

33rd edition February 2017

You Are Invited to the Summer Networking & Live BBQ Event on 7 July 2017

For more information & how to book go to p2&3

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Welcome to the latest edition of London Landlord

There has not been a tailing off by the Government of new initiatives and proposals aimed at the PRS since Brexit which is contrary to my predictions last issue. Since the last issue, the Government has consulted on amending many issues which will impact the PRS. Despite many of the proposals directly affecting the rental sector the major impact is likely to be from a little known proposal to amend the way the energy efficiency of homes is assessed.

From April 2018, no new tenancy can be created, except in a small range of circumstances, where the rating of a property's Energy Performance Certificate (EPC) is below a Band E. Research on behalf of the Government has however found a range of errors in the figures used to calculate these current EPCs. In particular, the wall insulation value used are incorrect and of significance for the PRS is that heat loss through solid walls has been found to be much less than was originally thought and consultation has taken place on amending the basis that EPCs are to be calculated. It is thought that over 20% of those poorly rated PRS properties will be bought out of the affected range. Existing EPCs will be unaffected so it may be advisable for those landlords with Band F and G rated properties to carry out a new EPC assessment once the new values are incorporated.

Other consultation has recently finished into the types of Houses in Multiple Occupation (HMO) which Council's must license (i.e. Mandatory licensable HMOs) and proposes removing the requirement for the HMO to be 3 or more storeys making any house or flat occupied by 5 or more persons in 2 or more households licensable. They further propose to require in certain situations for flats above commercial premises to be licensed. As a senior PRS manager in a local Council said "I couldn't believe the Government could make the definition of a licensable HMO anymore complex, but they've manage it". They also propose to prevent any bedroom in a licensable HMO to be below 6.52 sq. metres and to require all licences to have a term dealing with refuse collection included in the licence.

The list of proposed offences for which a landlord or agent can be banned from the PRS has also been published and these include convictions for harassment, failing to comply with certain HHSRS Notices, offences under the Immigration Act, failing to obtain a gas safety certificate, failing to carry out a fire risk assessment etc. This should help rid the sector of those criminals who are so frequently highlighted as the reason for the plethora of recent laws impacting the sector.

Hope you enjoy this edition

Dave Princep (Chair of UKLAP)

Summer Networking & Live BBQ Event
Friday 7 July 2017 at Taj Hotel, St James' Court,
51 Buckingham Gate, London, SW1E 6AF
Don't Delay Book your tickets at
www.londonlandlords.org.uk

A Networking Event with a Difference

The LLAS & UKLAP invites you to the Summer Networking & BBQ event this July in London. The Must-Attend Summer Event will be taking place at:

**Taj Hotel, St James' Court, 51 Buckingham Gate,
London, SW1E 6AF**

**Friday 7th July 2017
From: 12:00pm to 6pm**

Set in the heart of Westminster, near Whitehall, Big Ben and House of Parliament, St. James Courtyard is one of the Capital's most idyllic spaces, set around a historic cherub-ordained Victorian Fountain and ideal for LLAS/UKLAP BBQ networking event.



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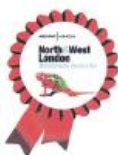
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Investor in People



UK Landlord Accreditation Partnership Awards 2016 Winner

Specialist landlord & tenant lawyer -Tessa Shepperson answers landlords' FAQ. In this issue: Three Things to worry about in 2017

Things are getting much tougher for landlords nowadays. Gone are the casual days of yesteryear. Now it's all forms, certificates, and record keeping – otherwise you are at risk of prosecution or of not being able to evict your non-paying tenant!

Here are three things in particular to watch out for:

Have you done Right to Rent checks?

These need to be done now for ALL occupiers of property (not just the tenants). If the Home Office discovers that there are unauthorised people living in your property, you will be at risk of a penalty or even prosecution and a custodial sentence if you are unable to prove that you carried out proper checks before they moved in. NB You will find a free checklist at www.landlordlawblog.co.uk/Right2RentChecklist

Is your property an HMO?

