523 8583

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Property Insurance - Is good service and quality advice worth paying for?

Landlords are often faced with a dilemma when it comes to their insurance. Do they buy on price or service? It is not unfair to assume that good service and advice will come at a cost.

Landlords need to consider how important the property they are insuring is in providing an income and understand that buying on price alone can have negative consequences later on in the event of a claim.

Buying on price alone could lead to a reduced level of after sale care and service. Price driven insurance providers rely on volume business and tight margins to stay profitable, service is an additional cost which may not fit their business model.

“However they have removed one very important element – advice on what you are buying!”

Supermarkets, direct insurers and comparison websites are often able to offer cheap insurance; however, they have removed one very important element – the expert advice on what you are buying!

Despite clever technology and detailed question sets, many customers, particularly those that use online price comparison websites, have to make their own decisions on cover levels.

Whilst in the short term this might result in lower insurance premiums, if in the event of a claim mistakes have been made in the assessment of the risk, there is a chance the claim may not be paid.

To win business some direct insurers and online providers refuse certain postcodes, types of tenants (Asylum Seekers) or properties (HMOs). Is this due to a lack of knowledge and expertise or do they prefer to insure only ‘safe’ risks?

Rajan Amin of Coversure Insurance Services Kennington commenting on his concerns of the price driven mentality of some customers said *“the*



result of the service an insurance broker offers should be the settlement of a valid claim”.

“The result of the service an insurance broker offers should be the settlement of a valid claim”

For a landlord to benefit from the service and advice a professional insurance broker can provide, they must disclose all the relevant facts about the property they wish to insure.

“Some inexperienced Landlords have been known to buy Home insurance which is for a private residence to protect their let property. Who is to blame when a claim is rejected for non disclosure?”

**Stuart Read,
Insurance Advisor**



A professional insurance broker will discuss your needs in detail and ask for the relevant facts as a matter of course. Reducing the risk of non disclosure and the possibility of a policy being cancelled or claim declined when you need the cover the most.

“Dealing with an insurance broker has other benefits which a comparison site or other direct insurer cannot offer”

A good insurance broker would also ensure you fully understand your policy, what is covered, what is not covered and how to ensure the policy is kept valid by ensuring you meet the conditions of the cover (i.e. warranties or endorsements applicable on your policy.)

As well as advice and service, there are many other benefits in dealing with an insurance broker. Not all insurance products are listed on price comparison websites and direct insurers can only offer you their own range of products. By using an independent insurance broker with the experience and knowledge to place your property with the most appropriate insurer, you could save both time and money.



“Escape of Water is the most common claim on property insurances. It is vital for the insured to provide the exact cause of the escape. Some policies include Trace & Access to help with the cost of finding the exact cause of the leak.”

**Rajan Amin,
Business Owner**

Claims assistance is the “retaining” glue of any good professional insurance broker in ensuring a client renews or does repeat business. Coversure Kennington’s Amin said *“we have a dedicated claims handler who takes the initial details and ‘holds the client’s hand’ right through to final outcome. This involves being open and fair with the client on what they can claim for and what they cannot, all going back to giving them advice”*

Amin continues *“having a professional and knowledgeable insurance team is vital to any good insurance broker if they are to provide a really good service to their clients”*.

Training both through the Chartered Institute of Insurance (CII) and in house are all vital in delivering the service clients should expect from any professional insurance broker.

“We have a dedicated claims handler who takes the initial details and ‘holds the client’s hand’ right through to final outcome. This involves being open and fair with the client on what they can claim for and what they cannot, all going back to giving them advice”

A good insurance broker will want to build a strong relationship with their clients. The aim is always to provide insurance for all the client’s needs, from their home, car, business, let property/portfolios and the holiday home.

For the client this can have several key advantages including, only one telephone number to remember, dealing with the same individual, a personal service where people remember your name, peace of mind because someone has taken responsibility for your insurance.

If you have insurance needs or simply have a query please call Stuart, Thomas or Rajan on 0207 998 0102 or email kenninton@coversure.co.uk.

