

Welcome to the Post Conference & Training Day edition of The PRESS

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Conference and Training Day

Are you up to date?

Information, Trends & What Matters to you

I would like to thank everyone that attended the UKLAP/LLAS 1st LLAS/UKLAP Conference & Training Day held on 7 December 2016; I hope you found it both educational and useful.

The event took place at Drummond Gate Conference Centre, a dedicated floor of training and meeting space, which is supported by a tranquil, private garden - providing a relaxing retreat in the heart of Westminster, Victoria and Pimlico. The event was informative and enjoyable with the two key note speakers & 3 seminar facilitators demonstrating the major changes which the private rented sector (PRS) is currently undergoing and highlighting future changes in 2017 and beyond

Once seated 200 plus guests comprising of sponsors, landlords, letting and managing agents, local authority officers and associated professionals from the private rented sector listened as Dave Princep, founder and Chair of LLAS and the UKLAP opened the proceedings and reviewed the successes and growth of the London Landlord Accreditation Scheme and the UK Landlord Accreditation Partnership, the biggest and most successful scheme in the country.

He also touched on Brexit and said "Brexit is high on the agenda of the current Government, the new Government have already concentrated much of their efforts on the pre-negotiations and it's becoming clear that the negotiations with the EU, MPs and arranging new trade deals with the rest of the world are going to be very resource intensive, leaving less time of other matters, including new PRS legislation".

Presentations were delivered by **David Smith- David Smith RLA Policy Director & Partner** of Anthony Gold solicitors, specialist in Landlord & Tenant law whose presentation was on The legal framework within which everyone operating within the PRS must adhere to; Statutory, contractual and implied rights and obligation. The 2nd Keynote speaker **Richard Bowser Editor of - 'Property Investor News', the UK's leading property investment magazine**, gave a presentation on the impact on & future of PRS market Post Brexit.

Conference seminar facilitators included the following

- Housing & Planning Act 2016: **Dave Princep – Housing Consultant**
- Taxation – Beating Audits & Fines & Paying Less Tax – **Naomi Nesbit (Chartered Tax Advisor)**
- Learn how to get your Property & Rents Arrears back- **Mark Noble Client Services Director- (High Court Solutions)**

Following on from the Presentations and seminars, we had a very successful question time session, an expert panelist chair by **Marie Parris-Property Consultant- George Ellis Property Services**. A topical debate in which our expert panel answered pre-selected questions submitted prior to the event date.

The conference delegates enjoyed a wonderful selection of food & drinks and at the end, a drinks reception and networking which allowed everyone to wind down from the intensive one day program, to relax and enjoy each other's company. The Feedback received so far from guests has been very positive and we have also received several requests to host the event again next year. All in all, it was again another successful event. Thank you all again for your continued contribution to LLAS/UKLAP success!

We look forward to seeing you all in June/July 2017 at our annual Networking & Summer BBQ Event details to be published soon at www.londonlandlords.org.uk

Thank You

Jessica Alomankeh (UKLAP/LLAS Projects Manager)



AZAD AYUB



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Gas & Electricity Smart Meters

David Weatherall and Andy Deacon of Future Climate attended the UKLAP Conference & Training Day to talk with delegates about smart gas and electricity meters.

Every home will be offered the new gas and electricity smart meters between now and 2020. London landlords need to be thinking about how they can benefit from the new meters, and how they will work with tenants to get the new meters installed.

Gas and electricity meters belong to the energy company, and the energy company will check with the bill payer whether they want to have smart meters installed. If your tenants pay the energy bills, that means that it will be your tenants' decision to get the meter installed. If you pay the energy bills on your rented property, the energy company will contact you about changing the meters. In either case the smart meters offer multiple benefits to you and your current and future tenants.

Smart meters are "smart" because they can communicate with the energy company, through the mobile phone network. That means your energy company has a live view of how much energy you are using and can issue much more accurate bills. So no more estimated bills or requirements for meter readers to regularly visit your properties. If you're paying energy bills for rented properties you won't need to go round to take meter readings, or try to persuade your tenants to give them to you.

All smart meters come with an in-home display device. This small, hand-held digital monitor enables your tenants and you to see how much energy is being used in the home over the past half-hour, day, week and year - and how much it's costing. The device shows when electricity use is high, medium or low - to do this some devices use a red, orange, green traffic light system. Each home will get one display device, linked to both gas and electricity meters, which will only work in that home. The extra information from the display device has lots of uses, and for example, should reduce rows about high energy use between tenant sharers in HMOs or between landlords and tenants. One landlord we spoke to explained how he had used the display device to show a tenant how leaving an electric fan heater permanently on pushed the home's energy costs into the high, red traffic light zone.

Smart meters are great for your tenants currently using prepayment meters. Because it has two-way digital communication, a smart meter can switch between pre-pay and contract payment mode - none of the difficulties of switching to a special pre-pay meter when tenants get into arrears on bills. With smart meters it will be a lot easier and cheaper for pre-pay customers to switch energy suppliers, as well as to keep track of exactly how much credit they have left, and when they will need to top-up.