Note that if you rent to three or more sharers who are not family, your property is likely to be an HMO – even if you do not need a license. You need to know this as ALL HMOs, whether they need a license or not must comply with the management regulations.

Note that government is planning to widen the scope of HMO licensing later this year to take in two, or maybe even one, storey buildings – so you could be in for a nasty shock. Also once the Housing & Planning Act 2016 comes into force properly, Councils will be able to levy fines and keep the money. This will give them far more incentive (and the necessary funding) to take action against non-compliant landlords. You will find a free guide at www.landlordlawblog.co.uk/hmo

Have you protected your tenant's tenancy deposit within 30 days?

I still hear from landlords all the time who want to evict but find they can't use section 21 because they have not complied with the deposit regulations. Note that not only do you have to protect the deposit within 30 days of payment of the money to you (NOT the start of the tenancy) – you also need to serve prescribed information. If you have not done this, I have a helpful kit which you will find at www.legalkits.co.uk.

These are just a few of the traps for the unwary.

You will find a lot of guidance and help on my Landlord Law Blog, plus more information, forms and guidance on my www.landlordlaw.co.uk membership site. Plus, if you want some training, take a look at the workshops, online training and our annual Landlord Law Conference at www.easylawtraining.com. But do take care to comply with the ever increasing regulations. Otherwise it can prove very expensive!

Tessa Shepperson is a specialist landlord & tenant lawyer and can be contacted online at www.landlordlaw.co.uk

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Friday 7 July 2017 at: Taj Hotel, St James' Court,
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Advice for Landlords: How not to do Rent to Rent

'Rent-to-rent' or 'guaranteed rent' has become a popular business model for landlords and letting agents, particularly in London. In a rent-to-rent arrangement the landlord grants a lease to an individual or company, usually for 2-3 years. That person then finds tenants who will occupy the property on a short term basis. This is different from using a managing agent because the landlord should be paid a fixed rent regardless of occupancy for the whole of the terms by the 'middle tenant' and the landlord has no direct contractual relationship with the occupiers of the property.

This takes away some of the uncertainty and unpredictability that landlords face when using a managing agent. However, many cases we have dealt with recently prove that a rent-to-rent arrangement certainly does not mean guaranteed rent in your pocket. There are common mistakes we are seeing again and again, so here are our tips for how not to do rent-to-rent:

Using an AST agreement

An assured shorthold tenancy ("AST") is a type of tenancy that has a strict legal definition. You can only have an AST where the tenant (or one of the joint tenants) is actually living in the property. Using an AST agreement between the landlord and the middle tenant is completely wrong – it is likely that the tenancy agreement will not contain all the terms you need and it will definitely contain lots of irrelevant clauses.

Using a standard company let.

This is slightly better than using an AST but if you download a standard company let agreement that was not designed for rent-to-rent it's not going to cover the issues that are specific to rent-to-rent. Some company lets will prohibit the tenant from granting their own sub-tenancies – if that's what the middle tenant wants to do; your company let agreement is not suitable.

Not worrying about HMO licenses.

The head landlord and the middle tenant may both assume that the other is responsible for HMO licensing and they will not be prosecuted for failing to hold a license. That's wrong – and the council can probably prosecute both of you!

Assigning the whole lease

This is a trap for the middle tenant to fall into – if you assign the whole of the term of your tenancy to the occupiers, you no longer have any interest in the property. The landlord can now claim rent directly from your sub-tenants; there goes your profit! The sub-tenancies should be for a day less than the superior tenancy with the property owner.

Breaching mortgage terms and conditions

Even if you have permission to grant tenancies, this might be permission only to grant assured shorthold tenancies for no more than one year. If you breach your mortgage terms, the lender can take possession of the property.

Invalidating insurance

Just because you have landlord insurance does not mean that you are covered for a rent-to-rent arrangement. Check your policy carefully.