Open Mon to Fri 9 am to 5:30 pm

Learn more at www.coversure.co.uk/kennington



Sponsor – Best overall landlord of the Year

MARIE PARRIS

I have been investing in property since 1994. I started to build my own property portfolio whilst I was working full time! I was inspired to get into property by a friend who was doing so well, long before the buy-to-let word was even mentioned. He always helped me with advice, introduced me to contacts and was a tremendous support mechanism for me, especially in my early years - when I knew nothing! After six years of using what I term as sub-standard letting & management agents I made a decision to stop using them and started to do everything myself and have never looked back! At around, 2004 I was approached by an Event Manager who wanted me to speak at an event on property investment. This opportunity, coupled with the fact that I was disillusioned with all the “glossy” property seminars (all filled with promises of making you an instant millionaire), I set about to break the mould of many stereotypical property investment seminars at that time, that only offered “get rich quick schemes” and started to provide and impart with worthwhile practical knowledge through my own seminars.



Since 2006 I have been a regular speaker at the Landlord & Buy-to-Let Shows in the UK and through my talks I show other investor landlords how you can self let and manage your own property, even if you work full time! (please click on speaking engagements on our website to see where I am speaking next nationally). I also speak at various council and landlord forums. I have been an accredited landlord (LLAS) London Landlord Accreditation Scheme since 2005 and a member of various landlord associations. In addition, I have been a judge on the Landlord & Lettings Awards Show for the past two consecutive years (2010 and 2011). As a property consultant, writer and speaker, I still continue to let and manage my own portfolio. My soon to be published book "The Simplified Guide to Letting & Managing Your Property" - is for landlords, who prefer to self-let and manage, without using sub-standard agents and will be available to purchase in June 2012.

I am very confident about the range of services we provide at George Ellis Property Services, to our diverse client base. Our clients can choose, mix & match which services they prefer. I am passionate and committed to helping all landlords succeed and increase their operating profit figures. Please contact me or my team for more information.

George Ellis Property Services
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Telephone: 0845 130 0651

Email: marie@georgeellispropertyservices.co.uk

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Yvette Newbury, landlord: "Your website gives me the courage to do things by myself"

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Tenant Accreditation: Launched 1 March 2012



UK Tenant Accreditation Scheme

Tenant Accreditation is designed to fill a gap that exists in terms of improving the relationship between tenants and landlords. This follows feedback through UKLAP as well as comments made in the two previous Southend Landlord Forums that some form of training for tenants should be considered.

The UKTAS scheme is aimed at those seeking to improve their skills as a tenant. At present there is no comparable form of training in the private sector or provided by the voluntary sector. It is not designed to be an induction exercise or to aid those exiting sheltered accommodation. To that end the tenant is expected to make a contribution to the training costs.

Training will consist of a 2 ½ hour course covering the responsibilities of being a tenant with the emphasis on tackling any financial problems before they become acute and the consequences of failing to do so. Tenants will also receive advice on where to obtain further guidance.

At the end of the training there will be a multiple choice test with a pass mark of 75%. This will then be given a unique reference number and that information will be hosted on a dedicated page of the UKLAP website which Accredited Landlords can access for free.

Accreditation for tenants who pass the test will last for three years and they are required to sign a commitment towards their conduct whilst being a tenant. Should there be a breach of that code of conduct and UKTAS become aware, the tenant will be given a chance to respond. A decision would then be made by UKTAS whether to remove them from the listing or not.

For Further info please tel: 020 7974 1970
Email: llas@camden.gov.uk
Website: www.uklap.org.uk

Table Sponsors

Property and Commercial Enterprises (PACE) Plc

Property and Commercial Enterprises (PACE) Plc is a family-owned property business based in Southend-on-Sea in Essex. Founded in 1994, PACE was established as a property management company to manage a private portfolio of local flats and houses.

Since then, the business has grown substantially and now encompasses a lettings division, offering landlords a complete property management service, an estate agency, a property development and investment arm. PACE also operates as a commercial landlord owning a number of residential properties in the local area. PACE is a member of the Association of Residential Letting Agents and the National Association of Estate Agents.

Our website is www.paceplc.co.uk

Our contact telephone: 01702 820022



General sponsor

Legal for Landlords

Here at Legal 4 Landlords, we specialise within the lettings industry, helping landlords with all of their problems. We boast of having over 25 offices nationwide and have a flagship office in central London. Our core services range from Evictions, Debt Recovery, Tenant Referencing and Rent Guarantees. We are specialists in what we do, the lettings industry is only going one way and that is - up.

We can solve your problems and stop some from happening by offering free advice and if we can we will prevent them from occurring again in the future.

