

Welcome to the latest edition of the London Landlord

October has started with a raft of new legislation intended according to the Government to deal with the criminal element of the private rented sector. We will have to wait to see whether or not it has the desired effect on these criminal operators, but they will certainly make it more difficult for good landlords.

The restrictions on the use of section 21 will make it even more essential that you follow the correct procedures. It only applies to new tenancies created after 1 October 2015 making it not possible to serve an s21 notice for the first 4 months and the minimum notice period to be 2 months in almost all cases. The notice will also expire after 6 months.

Certain information must be given to tenants before a s21 can be served i.e. Energy performance Certificate, Gas Safety certificate and the Government's "How To Rent" booklet. A new prescribed form - Form 6A - must be used for the s21 notice and although the Government state that it can be used for existing tenancies, it mentions the need for the 3 documents have to be given, so may cause confusion if used for existing tenancies.


The retaliatory eviction provisions for new tenancies will restrict the use of s21 where complaints are made about property conditions. Many landlords use s21 to gain possession from tenants who are in arrears or otherwise breaching their tenancy, so these restrictions could result in rogue tenants using them to disrupt possession. It could also become the norm for landlords to appeal all HHSRS notices in order to restrict the impact of the s21 restrictions.

The requirements for smoke alarms and for carbon monoxide alarms where there is a solid fuel appliance e.g. wood or coal burners are eminently sensible. But both can be dealt with under HHSRS and unfortunately the lack of consultation means that it will be problematic for both Council enforcement and the rented sector to comply with all aspects.

The requirement for carbon monoxide detectors demonstrates the risk of relying on just one website to keep abreast of changes. Many of the PRS websites failed to make it clear that carbon detectors were only required where solid fuel appliances were installed and some incorrectly stated they applied to gas appliances. It may just be a coincident that many of these sites had links to carbon monoxide alarm manufacturers on their webpages.

Even the Government website - www.gov.uk - cannot always be relied upon. The initial published section 21 prescribed form was wrong and was quickly changed. More worryingly on the day of writing the prescribed Form 3 on the web - used for s8 possession - is still the old version. There is a risk that a case could be thrown out of court if the wrong version is used. Ensure that any Form 3 notice mentions the new mandatory ground 7A - dealing with antisocial behaviour.

Inside this issue

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- *Foreword by Dave Princep*
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 - *Landlord hit with bill of £400,000*
 - *What do you do when tenants complain about damp?*
 - *Housing Bill-Worst landlords to be blacklisted*
 - *Immigration right to rent -1st Feb.2016 roll-out*
 - *Free Smoke & CO alarms for landlords*

The correct form is in The Assured Tenancies and Agricultural Occupancies (Forms) (England) Regulations 2015.

Two new Bills specifically affecting the PRS have recently been published. The Immigration Bill will increase the penalties for renting to illegal immigrants and proposes to simplify the process for gaining possession from tenants who are illegal immigrants.

The Housing and Planning Bill will only affect England and is intended to introduce a range of measures to further control the criminals. These include a banning order preventing convicted individuals operating rental premises, the tightening of the definition of a fit and proper person, a national database of criminal operators and rent repayment orders extended to breaches of HHSRS notices. The Bill will also amend the law around abandonment and provide more certainty for landlords to regain possession.

Some proposals will undoubtedly have “unforeseen” consequences on the good sector and unless there are the resources to effectively enforce the provisions against the intended targets it may just become a further burden on the good element of the sector.

I hope you enjoy this newsletter

Dave Princep - Chair of LLAS/UKLAP

Your Investment & The Law, Conference and Award Ceremony 18 March 2016



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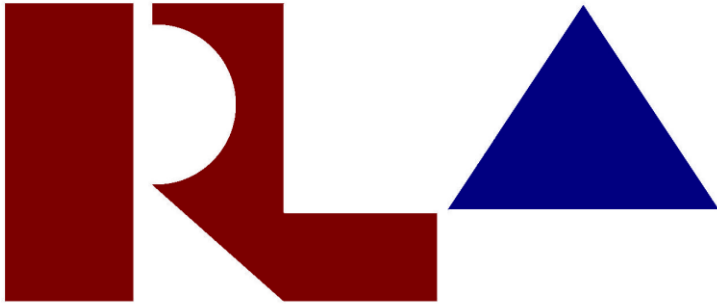
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Raising the alarms for Landlords

As of October 1st, landlords are required to comply with The Smoke and Carbon Monoxide Alarm (England) Regulations 2015. As the regulations only passed on 17th September, landlords have been left with very little time in which to meet the requirements or even find out what the regulations entail. The RLA has prepared some answers to frequently asked questions to help though.