Breaching your lease

As a leaseholder you might be subject to a restriction on short-letting in your property.

Ignoring planning permission

If your property is going to be used for short letting or as bedsit accommodation, this may be a change of use. You must check what rules are in force in your area.

Not discussing who has responsibility for repairs and safety certificates

Who is responsible for carrying out repairs, and who will do them? If you fail to check your tenancy agreement you will not know what you are signing up for.

Not worrying about right to rent

Usually the landlord will be responsible right to rent checks for their own tenants, and then that tenant is responsible for right to rent checks for their subtenants. So in a rent to rent arrangement the middle tenant will be liable for checking the occupier's status. However, this can be varied by written agreement. Getting this wrong could make you liable for a fine or even criminal conviction

Serving a section 21 notice

You won't be able to terminate your guaranteed rent agreement by serving a section 21 notice as these only apply to assured shorthold tenancies. At the end of the fixed term the tenancy will simply end unless rent continues to be accepted for the property in which case notice will be needed.

Getting into rent-to-rent by accident

If you are buying a property with a tenant already living there, check who they are and what the tenancy agreements say. If you do not check you might find yourself in a rent-to-rent situation by accident. This can be very difficult and expensive to unravel.

Not reading the agreement carefully

Because these agreements are primarily contractual in nature the terms in them are important. Landlords can find themselves caught out by agreements that the middle tenant can keep renewing or which make it very difficult to remove the middle tenant when they fail to pay the rent. Rent to rent agreements should be checked carefully by someone who understands them before they are signed or they should only be entered into with a reputable and trustworthy middle tenant.

14. Not checking out the middle tenant

The middle tenant has substantial control over the property. They should be referenced and endorsements sought from current clients. It is also well worth searching for their company name on the internet to try to find out if others have had a bad experience with them. No landlord would let an occupier into their property who could not pay the rent but they are often surprisingly prepared to let a middle tenant of doubtful financial status have control over it in a rent to rent scenario.

If you have any questions and would like legal advice, please contact **David Smith, Partner in the Housing team at Anthony Gold. & his email is David.Smith@anthonygold.co.uk**



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Lambeth Landlord Forum

Date: Tuesday 14 March 2017, **Time:** 6pm to 8pm

Venue: Evolve Housing, 40 Stockwell Road SW9 9ES **Cost:** Free

About: An event organised by Lambeth Council to engage with private landlords and agents seeking to let properties in the Greater London Area.

There will be presentations on evictions, working with the planning team and a chance to network with landlords, agents and staff. Refreshments will be provided.

A couple of hours spent at the forum could prove long-term beneficial and we look forward to seeing you. There is no need to pre-book, you can just turn up and remember to collect your free smoke detector before leaving!

The venue is 2 minutes' walk from Stockwell underground station and is served by bus routes 196, 345, 2, and 333.

For more information contact George Knight, Lambeth Property and Lettings Coordinator at email gmknight@lambeth.gov.uk or Tel 0207 926 4341

Medway Landlord Forum

Date: Wednesday 26 April 2017

Venue: Gun Wharf, Dock Road, Chatham, ME5 0HZ

Time: First session 1pm - 4pm, registration from 12.30pm

Time: Second session 5.30pm - 8.30pm, registration from 5pm

For further info & to book a place, please email Lenka Trent at lenka.trent@medway.gov.uk

University of London Landlord Forum 2017

Date: Thursday 30 March 2017

Time: 5-8pm

Location: Senate House, University of London, Malet Street, London WC1E 7HU

Free Entry, Refreshments provided

3 CPD points will be awarded for your attendance



UNIVERSITY
OF LONDON



Medway Landlord Forum

Date: Thursday 19 October 2017

Venue: Gun Wharf, Dock Road, Chatham, ME5 0HZ

Time: First session 1pm - 4pm, registration from 12.30pm

Time: Second session 5.30pm - 8.30pm, registration from 5pm

For further info & to book a place, please email Lenka Trent at lenka.trent@medway.gov.uk

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London Borough of Tower Hamlets Landlord Forum Dates

5pm on Wednesday 8 March 2017

5pm on Wednesday 5 July 2017

10-2 Wednesday 8 November 2017

Risk Assessments in Rental Property

This article is about risks assessments in blocks of flats and other rental premises, both residential and commercial.