Our website address is:

www.legal4landlords.com

Or contact us now on 0800 840 7133



About the sponsor: Azad Ayub own and manage a mixed portfolio of properties in North London and also has a number of properties in other parts of Greater London to accommodate students, young professionals and families.

The business started in 1980 and they have been able to provide continuity to their clients for over 30 years. They have recently expanded their portfolio in Spain where they let and sell properties on the Costa del Sol. Accommodation providers to students, professionals and families for over 30 years the UK and now in Spain



<http://www.azadayub.co.uk>

General sponsor

Avenue are hassle free property management experts specialising in long term guaranteed rent leasing schemes. We are part of Ltd, Registered Social Landlord and offer various schemes and tailored services including Housing Association Leasing Scheme, Market Rented Scheme, Income Collection and Housing Management services.

We work with private landlords and various Local Authorities in South East London, Kent and East Sussex providing alternative solutions to their housing needs. We are finalist for the prestigious KEIBA Kent Excellence in Business Award in Kent and in November 2011 we won the Customer Service award at the national Landlord & Letting Awards.



General sponsors

HCR

HCR is the UK's largest independent relocation specialist and a leading provider of rental accommodation for Government and corporate clients. Established in 1982, HCR has a long and fruitful history of working with landlords in the private-rented sector. As a consequence, they now rely on a steady stream of 'word of mouth' referrals for the 7,000 plus tenancies. HCR's provides a cost effective and professional alternative letting solution providing landlords with quality tenants, guaranteed rental payments, speedy dispute resolutions and an average tenancy of 28 months.

Our web address is: www.hcr.co.uk

For more information please call Georgie on: **01256 313762**



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Email landlords@help2let.co.uk

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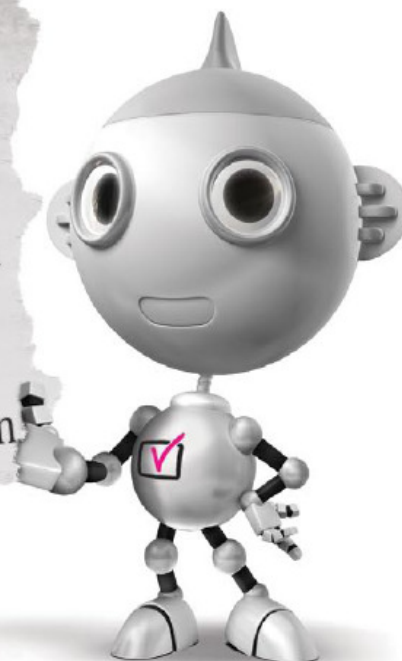


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*Calls are free for BT customers within inclusive calling plans. Call charges from other providers may vary. The standard business hours for Digital UK's contact centre are 9am to 7pm Monday to Friday and 10am to 4pm on a Saturday. Opening hours will be extended during the switchover in each area.

Are you ready for digital TV switchover in London this April?



The digital TV switchover happens in the London TV region in two stages on the **4 and 18 April**. As a landlord, there are a number of things that you might need to do before then - depending on your property and the terms of the tenancy agreement.

Houses

Usually the tenancy agreement will indicate whether the provision and maintenance of a roof-top aerial on a house or bungalow is your responsibility or the tenant's. Generally, if your tenants are getting a good picture

now with their existing aerial, they should continue to get one after switchover, but if an amplifier or booster has been fitted to get analogue service, these may need to be removed at switchover. In some areas a new aerial may give better reception. Digital UK recommends that you wait until after switchover to avoid having unnecessary works done but you can check the aerial now by visiting **Teletext page 284**.

You may have a view, or want to impose conditions, should the tenant want to install satellite, cable or internet TV.

Flats

For tenants in flats, their TV signals are often received through a communal TV aerial system. The cost of maintaining the communal aerial in the block is usually covered in the service charges that you pay to the freeholder or managing agent responsible for the block.

Aerials degrade over time so communal TV aerials over 30 years old may need replacing to carry digital signals reliably after switchover. Some communal aerial systems have channelised filters fitted that will need attention at switchover. You should speak to the freeholder or property manager to establish whether any works required to upgrade or replace the communal aerial have been put in hand, and to clarify the position about your tenants getting satellite services. Your tenants are more likely to contact you or the letting agent, rather than the managers of the block, if there is a problem with the TV services.