Lots of benefits; But a couple of things to think about. Firstly, discuss smart meters with your tenants. Even if you pay the energy bills, it's worth asking tenants to be there when the smart meter is installed. The installer will give energy efficiency advice as part of the process, which your tenants will certainly benefit from. The tenants and you will also learn how to use the in-home display device. After the meters installed think about how you and your tenants will look after the in-home display device - replacing it will probably come at a cost. Add it to the property inventory and emphasise to tenants that it will only work in that property.

Working with Smart Energy GB, Future Climate has produced factsheets particularly for landlords and tenants - especially of HMOs - about the smart meter roll out. Print out the tenants' information and share it with the people living in your homes. www.futureclimate.org.uk/smart-meters

David Weatherall
Future Climate MD



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Conference & Training Day 7 December 2016 Photos





Azad Ayub Ltd has been offering their services in the residential property sector since 1980. We provide an exceptional and personal level of service to both landlords and tenants. This has been recognized in our winning a number of industry awards. We also have Investors in People accreditation for over 10 years.

A very dedicated team of staff take great pride in offering professional services of a very high standard. This is reflected in the customers' satisfaction ratings we have received from existing and past tenants.

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The Residential Landlords Association (RLA) has more than 20,000 members throughout England and Wales. The RLA offers important services to its members such as a 24/7 helpline offering professional advice to its members. The RLA is also an influential campaigning organisation on behalf of all landlords and works hard to ensure that the opinions of landlords are considered by those people making decisions affecting the PRS. The RLA is the voice of landlords

For more info pls visit: <http://rla.org.uk/join/join.shtml?ref=uklapsponsorad>

LEGACY Education Alliance, Inc.

Legacy Education Alliance (LEA) is the UK's most respected provider of training programmes for those seeking a professional formation in property, entrepreneurship, personal development and stock market trading.

Established in the UK since 2001, LEA's UK property-specific training brands include; Rich Dad Education, based on the teachings of the internationally acclaimed author, Robert T. Kiyosaki. Making Money from Property with Martin Roberts; Property Academy with Robbie Fowler; Building Wealth and Women in Wealth. Our customers derive all corners of the globe, many of whom make up our roster of part-time trainers and mentors. LEA is actively committed to giving back and is a Gold Supporter of Make-A-Wish Foundation®.

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For more info please visit: www.top-moveuk.com



Managing energy use and energy bills is one of the most complicated issues in HMOs. Between now and 2020 smart meters for gas and electricity will be offered to all households - what will this mean for HMOs?

Future Climate are a small not for profit consultancy working to improve energy efficiency of the UK's building stock. We are working with Smart Energy GB and National Energy Action to produce guidance on smart meters for HMO landlords and tenants and for council officers working with HMOs (<http://futureclimate.org.uk/smart-meters/>). We're also running or attending a series of events in London, the West Midlands and the North West to raise awareness of this with landlords and council officers.



New Section 21 Rules

Landlords and Agents need to be aware of the changes affecting Section 21 Rules and Notices and other changes for the letting of residential properties in England (and in many cases Wales) introduced during 2015. This article explains the new rules in detail and gives suggestions and strategies on how to deal with them successfully.

This guide is not a substitute for taking professional advice from a suitably experienced person before making, or indeed not making, important decisions. Property laws and regulations are quite complex and change often, so you should check that what you are reading is up-to-date. In addition, laws vary depending on location, so if you have properties outside of England the rules may be different – this guide is based on English laws.

With the changes to tenancy laws, especially those rules coming in from 1st October 2015, landlords and agents need to be more diligent than ever if they are to avoid problems in the unfortunate event that a problem tenant has to be evicted.

The no-fault s21 eviction process (see below) is the safe way to go about evicting, but the new rules bring in a lot more loop-holes that a savvy tenant, or one with legal advice, can crawl through. One error in the process committed or omitted by the landlord or agent can stymie any legitimate possession claim.

The key to this is documentation, documentation, and documentation – without written evidence your eviction claim will fail, there's nothing more certain, so you need to think this process through from the day your new tenant enters the property.

This is the documentation we recommend

Telephone Enquiry Form	This is a checklist to record basic information on first contact.
Pre-Tenancy Interview Form	This is a form to record your pre-tenancy interview normally at the time of the viewing. This is a checklist for questions and is important as it shows that you put everyone through the same process, to avoid claims of discrimination.
The Tenancy Application Form	One for each adult resident. Collects all the background information on the individuals for credit checking, referencing and "right-to-rent" checks. Tenants sign and acknowledge the terms & conditions and it covers you for the Data Protection rules on sharing information.
The Letting Checklist	This form is a checklist we have produced to remind you of all the items in the letting process you must follow under the new rules.
Check-in and Check-out Checklist	This is a checklist we have produced which reminds you of the details you must cover especially when checking in a new tenant. It is important to get the ingoing tenant/s to sign and acknowledge that you have carried ALL these important tasks.
The Inventory	Having an inventory, preferably one produced by an independent inventory clerk, is the best safeguard for your property and is vital if you are to make a claim against a protected deposit.
Risk Assessments	There is a legal duty for landlords to assess and control the risk of exposure to legionella bacteria, but Health and Safety law does not require landlords to produce or obtain, nor does HSE recognise, a "Legionnaires testing certificate". It is recommended but not compulsory that landlords carry out a risk assessment. This shows you have identified any risks and taken appropriate action. This is a simple common sense process which proves you have taken all necessary precautions and done what is required. A full property safety risk assessment between tenancies is always a good idea.
Right to Rent Declaration	Following Right to Rent legislation introduced for all AST tenancies in England from February 2016, it is a legal requirement for landlords / agents to face-to-face verify right to rent documents (passports / visas, etc.), take copies of these and keep for future reference. The declaration is a document to provide evidence that these procedures have been followed, to provide a record of the documents the tenant/s are putting forward and a statement of truth.