Health & safety risk assessments in the work place and in other organisations, plus in certain types of residential accommodation, have an impact on many people's lives these days. This is not necessarily a bad thing as it focuses attention on safety; it makes people think about risks and what can go wrong, and it prompts actions to remove hazards and reduce risk. In the case of blocks of flats, where common areas, escape routes and heights obviously pose risks in case of fire, then attention to risk assessments is well justified.

With Legionella risk, landlords are now under a duty to ensure that the risk of exposure to tenants, residents and visitors by Legionella is properly assessed and controlled. Although this risk in residential property is low, it is increased in certain circumstances where, for example there has been a long void period, where water tanks are present etc.

Normally there is no reason why the landlord should not carry out this risk assessment himself/herself so long as they are reasonably competent. Usually there will be no need to employ a consultant. The assessment should be a straightforward simple exercise in ordinary domestic premises and you will find a simple form to do this here: www.landlordzone.co.uk/documents

These assessments will apply to houses or flats with small domestic type water systems where the water turnover is high. Provided the risk assessment shows that the risks are insignificant and the control measures are being properly managed no further action would be necessary. It is important, however, to keep the assessment under review periodically in case anything changes to the system, and ideally document a risk assessment between every tenancy.

Houses in Multiple Occupation (HMO) need a general fire safety risk assessment periodically. A property is an HMO if you let to a minimum of three tenants who comprise more than one household and who share bathroom, kitchen and/or toilet facilities. Large HMOs, with three or more storeys, or five or more tenants forming more than one household, require an HMO license. Some Councils will also require small HMOs or all HMOs to carry a license.

A fire risk assessment is not only required for HMOs, but also for offices, shops, community halls, hotels, sports centers and various other commercial facilities. Effectively, the assessment should identify and reduce the risks posed to staff, guests and visitors from fire and other hazards.

It may not be absolutely necessary to employ a consultant to carry out a risk assessment, so long as the person doing it is competent, usually the “responsible person”, landlord or property manager. In some cases with commercial, multi-occupied and mixed use premises the responsibility may be shared between the commercial occupiers and the landlord, so the assessments need to be coordinated.

The question that usually arises in leasehold flats is: who is responsible and who pays for the specialist work needed to carry risk assessments and to undertake any remedial work stemming from the assessment?

Besides fire risk, in blocks there are also other statutory requirements to comply with: disability access, asbestos, gas and electrical checks, fire alarms and more recently, smoke and carbon monoxide alarms checks. There may also be risks associated with the grounds.

The Regulatory Reform (Fire Safety) Order 2005 requires a fire risk assessment to be carried out in blocks of flats or a residential building containing common parts with two or more dwellings, and in HMOs and commercial premises. The duty to carry out these assessments is on the "responsible person" (RP).

In blocks of flats as in multi-occupied commercial buildings, this is a bit of a "grey" area I would contend. In reality the responsibility can be said to be shared between the landlord (owner) or freeholder, managing agents, a right to manage company, or a residents' management company.

There may be internal common areas, or even access to flats / apartments via a common external stair / walkway. The risks may be minimal, but nevertheless I would say a risk assessment may be appropriate and a legal requirement. The aim of the risk assessment is to assess the suitability of existing fire safety and means of escape to determine whether additional fire safety measures are needed. The assessment does not need to include the leaseholders' flats.