TV equipment

Some tenants moving into a furnished letting may expect to be provided with a TV. Until switchover, analogue sets will deliver 4 or 5 channels. From switchover, those TVs will need converting to digital. The low cost way is to connect a set-top box to the TV which will provide at least 15 TV channels through an aerial. You can get TVs with digital built in.

Issues affecting TV equipment are not likely to be a matter for you, if the property is let unfurnished, unless the tenant wants a service that is not available e.g. satellite, BT vision or cable. Will they need your agreement to get it?

Making sure that rented properties can get the TV services that tenants want will help to ensure lettability up to and beyond switchover. Information from Digital UK for individuals and property managers is available at **digitaluk.co.uk** or by phoning **08456 50 50 50***.



Solicitor Tessa Shepperson answers landlords FAQ, This issue: What is section 21 and section 8 notices?

Before you can issue proceedings for possession you need to serve the proper form of notice on your tenant. Assuming that the tenancy is an assured shorthold tenancy (AST) which most are, then the notice will either be a section 21 or a section 8 notice. What are these?

The numbers refer to the section numbers in the Housing Act 1988 which is the act which set up the statutory code which governs how ASTs work.

Section 8 notice

These is the notice you serve if you want to base your claim for possession on one of the 'grounds' for possession set out in Schedule 2 of the act.

There are two types of ground – mandatory grounds and discretionary grounds. Generally it is best for a landlord to use a mandatory ground as otherwise you may get caught up in a defended claim which can take a very long time to resolve and which (if you use lawyers to represent you) can be VERY expensive.

Even if you don't use lawyers, it can still be expensive as if you lose (which is more likely with a discretionary ground than you might realise) you will probably be ordered to pay your tenant's costs, which could be substantial if they obtained legal aid. So discretionary grounds are to be avoided

The most common mandatory ground for possession is ground 8, which is the serious rent arrears ground.

The section 8 notice is in a prescribed form, which means that if you do not use the proper wording it will be invalid. You also need to quote the exact wording of the ground you are relying on and provide information on why you are entitled to use it. For the rent arrears ground, you need to state that the tenant is in arrears and say what the arrears figure is. If there is a complicated rent history it is also a good idea to attach a schedule of arrears.

Section 8 notices have a 'life' of 12 months, so you do not have to use them immediately. The notice period depends on the ground which is being cited in the notice. For 'bad tenant' type grounds such as the rent arrears ground, the notice period is not less than two weeks. For other grounds it is two months.

Section 21 notices

This is the notice which must be served if you want to use the 'no fault' possession procedure which is set out in section 21 of the act.

Unfortunately there is no prescribed form for a section 21 notice. As a result of this there have been numerous challenges to notices by tenants unwilling to vacate, and many, many landlords have had their case thrown out of court because their notice has been found wanting.

There are actually two types of notice:

- If the notice is served DURING the fixed term of the tenancy, then it must give the tenant not less than two months' notice and must not expire before the end of the fixed term (so the notice period will vary depending on when in the fixed term it is served)
- If the notice is served AFTER the fixed term, i.e. during a periodic tenancy, then it must not be for less than two months, state that it is served pursuant to section 21 of the Housing Act AND give a date which is the last date of a period of the tenancy.

It is the last requirement which has caused most of the problems. Many landlords have just given two months' notice; not realising that actually the notice period will vary, depending when on the month the notice is served.

So if the tenancy 'period' runs from the 5th day in the month to the 4th, then the notice must give the next 4th day in the month after two months. If the notice is served on the 1st June the notice expiry date will be 4th August. If the notice is served on 5th June the expiry date will be 4th September.

Many landlords now use a section 21 notice with a 'saving clause' which will prevent the notice from being invalid if the wrong date is given by mistake.

However note that a notice will also be invalid if it is served:

- Before the tenancy agreement has been signed – you cannot serve notice to end a tenancy which has not started yet
- Before any tenancy deposit paid to you has been protected with a government authorised tenancy deposit scheme AND a notice with the prescribed tenancy deposit information has been served, and
- If your property is a House in Multiple Occupation which requires a license, before any license has been obtained (although you can serve notice once you have put in your application).

Possession orders under section 21 are normally applied for using the special 'accelerated procedure' where there is no hearing and the Judge decides the case on the paperwork alone. So it is ESSENTIAL that your paperwork is perfect.