What are the requirements?

As of October 1st 2015, almost all privately rented properties in England require a smoke alarm on every floor with living accommodation and a carbon monoxide alarm in every room with a solid fuel appliance. For new tenancies starting on or after 1st October 2015, landlords are required to test these alarms on the first day of the tenancy to make sure they are in working order.

But gas isn't a solid is it?

That's right. Gas boilers, surprisingly, aren't covered by these regulations. It is only for solid fuels like wood, peat and coal. The RLA still recommends landlords have CO alarms in rooms with gas boilers though. Over 200 people a year are taken to hospital with carbon monoxide poisoning and around 40 of those die. The best practice is fit the CO alarms near gas boilers so your tenant isn't one of the 40.

What kind of alarms do I need?

Currently you just need an alarm that works as there was no standard specified. This should have been to the British Standard however and landlords would be wise to stick to this when purchasing alarms.

Where should I put them?

The government's guidance helpfully suggests people read the instructions that come with the alarm. Generally though smoke alarms should be fixed to the ceiling in a circulation space and carbon monoxide alarms should be positioned at head height 1-3 metres away from a potential source of carbon monoxide.

How is this enforced?

The local authorities will serve a remediation notice on landlords they believe to be in breach of these regulations. The landlord will then have 28 days within which to repair, check or install the alarms as required.

My tenant won't let me in, what do I do?

If a landlord has made reasonable efforts to comply with the remediation notice they will have an excuse. Keep records of tenants refusing access.

What happens if I don't do this?

Landlords can face a penalty of up to £5000. The council gets to keep this money and allocate it to whichever department they wish to so there is an incentive for enforcement.

Can I appeal?

Yes you can, potentially you can even appeal indefinitely due to poor wording in the regulations.

What properties are exempt?

Student accommodation, tenancies with a lease of at least 7 years, hostels, care homes, accommodation relating to health care provision and lodger agreements where the landlords shares amenities with their lodger. Licenced HMOs are also technically exempt but that's only because they are covered by their own more stringent fire safety requirements.

I've installed and checked everything, now how do I prove it?

Evidence is key here. Landlords should get the tenant to sign to confirm that the alarms are fitted and in working order on the first day of the tenancy. The RLA provides a tenancy checklist which also doubles as proof of service for all the new Deregulation Act requirements. It's available from <http://www.rla.org/tenancychecklist>

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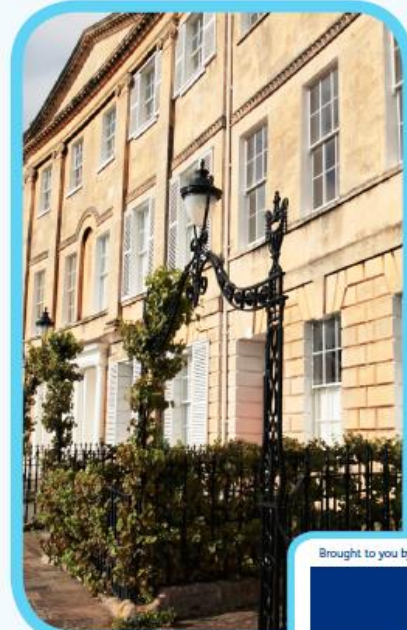


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A great number of British landlords have understood the advantages of renting individual rooms as opposed to their entire property. They have benefited from increasing their income and minimising the risk of having a vacant property for long periods of time.

With 15 years of experience and over 100,000 landlords in the UK, Easyroommate help Landlords let over 350,000 rooms globally every year. Easyroommate are a global expert in flatsharing.

Karim Goudiaby, CEO of Easyroommate, has taken his time to share top tips to consider if you are looking to invest into a buy-to-let property and rent it as a HMO (House in Multiple Occupation) or even simply considering renting your property to multiple tenants.