The exact wording of the legislation says that:

"Any such assessment must be reviewed by the responsible person regularly so as to keep it up to date..." So, the frequency of the task is not specified; merely it should depend on the characteristics of the building. Obviously, a small block of flats as above may not need an assessment as frequently as a large block of flats.

This legislation is enforced by the local fire service (your local fire officer). He or she may carry out inspections at any time and if necessary serve enforcement notices on the "responsible person" in the event of non-compliance. In my experience such a visit would be rare for low risk situations unless you request it or there is an incident.

There is no requirement in the legislation to have an expert carry out risk assessments in situations like these, but it does specify the person doing this must be "reasonably competent". It also states that in workplace cases where there are less than five employees, the risk assessment need not be in writing, though it would seem to me to be foolish of the RP not to document this.

In some circumstances duties under the legislation can be extensive with high costs involved. Having a professional carry out the assessment (I would recommend that this is done at least initially in blocks of flats, HMOs and commercial premises), then there may be costs of compliance with such things as fire doors and fire shields for escape routes, fire extinguishers etc.

Service charges provisions in the leases will determine whether these costs can be passed on to the leaseholders by the freeholder or other responsible person. Most modern leases will include an obligation on the freeholder to comply with statutory requirements, usually with a right to recover the cost from the leaseholders. Also they usually included is a clause requiring the leaseholders to comply with statutory requirements in respect of their own flats. This may include such things as fire doors in their flats.

The cost of work carried out by a freeholder in blocks in respect of statutory obligations still has to be reasonable under the Landlord & Tenant Act 1985 and carried out to a satisfactory standard. Consultation with leaseholders, under section 20 of the Landlord & Tenant Act 1985 is still required if the works exceed the cost of £250 for any one leaseholder.

Tom Entwistle is Editor of LandlordZONE® and an experienced commercial and residential landlord

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Right to Rent Causing Discrimination in the Housing Market

The Government is being urged to scrap or at least set up an independent inquiry into the Right to Rent scheme before it is rolled out beyond England after widespread evidence of discrimination by landlords and agents has emerged.

A report titled 'Passport Please' by the Joint Council for the Welfare of Immigrants (JCWI) found that foreigners and British citizens without passports, particularly those from ethnic minorities, are being discriminated against in the private rental housing market as a result of Right to Rent.

The JCWI conducted surveys of landlords and a mystery shopping exercise to assess how the Right to Rent scheme has been implemented since its introduction in October 2015.

Just over half (51%) of landlords and agents said they were now less likely to consider letting to foreign nationals from outside the EU, while 18% were less likely to rent to EU nationals as well.

The mystery shopping exercise found that where neither a white British tenant nor a black or ethnic minority (BME) British tenant had a passport, the BME tenant was 14% more likely to be turned away or ignored.

JCWI's mystery shopping exercise found no evidence of ethnicity discrimination where a non BME and a BME British citizen both held passports – suggesting that the discrimination arises from the scheme itself.

Additionally, 85% of inquiries from asylum seekers, stateless persons and victims of modern day slavery, who require landlords to do an online check with the Home Office to confirm they have been granted permission to rent, received no response at all from landlords in the mystery shopping exercise.

Saira Grant, chief executive of JCWI, said: "We have been warning for some time that the Right to Rent scheme is failing on all fronts. "It treats many groups who need housing unfairly, it is clearly discriminatory, it is putting landlords in an impossible position, and there is no evidence that it is doing anything to tackle irregular immigration.

"Creating a so-called 'hostile environment' that targets vulnerable men, women and children is bad enough, implementing a scheme that traps and discriminates against British citizens is absurd.

"Expanding the scheme to devolved nations without taking into account the discrimination it causes would be misguided and unjustifiable. It is time to stop the scheme before it does any more damage."

Story from Property Industry Eye <http://www.propertyindustryeye.com/right-to-rent-causing-discrimination-in-the-housing-market/>?