Generally

Obtaining possession from a tenant is largely a procedural matter and it is very important that you get the procedure and the paperwork right. Having a properly drafted notice will go a long way towards ensuring success at court.

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Tessa Shepperson is a solicitor and author, and runs the popular Landlord Law site at www.landlordlaw.co.uk
She also blogs at www.landlordlawblog.co.uk

The new tenancy deposit rules effective from April 2012

When the deposit is received

Landlords must protect the deposit within 30 days (unlike the current 14 day requirement) and give the prescribed information to the tenant. The deposit can be protected by one of the three providers; The Deposit Protection Service, My Deposits or The Dispute Service. There are templates available for providing the prescribed information via a search online or more information is available from each of the providers' respective websites.

If the deposit is not protected AND/OR the prescribed information not given

The tenant will be able to bring a claim in the County Court (a section 214 claim) immediately after the end of the 30 day period. The landlord (and/or Agent) will not have any defence to this and the Court will order:

- Either the return of the deposit or
- For it to be protected via the Deposit Protection Service, and
- A penalty which will not be less than the deposit sum and no more than three times the deposit sum,

- the exact amount will be decided by the Judge.

Section 21 notices

Any Section 21 notice served by the landlord before the deposit has been protected and/or the prescribed information served, will be invalid.

If the landlord fails to protect the deposit and/or provide the prescribed information within the 30 day period, then before the landlord can serve a Section 21 notice, the landlord must return the deposit to the tenant or return it less agreed deductions (ie damage/rent arrears) with the consent of the tenant.

If you're advising landlords, they should provide proof that they have returned the deposit and, if applicable, the tenant has agreed deductions.

If you're advising tenants, if the tenant does not agree with the deductions proposed by the landlord, it is likely that the landlord will need to refund the unprotected deposit in full before s/he can issue a Section 21 notice.

Damp, Mould and Condensation in Rental Property



Part 1 – What is Condensation and what are its causes?

As a long standing landlord I've seen my share of mould and condensation in my time. There are two main causes or a combination of these:

- (1) a problem with the property such as water leaks, a poor heating system and/or poor heat retention, or
- (2) a problem with the tenant's lifestyles. When there's nothing wrong with the property itself, then there's only one reason, and it's most likely to occur as we approach the cold winter weather the tenants' lifestyles!

A good indication of the latter is when you have successfully let a property without these problems over a period of years and then suddenly your tenants are complaining of mould and damp. The most likely cause here is condensation which results in black mould, usually appearing first in the top corners of the coldest rooms such as bedrooms and bathrooms. Also, clothes in wardrobes in the bedrooms will often have a musty smell and eventually mould will appear in them.

Mould is a serious problem for both Landlord and Tenant. It's serious because of the health risks associated with mould spores. The mould fungi have been identified as the source of many health problems, including infections, asthma, allergies and sinusitis. Moulds produce allergens, irritants, and in some cases, toxins that may cause reactions in humans. In addition to this, with lifestyle causes, once the mould growth has been allowed to take hold at some point in the history of the property, say with a tenant who lived with inadequate heating and ventilation, and produced excessive amounts of moisture (steam) through cooking, washing, internal drying etc, it can reoccur again and again. Even years later, once the conditions are allowed to deteriorate again, without the property having undergone thorough eradication treatment, the mould can quickly re-appear.

The mould spores lay dormant when the conditions are against them, but will be

re-invigorated once cold, damp moisture laden conditions are allowed to re-appear. Older properties, especially those with solid walls (no cavity and no cavity wall insulation) are more prone to condensation problems. They need more heating and ventilation to prevent condensation occurring. Although landlords cannot be expected to bring their older properties up to the latest insulation specifications, sometimes this would be impossible, nevertheless with EPC checks now mandatory, the pressure is on to improve things.

What is Condensation?

Condensation occurs where moist warm air (when relative humidity is above 70%) comes into contact with colder dryer air, or a surface, which is at a lower temperature. Air contains water vapour in varying quantities; its capacity to do so is related to its temperature - warm air holds more moisture than cold air. When moist air comes into contact with either colder air or a colder surface, the air is unable to retain the same amount of moisture and the water is released to form condensation in the air or on surfaces. Condensation is generally first noticeable where it forms on non-absorbent surfaces (i.e. windows, window sills, mirrors or tiles) but it can form on any surface and it may not be noticed until mould growth or rotting of material occurs.