1) Find versatile properties to invest in

Former Boots boss Cathy Colston is known for being a savvy property developer, with one of her main considerations being how versatile the investment can be. Large family homes can be converted into multiple bedroom properties with a few bathrooms depending on the number of tenants you are planning to rent the property to. Cathy Colston goes for either Victorian terraces and semis or Thirties properties and typically spends 10% of the purchase price converting or updating the properties.

Based on the Easyroommate flatshare index, a room in London costs £673 in H1 2015 on average compared to £451 when looking at the national average.

2) Good tenants want trustworthy landlords

The London Rental Standard is a set of new standards which London private landlords will need to comply with should they want to receive the city-wide badge of accreditation. Launched by the Mayor of London in May 2014, it has been designed with the tenants in mind to enable them to rent with confidence but also to give the city's 300,000 landlords peace of mind that they understand their rights and responsibilities, and are complying with the law. To find out more about London Rental Standard providers, please click [here](#)

3) Minimise loss of income

With tenants now more than ever looking out for a better rental price there is a risk of low tenant retention, but landlords choosing to rent their property as a HMO will not struggle to find suitable tenants. Milton Keynes sees up to 14 seekers per room available while there are 6 seekers per room in London. The national average is 4 wannabe tenants looking for every room available. Find out the most in demand cities below.

4) Find the right tenants

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Specialist landlord & tenant lawyer -Tessa Shepperson answers landlords' FAQ. In this issue: Update on all Legal Changes

Landlords and letting agents are still trying to come to grips with the avalanche of new regulation which has hit them during this year.

We have had

- Changes to the tenancy deposit rules in March (which effectively reversed the inconvenient decision of *Superstrike v. Rodrigues* in 2013)
- Changes to section 8 notices and the statutory rent increase notice for ASTs under s13, with effect from May – make sure you are using the correct one!
- Changes relating to letting agents fees (England only) which came into force on 27 May (essentially agents need to display details of their fees in their office and on their website and say what redress scheme they belong to and whether they have client money protection insurance)
- New regulations, in England only, requiring landlords to install smoke alarms on every story of a rented property where there is living accommodation and carbon monoxide alarms in every room where there is a solid fuel combustion appliance with effect from 1 October 2015
- And various new changes affecting section 21 notices.

The section 21 rules can be summarised as follows:

When you give a new tenancy agreement or a renewal form which gives a new fixed term of an existing tenancy – you need to serve on the tenant:

- A gas safety certificate
- An Energy Performance Certificate
- The most recent edition of the governments How to Rent booklet (available online at <https://www.gov.uk/government/publications/how-to-rent>)

A valid section 21 notice cannot be served until this is done.

You also cannot serve a valid section 21 notice:

- During the first four months of a completely new tenancy made on or after 1 October 2015 (this does not apply to renewals)
- With six months following service of a Local Authority Improvement notice (and two other notices which are less common) and in addition
- If the tenant makes a complaint about the condition of the property which is then upheld by the Local Authority serving an improvement notice (or one of the other 2 notices) – any section 21 notice served between the complaint and the service of the Local Authority notice will also be invalid. Unless the landlord has already obtained an order for possession through the courts.

There is also a new prescribed form of section 21 which must be used for all tenancies (in England) which were created or renewed on or after 1 October 2015.

That is a very brief summary of course and should really just be taken as a check list – are you aware of all of these?

I have written extensively about all of these items on my Landlord Law blog and you will find a summary of posts at <http://www.landlordlawblog.co.uk/2015/10/01/section-21-the-new-rules-summary-of-posts/>

You will also find discussions and featured interviews about these items on my Landlord Law TV website at www.landlordlaw.tv.

But make sure you are fully up to date with all the new rules as you could lose out – either by failing to evict your tenant under section 21 because you have not properly complied with the section 21 rules, or by being prosecuted by the Local Authority because you have not complied with the other new regulations.

Tessa Shepperson of www.landlordlaw.co.uk. She also writes on www.landlordlawblog.co.uk and manages www.landlordlaw.tv



Landlord Law

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BARNET
LONDON BOROUGH

Landlord hit with bill of over £400,000 after letting out illegal flats

A landlord has been ordered to pay more than £400,000 after converting a property into flats without permission.