London Borough of Redbridge Additional Licensing

Redbridge Council is introducing a new additional licensing scheme to help improve standards and reduce anti-social behaviour associated with the Borough's privately rented houses in multiple occupation (HMOs). Please find the designation notice attached.

It is already a requirement to license larger three storey HMOs under the mandatory scheme. The new additional licensing scheme will require all properties with three or more tenants living as two or more separate households and sharing amenities to be licensed, regardless of the number of storeys. This scheme will come into force from 13 April 2017 and will run for five years.

To obtain a license, landlords or managing agents will be required to pay a license fee of £500 for each rented property and meet certain conditions related to the way the property is managed. Failure to obtain a license may result in prosecution and an unlimited fine. The £500 fee is for the five year license and applicants who sign up between 13 March and 12 June 2017 will be eligible to receive a 50 per cent reduction. If landlords do not come forward to apply voluntarily we will issue a one year license.

Types of license:

Selective license

If you are a landlord of a property that is rented by a single family household or shared by two unrelated tenants. To be implemented in Clementswood and Valentines wards from 13 July 2017. The application fee is £500 and applicants who sign up between 13 June and 13 September 2017 will be eligible for a 50 per cent reduction. <https://my.redbridge.gov.uk/Map/wards>

Additional license:

If you are a landlord and operate a house in occupation that is shared by three or more tenants living in two or more separate households. This excludes houses in multiple occupation that require a mandatory license.

Mandatory license:

If you are a landlord of a house in multiple occupation that is three or more storeys, shared by five or more people living in two or more separate households

Further info can be found at www.redbridge.gov.uk/housing/tenants-living-in-privately-rented-housing-and-their-landlords/licences-to-rent-out-properties/

UK LANDLORD ACCREDITATION PARTNERSHIP (UKLAP) CPD (CONTINUOUS PROFESSIONAL DEVELOPMENT) & Re-ACCREDITATION

The aims of the London Landlord Accreditation Scheme (LLAS) and UK Landlord Accreditation Partnership (UKLAP) are to provide landlords and agents with information and professional development opportunities to:-

- Allow them to operate successful businesses
- Provide their tenants with safe and high quality accommodation
- Reduce the need for intervention from local authorities

The LLAS/UKLAP supports and encourages the continuous professional development (CPD) of its members so that they are able to maintain, improve and broaden their knowledge and skills to a sufficiently high standard of professional competence in the management of landlords/tenants issues and of property standards. The CPD programme validates and act as a quality assurance for the competency of Accredited Landlords and Agents.

Conditions of obtaining CPD with UKLAP

- Landlords must retain evidence of attendance at events and activities as these may be requested at time of re-accreditation
- Spot checks will be conducted from time to time
- Landlords to record details of their CPD on the UKLAP website
- Local authorities may issue CPD certificates to landlords/agents who participate in local authority events
- Penalties for provision of false information or miss-recording may include expulsion from UKLAP

Monitoring

Monitoring of the scheme will be undertaken via annual CPD compliance sampling via email, post and online. It is recommended that accredited landlords and agents make an annual declaration in respect of their **12 CPDs** points via email or online.

Reaccreditation

Individuals accredited with the UK Landlord Accreditation Partnership (UKLAP) will be re-accredited after 5 years, provided they

- A) Continue to be a Fit and Proper Person
 - B) Have complied and continue to comply with the Code of Conduct
 - C) Have taken steps to maintain and update their knowledge during the 5 years
 - D) Have accumulated 60 CPD points
- E) They have undertaken at least one training session (3hours) on sustainability issues incorporating fuel poverty, the Green Deal and energy efficiency. The training may be provided by UKLAP or any other PRS training body within the first 2 years of accreditation for newly accredited landlords and agents.
- F) For landlords and agents that are already accredited, they have undertaken at least one training session (3 hours) on property condition related issues, including aspects of fire safety, repair and hazards to tenants and visitors before the end of the initial accreditation period of 5 years. Please note that this CPD training will count towards your reaccreditation. The training may be provided by UKLAP or any other training body within PRS.