Conditions for Condensation

In Britain, condensation in houses is mainly a winter problem, particularly where warm moist air is generated in areas like kitchens and bathrooms and then penetrates to colder parts of the building. The moisture in the air comes from a number of sources within the house. Water vapour is produced in relatively large quantities from normal day to day activities – for example, a 5 person household puts about 10 kg of water into the air every day (without taking into account any heating) - i.e.

- **breathing (asleep) 0.3 kg**
- **breathing (awake) 0.85 kg**
- **cooking 3 kg**
- **personal washing 1.0 kg**
- **washing and drying clothes 5.5 kg**
- **heating - especially paraffin and flueless gas heaters. For every litre of paraffin burnt over one litre of moisture vaporises into air. Every carbon fuel produces some amount of water from combustion.**
- **(1 kg of water equates to about 1 litre)**

Interstitial condensation

Interstitial condensation occurs where, after prolonged periods of exposure to excess moisture content in the air, usually coupled with cold damp conditions moisture is diffused deeply into the fabric of the building. The wallpaper, plaster,

mortar, masonry and timber gradually absorb more and more moisture. This will lead to a vicious circle of colder surfaces, increased mould, deterioration of the building materials, wet and dry rot in timber and electrical system problems. Up until the middle/late part of the twentieth century most houses had high natural ventilation, as the level of home insulation was low, draft proofing was non-existent and open fireplaces and chimneys allowed air circulation.

As Energy Conservation became necessary, natural ventilation was greatly reduced by the introduction of double glazing, draught excluders, fitted carpets (which prevent air movement up through suspended wooden floors) and, with the introduction of central heating, the removal of open fireplaces. Houses have become effectively sealed boxes, keeping in any moisture produced within the house and providing ideal conditions for condensation to occur. Ventilation is only effective if it is consistent throughout the whole envelope of the house. Condensation is encouraged by poor air circulation where stagnant air pockets form (behind furniture and in cupboards)

The modern life style, and particularly that of tenants, means that many houses remain unoccupied and unheated throughout the greater part of the day, allowing the fabric of the building to cool right down. The moisture producing activities are then concentrated into a relatively short time period, producing large amounts of steam when the building structure is still relatively cold. Establishing the cause or causes of the damp, mould and condensation is the starting point to finding a cure. There is quite a lot the landlord can do to deal with this problem effectively. See Part 2 next time.

Part 2 - What can a Landlord do to diagnose and control Damp, Mould and Condensation?

Tom Entwistle is Editor of www.LandlordZONE.co.uk

www.LandlordZONE.co.uk

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Tenant Checks and Referencing
www.TenantVERIFY.co.uk

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www.LandlordMONEY.co.uk

Useful Links

LLAS: www.londonlandlords.org.uk

RLA www.rla.org.uk

SLA www.southernlandlords.org

LHA <https://lha-direct.therentservice.gov.uk/Secure/Default.aspx>

Landlord Law: www.landlordlaw.co.uk

NLA <http://www.landlords.org.uk/>

TDP (Tenancy Deposit)
<http://www.depositprotection.com/Default.aspx>

Landlordzone <http://www.landlordzone.co.uk>

Accreditation Network UK (ANUK)
<http://www.anuk.org.uk/>

Landlords UK Links, guides, forums and information
<http://www.landlords-uk.net/>

Fire Protection Centre
<http://www.fireprotectioncentre.com/>

DCLG: <http://www.communities.co.uk>

Direct.gov.uk
Advice for tenants/ landlords on various issues
<http://www.direct.gov.uk/HomeAndCommunity/fs/en>

Gas Safe Register: www.gassaferegister.co.uk

National Inspection Council for Electrical Installation Consulting (N.I.C.E.I.C)
www.niceic.org.uk

Online planning and building regulations Resource www.planningportal.gov.uk

The Residential Property Tribunal (RPTS)
www.rpts.gov.uk

Health and Safety Executive
www.hse.gov.uk

Office of Fair Trading www.oft.gov.uk

Changes to the Shared Accommodation Rate (SAR)

From January 2012, the Government intends to extend the SAR to claimants under the age of 35. This means that single claimants under 35 making a new HB claim on or after 1 January 2012 will only be entitled to the shared accommodation rate (SAR)