Gilbert Garrick let the property in West Norwood, London, as flats despite being told that he was breaching planning controls and contravening Lambeth's planning policies.

He eventually pleaded guilty in court and was fined £30,000.

He was also ordered to pay the council's costs of £15,000 and issued with a confiscation order of £382,000 – the amount he had effectively made from rental income on the unauthorised flats. If he does not pay within three months, he risks jail.

Lambeth's cabinet member for housing, Cllr Matthew Bennett, said: "Lambeth takes a hard line against rogue landlords who try to make a quick buck out of the housing crisis.

"This landlord will have to pay over £400,000 in fines and could face prison after ignoring the council's early warning.

"Let this be a lesson to anyone else who thinks they can cheat their way to a profit – Lambeth will always pursue rogue landlords through the courts to protect our residents from exploitation."

Garrick was initially served a notice requesting he cease using the property as flats. He appealed against the notice and after a lengthy public inquiry the appeal was dismissed by the planning inspectorate. However Garrick continued to ignore the notice, resulting in council officers seeking a prosecution for non-compliance. After a number of court hearings, Garrick eventually pleaded guilty and the matter was referred to Croydon Crown Court for confiscation proceedings.

Once paid, around a third of the £382,000 confiscation order will be handed to Lambeth council to fund further work in this area, with the rest going to the Home Office and the courts.

MEDWAY COUNCIL HOUSING SERVICES-HOMEBOND SCHEME- LANDLORD

The Medway Council Housing Options team has revised its Homebond scheme to provide eligible clients with flexible financial support. This support is for households experiencing housing difficulties or threatened with homelessness to secure settled accommodation in the private rented sector. As all clients are assessed individually for Homebond, based on their circumstances and priority need, the Homebond certificate will differ from client to client. However, the financial support will include one or more of the following:

- **12-month deposit guarantee equal to one month's rent.** Clients eligible for this option are expected to save for replacement deposit for when the Homebond guarantee expires.
- **Flexible deposit.** Guarantee for the lifetime of the tenancy. The deposit bond will be for an equivalent amount of between 4 weeks to 8 weeks of the proposed rent.
- **Rent in advance.** The amount of rent in advance will vary between 4 and 8 weeks rent and is paid to the landlord on completion of the tenancy sign up
- **Administration fee.** In some circumstances a payment will be made to Landlord or Letting agent to help cover the costs for referencing of the tenancy. An administration fee will only be paid where landlords/agents have a published fees and charges scheme.
- **Finder's fee.** Is a flexible one-off payment for both accredited Landlords/ Letting agent (£1500) and non-accredited Landlords/Letting agents (£750)

All properties secured through Homebond must have a valid Energy Performance Certificate (EPC) and Gas Safety Record (unless the property is electric only). If the landlord/agent is not member of a qualifying accreditation scheme a property inspection will be carried out by Medway Council's Private Sector Housing team.

Additionally, to help ensure the success of any tenancy created through the Homebond scheme the team will undertake an affordability assessment for each client before any Homebond is finalised.

For more information contact Housing Solutions by telephone: 01634 333600 or by email:

housing@medway.gov.uk

Write to: Housing Solutions, Medway Council, Kingsley House, 37-39 Balmoral Road,

Great new deal for landlords

Islington Lettings, the council's new lettings agency, provides a more affordable option for people in Islington to secure locally rented private sector accommodation

Launched in March on a guaranteed rental model, it is a new kind of lettings agency designed to attract landlords and potential tenants who are frustrated with inflated and hidden fees when trying to rent. By combining a unique offer to landlords with the excellent reputation and experience of our team working within the private sector, the agency offers a secure and cost effective way to let and manage property in Islington.

We already have our first property and tenant to manage with several potential properties in the pipeline.

To find out more visit the Islington Lettings website at the link below or email

islingtonlettings@islington.gov.uk

Link: <http://islingtonlettings.org.uk/>

Calling all landlords

Do you have a property to let?