CPD points will be awarded for the following memberships and activities:

Activity	Conditions	CPD points awarded
Attendance at the LLAS/UKLAP Conference and Award Ceremonies	CPD awarded on the day of the Event	10points
Attendance at the LLAS/UKLAP Networking Events	CPD on the date of Event	10points
Membership of Private Landlord Association Membership of recognised professional body that has an enforceable code of conduct and encourages good practice. 90% of its operations relating to PRS, member of government approved Redress Scheme example Ombudsman Services, The Ombudsman, Property Redress Scheme.	CPD points awarded for each membership year. Additional CPD points will not be awarded for multiple memberships in one year	5 points
Additional training provided by UKLAP – full day	CPD awarded for each day attended	8 points
Additional training provided by UKLAP ½	CPD awarded for each ½ day session attended	5 points
Additional training provided by other bodies full Year	CPD awarded for each Year attended	12 points
Additional training provided by other bodies and online training –with relevance to PRS per day	Details to be submitted to UKLAP for approval. Once approved the event will be added to an approved list. Number of points will depend on hours committed and level of relevance	5 points
Attendance at Landlord & Letting Show or any other PRS Exhibitions	CPD awarded for each day	5 points
Attendance at your local council (or other council landlord forum or event with a duration of more than 3 hours	CPD will award for each event attended.	5 points
Attendance at your local council (or other council landlord forum or other event with relevance to PRS		5 points
Seminars on topics relating to landlord tenancy issues, Housing Act, Property improvement and other relevant topics	Details to be submitted to UKLAP for approval. Once approved the event will be added to an approved list. Number of points will depend on hours committed and level of relevance	5 points
Local Authority participation (Responding to questionnaires Taking part in landlord forums and feedback sessions, surveys etc.)	Local Authorities will determine which events will be awarded CPD and how many points will be awarded per event and advise UKLAP accordingly. CPD certificates to be awarded by the local authority	3 points

Difficulties in meeting CPD Requirements?

- It is recommended that members that have not been able to accumulate the required CPD points can pay and attend the LLAS Re-accreditation training and provided they successfully complete the training they will be accredited for another 5 years.
- The reaccreditation course will be held 4 times a year and the course fees for financial year 2016/2017 will be £189.99p per person booked via online or via phone.
- **Alternatively**, it is recommended that members that have not been able to accumulate the required CPD points can pay and attend the official accreditation course again at the normal fee of £89.90. and provided they successfully complete it, they will be accredited for 2 years only
- The landlord/agent will need to meet the 60 CPD point's requirements over the 2 years of accreditation for their accreditation to be extended for a further 3 years.
- Re-accreditation training is for landlords and Agents that have not accumulated the required 60 CPD points required for reaccreditation
- Re-accreditation training is also open to landlords and agents that have participated in the CPD program and have accumulated the recommended 60 CPD points. The reaccreditation training course fees are discounted to £89.90 per person.
- For landlords that are disabled or elderly and therefore unable to meet the CPD requirement, it is recommended that they confirm that their properties are let and managed by an agent who is either accredited or are a member of a recognised body.
- If the property is being managed and let by a friend or family member, it is recommends that the friend or family member be accredited and must also participate in the CPD programme.

Additional Activities: Training at other venues, Presentations, Lectures, Study Tours, Round Tables discussions, Debates, Meetings, Speeches, workshops etc.

Additional activities may be awarded CPD points, but are subject to approval by UKLAP. Any requests for CPD to be awarded for activities other than those included here should be submitted in writing to:

London Landlord Accreditation Scheme, Private Sector Housing Team
Housing Supply, Initiatives and Partnerships
Supporting People
London Borough of Camden
Camden Town Hall, Judd Street
London WC1H 9JE
Email: LLAS@camden.gov.uk

Rogue Landlord Banned from Managing Homes in Two London Boroughs for 10 Years

A rogue landlord has been banned from managing property in two London boroughs for 10 years under a landmark court order handed out because of the dangerous condition of the homes that she rents out.