Then why not contact us immediately? We offer:

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- housing benefit fast tracked and paid directly to you for properties in Brent
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We currently have a high demand for all sized properties in and out of Brent

To find out more about our schemes and incentives, call us now on 020 8937 2777 email landlords@brent.gov.uk

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A new Help2Let scheme for landlords

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Landlords, we have other schemes available. Call us for more details.



LB of Islington -Empty Property (Landlord) Grant 2015/16

Empty property grants provide capital funding for repairs to bring properties back into use. The council can contribute 50% of the reasonable costs of renovation works up to the maximum of £80,000.

Please note there is limited funding for this scheme, therefore applications will be processed on a first come basis, if discussions have taken place with the Council, this will not guarantee any funding until a full application is received and funding is still available.

You can apply for a grant if:

- Your property has been empty for one year or more. Proof must be provided from council tax or council officer involved in empty properties (Utility bills may be accepted as proof, showing unused energy).
- You are the owner or leaseholder of the property and are responsible for all structural repairs (there must be at least five years remaining on your lease).
- Your property does not meet the decent homes standard.
- You intend to rent the property through the Council's Leasing Schemes, to house people in housing need nominated by the Council or to key workers.
- You must retain ownership and let the property for a minimum of 5 years on an approved scheme or the grant will be repayable.
- You must have planning permission for your proposed works or an established use certificate.
- The owner or agent must be accredited under the London Landlords Accreditation Scheme, or equivalent, before final payment of the grant.

What is the procedure?

Contact grant support services (020 7527 3104) to ensure your property qualifies for a grant. Your property will be visited to ensure it qualifies for inclusion on the scheme before an application form can be sent to you. Once the empty property grant application is fully completed and returned with all necessary paperwork. The council will approve (or refuse) your application and confirm the amount of grant within five weeks of receipt.

Contact grant support services 020 7527 3104 for further information.

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or email

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What do you do when tenants complain about damp?

In the winter months outside temperatures drop and the bane of a landlord's life, the problem of winter condensation and black mould, start to occur. This is a difficult problem for landlords to deal with as the root cause can be difficult to pin down and it often causes disputes between landlords and tenants.

The big question is, how do you know if this is caused by the building or the tenant or is it a combination of the two? Dampness or condensation symptoms are very similar but the cures are very different, and to the uninitiated applying the wrong methods can be both expensive and ineffective. But when tenants start to complain about "damp", you need to have some answers.

What's more, condensation and damp have a bearing on evictions and in particular the issue of the so called section 21 "revenge eviction" which landlords will need to be well aware of in future because laws have been passed which restrict evictions when repair issues are reported.

Why is it that some tenants have condensation problems, while others don't, even in the same property? Why is it that condensation problems are more prevalent in rented properties? Why are older properties affected more than modern ones? What effective measures can be taken to solve this problem?

I've had many years dealing with these problems in residential as well as commercial properties and in that time I've realised there's a lot of misunderstanding around it, and even the "experts" get it wrong. Mention damp and black mould, and you've all seen those nasty pictures in the TV documentaries, and immediately the landlord is denounced; he or she becomes the pariah figure who is condemning tenants to live in appalling health-threatening conditions. Yes, it's true that some properties have such serious defects that they are prone to damp and condensation and their owners need to put them right. But far more common is a situation where the root-cause is the tenants' lifestyle, or sometimes it's a combination of that and inadequacies with the property, inadequate heating systems, poor ventilation and insulation being the main issues here.

The problem landlords' face is that tenants, the general public, solicitors, judges in court and even some environmental health officers (EHO), just don't understand the difference between damp and lifestyle generated condensation, their root causes, and who is really at fault.

Damp problems are usually caused by defects in the property such as a leaky gutter or a bridged damp proof course. Condensation, which is much more common, stems from steam laden air in the property settling on cold surfaces resulting in black mould on walls and musty smells on clothes. Reduced to the basics, there are two main causes of condensation:

- too much steam and moisture laden air that rises through the house rather than being vented outside at source; usually from the kitchen or bathroom, or typically when clothes are left to dry on radiators, and
- (2) A house with rooms that are far too cold.

Tenants don't like to open windows in winter as it introduces cold air – they will even block-up vents causing all the steam laden air from cooking, washing and drying to be trapped inside. If rooms are too cold it's down to insufficient heating, either because the heating system is not up to it, or the house is poorly insulated and costs a fortune to keep up to temperature. Cash strapped tenants will often economise on heating and block what ventilation there is just to keep warm, with predictable results.

It's always the coldest rooms where condensation occurs. If a house is too cold for too long moisture seeps deep into the fabric of the building making it even more prone to the problem, whereas a really well insulated and heated house will rarely suffer much condensation because everything including carpets, wall paper and clothes in wardrobes are all nice and warm and will not absorb moisture, even when some steam is generated. So, once these conditions have been allowed to develop they can be very difficult to reverse; they do a lot of damage to the fabric of the building and they are a serious health issue for occupants and anyone attempting to clean up.

When "dampness" is first reported you should inspect the property ideally with an independent builder, take photographs and establish if there are any building defects or conditions present which will cause damp or condensation, and document everything.

A clue to the cause of a condensation problem is when the property has been free from the problem with previous tenants, and then it suddenly rears its ugly black head. When it's down to a tenant's lifestyle you should try to educate the tenants and consider installing tamper proof ventilation equipment, the ultimate cure being a tamper proof positive flow loft mounted ventilation system. For a more in-depth treatment of this issue go to: <http://goo.gl/kAW32h>

Tom Entwistle is an experienced landlord and editor of LandlordZONE



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LB of Camden Landlord licensing for shared housing

Camden Council's introducing additional HMO licensing for landlords. The new scheme applies to house shares, converted flats, student homes and bedsits - also known as Houses in Multiple Occupation (HMOs). HMOs are homes that are shared by three or more tenants, living as two or more households.

HMO landlords need to apply for a five-year licence and pay a fee. The Council may arrange a property inspection and advise landlords on any improvements they need to make to their property.

Landlords can apply from 8 December at camden.gov.uk/hmolicensing or call **020 7974 5969** for more information.



Newham London

Are you a landlord, property developer or managing agent looking to let a property?

No commission, no fees, no hassle.
Newham Council URGENTLY requires properties and wants to work in partnership with landlords and managing agents to rent their properties.

The council can offer:

- Up to £2,000 non-refundable cash incentive payment
- £200 non-refundable cash payment to hold a property
- Deposit Bond to the value of six weeks rent
- Deposit and rent in advance

Working with the council means:

- Ongoing landlord support and advice
- Support to maintain the tenancy
- Direct rent payments
- Local housing allowance (LHA) rates paid

If you have any properties or would like to find out more about our Private Rented Sector Scheme, contact the Housing Supply team now.

Telephone: 020 3373 1149
Email: PRSSupply@newham.gov.uk

LLAS Awards Online entries open, follow the link

www.londonlandlords.org.uk

The Deadline for all entries is 5:00pm Thursday 24th December 2015

Do you have a property to let in Lewisham?

Lewisham Council runs two schemes to meet your needs.



Lewisham Landlord Letting Scheme

With this scheme you manage your property yourself on an Assured Shorthold Tenancy. Benefits include:

- ▶ one-off cash payment for new landlords
- ▶ continuous supply of tenants
- ▶ four-week deposit bond
- ▶ free professional inventory
- ▶ fast-track payments from tenants on housing benefit.

Private Sector Leasing Scheme (PSL)

With the PSL scheme, we manage your property for you. Benefits include:

- ▶ guaranteed rent 52 weeks a year
- ▶ protection from LHA changes
- ▶ no void or bad debts
- ▶ professional housing management services
- ▶ property inspections.

Find out more – with no obligation.

www.lewisham.gov.uk/landlords • 020 8314 7086 / 9772 / 6753



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Calling all Landlords, do you have a property in the London area? if yes, we want to hear from you.

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020 7974 4158
camden.gov.uk/camdenlettings

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- ✓ A choice of tenants
- ✓ Landlord resource centre and tenancy support



Housing Bill – Worst landlords to be blacklisted

Councils will be able to place criminal landlords on a blacklist and ban them from renting properties, the government has announced.

The powers, which were set out in the [Planning and Housing Bill](#) will allow councils to apply to the first-tier tribunal to ban landlords who have committed serious housing offences from letting housing, letting agency work or property management.