Katia Goremsandu was given the Criminal Behaviour Order — typically used to control gang members or prolific drug offenders — after being convicted at Westminster magistrates' court for breaching the Housing Act at a rental flat in Bayswater.

The flat, in Gloucester Terrace, was found by Westminster council inspectors to have flaws including no mains-connected fire alarm, a lack of fire-proofing in the lobby, an outdated fuse box and no fixed heating.

Ms Goremsandu, who had previously been dubbed Britain's worst landlord, also had multiple convictions for housing offences in Haringey. Her crimes there included placing a black sticker to hide a warning light on a faulty fire alarm, leaving tenants without heating for long periods in winter and renting out a damp house for more than a year.

Now, however, under the new Criminal Behaviour Order she is prohibited from managing any property in either borough for a decade. She is also banned for the same period from being a director or owner of any company involved in letting and must instead appoint an agent to run the rental homes that she owns.

She must also declare her ownership of any other property of which Westminster and Haringey are unaware and ensure that the agent she appoints is given enough money so that all the properties under their control meet the standards set out in the Housing Act. A breach of any of the conditions would be a criminal offence carrying a potential prison sentence of up to five years.

The restrictions imposed on Ms Goremsandu are the first time a Criminal Behaviour Order has been issued against a housing offender in London, and only the second such case in Britain, since legislation allowing their use was passed in 2014.

Antonia Cox, Westminster's cabinet member for public protection and licensing, said the action against Ms Goremsandu, who was also fined £3,500 and told to pay £7,645 costs after her conviction, would send a message to all rogue landlords. She added:

"The order means that the likelihood of her being able to reoffend is now significantly reduced. "This sends a clear message to all landlords that they have a responsibility to their tenants and that bad practice will not be tolerated in Westminster."

Ms Goremsandu is understood to own four flats in Westminster and two properties, divided into 12 flats, in Haringey. Haringey council has previously estimated her income, including housing benefit payments, from the properties in the borough to be around £188,000 a year.

In an interview, she has claimed to have been "victimised and harassed" by council officials and caught up in "a war between the landlords and the tenants ... who begrudge the fact that we have property".

<http://www.standard.co.uk/news/london/rogue-landlord-banned-from-managing-homes-in-two-london-boroughs-for-10-years-a3467221.html>

Tenancy Deposits

Since 6th April 2007 all deposits taken by landlords must have been safeguarded by one of three Government approved schemes. Landlords can choose which scheme they wish to use and must safeguard each deposit and inform the tenant which scheme has been used within 30 days of receiving the deposit. The Government has awarded contracts to three companies to run its tenancy deposit schemes.

Failure to comply with the 30-day rule means that landlords could have to pay a penalty of between one and three times the amount of the deposit.

Failure to protect the deposit within 30 days will also mean that landlords cannot use the Section 21 procedure to evict a tenant unless there has been a court order dealing with the deposit or unless the deposit has been returned.

The ban on using the Section 21 procedure also applies to landlords who have protected the deposit but not given the prescribed information within 30 days.

Landlords should also be aware that they will still be liable for penalties up to six years after the end of a tenancy if they haven't done things by the book.

The new rules will apply to deposits which landlords are already holding when they come into force. You will be allowed a 30-day period of grace from the start date to protect these deposits and/or give the prescribed information if you have not done so already.

Failure to comply will mean that the new penalty and Section 21 rules will apply in exactly the same way as they do to new deposits.

Useful links

LLAS – www.londonlandlords.org.uk

UKLAP- www.uklap.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

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

Summer Networking & Live BBQ Event
Friday 7 July 2017 at: Taj Hotel, St James' Court,
51 Buckingham Gate, London, SW1E 6AF
Don't Delay Book your tickets at
www.londonlandlords.org.uk