The bill says that the tribunal will consider the seriousness of the offences, any previous convictions and the likely effect of the banning order on the landlord. Landlords who ignore the bans will face a £5,000 fine for every six months they remain in breach of the order, as well as having to repay rent.

The bill will also establish a national database of rogue landlords and letting agents. Councils will be able to add landlords who commit banning order offences, which will be determined at a later date by communities' secretary Greg Clark.

Bob Mayho, CIEH principal policy officer, said the vast majority of landlords provide good quality accommodation but sadly there are those who do not.

We therefore welcome the government's proposals in the bill to tackle rogue landlords and improve conditions in the private rented sector, including extending the circumstances in which rent repayment orders can be used, banning orders and a national database of landlord prosecutions, something we have called for over a number of years,' he said.

But he warned that the introduction of fixed penalty notices for housing offences risks 'trivialising serious offences' and could be misused by authorities seeking to raise additional income.

'There already is a robust procedure to prosecute rogue landlords and we would support setting a significant fine for repeat offenders as well as giving the courts the power to ban repeat offenders from managing or letting properties for a defined period,' he said.

Stephen Battersby, a housing consultant, told EHN (Environmental Health News) the effectiveness of the database depended upon local authorities prosecuting bad landlords.

'We know that most local authorities do not prosecute. So more rigorous enforcement is required,' he said. He added it fell short of the national register of all landlords.

'The government is doing all it can to avoid anything that resembles a national register as proposed by Julie Rugg, but that would be a much better way to go,' he said

He said banning orders also depend on councils. 'Banning orders are fine, they should be disqualified from being landlords, but again this puts the onus on local authorities when resources are diminishing,' he said.

Proposals for a rogue landlord database come after EHN won a landmark case to publish a [database of criminal landlord](#). The information rights tribunal ruled in March that there was a substantial public interest in giving the public and councils access to a list of convicted landlords. It accepted EHN's argument's that such a list would enable councils to identify and exclude the worse landlords from licensing schemes.

For more info on the Housing Bill please visit

<http://services.parliament.uk/bills/2015-16/housingandplanning.html>

London Borough of Islington Licensing Scheme

The LB Of Islington introduced a Licensing Scheme in **September 2015** in response to evidence of poor management standards in shared homes and converted buildings in Caledonian and Holloway Roads. It also follows a public consultation exercise which confirmed that leaseholders and private tenants are experiencing poor management in communal buildings in the two roads. The scheme will last for 5 years and is expected to cover around 700 HMOs including:

Converted buildings

Licensing will apply to converted buildings containing flats that do not meet modern building standards (1991 or later) where less than two thirds of the flats are owner occupied (freehold or 21+ year leaseholders). Section 257 of the Housing Act 2004 defines these as HMOs. In these blocks the freeholder or freehold manager will be required to apply for a licence which costs £650.

Shared houses and flats

The licensing scheme also applies to houses and flats that are let to 3 or more unrelated people. In such circumstances the landlord or managing agent is required to apply for a licence which costs £260 per unit of accommodation.

The licensing scheme is designed to address poor management of shared accommodation and, based on the evidence collected and the feedback of residents, landlords and other local businesses, we are anticipating that it will prove beneficial to residents and the business community. For landlords and agents who manage HMO properties in accordance with the law, the cost of a licence equates to £1 per letting per week with opportunity to offset this against tax liabilities. Discounted fees are available for accredited landlords. The Council's focus on enforcement and the use of shorter licences for landlords who do not demonstrate that they manage their HMOs in accordance with the law, will help to create a fairer marketplace for those who are meeting their obligations. Failure to licence a property that requires a licence under the scheme is a criminal offence which carries a fine that is no longer limited to £20,000.

A "licence checker tool" and online application process, is available online via www.islington.gov.uk/hmoscheme. Applicants have until the end of 2015 to submit their applications.

Immigration right-to-rent: 1st February 2016 roll out

The Home Office have announced on 20th October 2015 – that the Right-to-rent phase 1 scheme in the West Midlands will be rolled out across England in early 2016. Right-to-rent is one part of the government's ongoing reforms to the immigration system to make it harder for illegal migrants to live in the UK.

Landlords who don't make the checks could be fined up to £3,000 per tenant if they are found to be renting out a property to someone who's in the UK illegally

For more info on the right to rent law visit

<https://www.gov.uk/government/publications/right-to-rent-landlords-code-of-practice>



Do you have a property to let?

Kingston Council has two **FREE** property letting schemes and urgently requires properties of all sizes to let via the **Tenant Finder Service** and the **Private Leasing Scheme**.

The Tenant Finder Service offers:

- An attractive incentive package including cash payment up to £750
- Competitive rent levels
- Advance rent and deposit (or deposit guarantee)
- 0% commission fees
- Free agreements, renewals, re-lets and check-out

The Private Leasing Scheme offers:

- Guaranteed rent
- 0% commission fees
- 12 month lease agreement
- Certainty of getting your property back in the same condition you gave it to us (with an allowance made for fair wear and tear in line with an agreed schedule of condition.)



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Free smoke and CO alarms for private landlords

People living in rented or shared accommodation are seven times more likely to have a fire according to research from the Department for Communities and Local Government (DCLG).

If you're a landlord, from October 2015, you'll be bound by law to:

- install one smoke alarm on each storey of your rental property
- install one carbon monoxide alarm in any room that contains a solid fuel burning appliance
- test each alarm at the beginning of the tenancy

Free alarms

To help prevent more fires, through DCLG funding, free smoke alarms and carbon monoxide alarms are being distributed across the country to landlords, for their rental properties.

Apply for free alarms

If you own a rental property within Greater London, or you are a managing agent, you can apply for free smoke and carbon monoxide alarms. Applications will open on 20 July 2015. We have a limited supply of free alarms to support landlords in meeting the new legislation.

All applications will be prioritised according to risk. We'll notify you if your application is successful.

Not eligible are:

- landlords who are registered providers of social housing
- Houses in Multiple Occupations (HMOs), hostels and refuges
- shared accommodation with the landlord or landlords family
- long leases properties (over seven years)
- student halls of residence
- care homes
- hospitals and hospices and other healthcare accommodation

If you are eligible you can apply via an online application form, which will be available from 20 July 2015. We can't accept requests via any other method. **You can apply for up to 20 properties per application form and can submit multiple forms if necessary.**

Collecting your alarms

Your alarms will be available to collect from designated collection points across London. You'll be asked select your preferred collection point when you apply.

More details will be sent to you when you receive confirmation that your application has been successful.

Fitting alarms

Responsibility for fitting the alarms rests with landlords or managing agents. Alarms should be fitted according to the manufacturer's instructions which will be supplied with the alarms

Help for tenants

If you're a tenant and you'd like some fire safety advice you can arrange a **Home Fire Safety Visit**

For more information visit www.london-fire.gov.uk  |  |

For fire safety advice please go to london-fire.gov.uk/YourSafety



PRS Legislative changes in brief

On 1 October 2015 certain elements of the Deregulation Act 2015 came into force. This will affect Landlords who are contemplating evicting their tenants and will make it harder for them to do so.

The new regulations affecting evictions are as follows:-

- From 1 October 2015 all Section 21 notices will have a lifespan of 6 months.
- From 1 October 2015 a landlord will have to wait four months after the tenancy starts before a section 21 notice is served.
- Retaliatory Evictions – From 1 October 2015 a landlord will be prevented from serving a section 21 notice if a tenant has made a written complaint regarding the condition of the property or common parts and the landlord has not responded or provided an inadequate response.



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Useful links

LLAS – www.londonlandlords.org.uk

RLA – www.rla.org.uk

SLA – www.southernlandlords.org

Landlord Law – www.landlordlaw.co.uk

TDP (The Deposit Protection Service) – www.depositprotection.com

Landlordzone – www.landlordzone.co.uk

Accreditation Network UK (ANUK) – www.anuk.org.uk

Landlord's useful links and information – www.landlords-uk.net

Fire Protection Centre – www.fireprotectioncentre.com

DCLG – www.communities.co.uk

Direct Gov UK: Advice for tenants and landlords – www.direct.gov.uk

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

HM Revenue & Customs – www.hmrc.gov.uk

The Court services – www.hmcourts-service.gov.uk

The Office of Fair Trading – www.oft.gov.uk

The Department of Business Innovation & Skills – www.berr.gov.uk