This may seem like a whole lot of hassle, and perhaps it *is* an administrative burden, but unfortunately that's the way things are now – compliance documentation is coming into everything we do in financial and commercial transactions.

Note: The changes below refer to new tenancies created on or after the 1st of October 2015 and existing tenancies after 3 years from that date. A statutory periodic tenancy arising after the 1st October 2015 is not deemed to be a new tenancy in this regard, but a replacement tenancy. When a new AST agreement is signed, this is a new tenancy. The changes have no effect on the Housing Act 1988 Section 8 Notice and procedures for rent arrears.

For tenancies commencing before 1st October 2015, use the old style s21 notices. You can use the new prescribed A6 form s21 notice for older tenancies, but if you do you will need to make sure you have conformed to all the other new requirements – see below.

Changes to S21 Notice Procedure

A number of changes to **Section 21 possession claims** are brought in after 1st October 2015 under the new rules in the Deregulation Act 2015.

Any new Assured Shorthold Tenancy (AST) in England starting on or after the 1st October 2015 will require the new [Standardised Section 21 \(A6\) form](#) and the landlord or agent MUST conform to the new requirements, the main ones being:

1. Provide the tenant/s with a current copy of the 10 year [Energy Performance Certificate](#) (EPC) for the rental property, when letting information is given or at the viewing whichever is sooner.
2. Provide the tenant/s with a current copy of the annual [Gas Safety Certificate](#) for the rental property before the tenant enters the property.
3. Provide the tenant with a current copy of the Government Booklet: [How to rent: the checklist for renting in England](#) This MUST be the latest available version at the time of letting and on a tenancy renewal.
4. Protect any [Tenancy Deposit](#) taken, plus serve the statutory information (s213 notice) and the scheme's information leaflet within 30 days of receiving the deposit. Always get proof of service and remember that the statutory notice must provide reference to the clause in the tenancy agreement which spells out the circumstances under which monies can be withheld, e.g., rent arrears, service charges, damage etc.

You must be able to prove you did all this by having some sort of proof of service, or signed documents from your tenant/s.

For ASTs in Wales and existing tenancies which started before 1st of October 2015 and until 1st of October 2018 you should continue to use the old Section 21 notices – fixed term s21(1)(b) and periodic s21(4)(a)

Changes to Notice Periods:

- The new Section 21 notice cannot be served in the first 4 months of the original tenancy but it can be served at the start of a tenancy renewal.
- Once served the s21 lasts for a maximum of six months, during which time court action must be started, otherwise a new notice will need to be served.
- The new notice does not require an end date or end on the last day of a tenancy period. It is simply 2 months' notice. The exception to this is where the tenancy is contracted for quarterly or longer periods; in which case this rent period would be the length of notice required.
- Where the tenancy is a contractual periodic one, possession claims will need to start within 4 months of expiry of the notice.

- For 6 month tenancies it will not be possible to end the tenancy at the end of the term, but most likely it will be a few days into the next rent period. Because of this anomaly the legislation says that landlords must repay the over-payment of any rent.

Evictions and Applying for a [Possession Order](#)

Having correctly served a Section 21 notice under the new rules and waited for the 2 months' notice period to expire, you can then apply for a possession order using (1) The Accelerated Possession (Court form N5b) route with no court hearing, or the Standard Possession route (form N5) where a court hearing will be required, but a money claim can be added.

This is a three stage process: (1) s21 notice served, (2) apply to the court for a possession order, (3) if necessary, apply again to the court for a court bailiff eviction.

Certain basic information required by the court when applying for a possession order:

Proof of service at start of tenancy: (1) EPC, (2) Gas Safe Certificate, (3) How to Rent Booklet	If you have completed the recommended paperwork above you will have this proof
Copies of the EPC and Gas Safe Certificate for the Court	All documents sent to the court should be in 3 copies
Copies of the Tenancy Agreement	Showing tenancy dates, property and tenant/s details, signed, and with all details matching exactly those on the s21 notice and the other documents
Copies of the Section 21 notice	With proof of service
Copies of Tenancy Deposit Protection Details and Prescribed information (s213) as served	With proof of service
Copies of any Landlord License required for the property	Where the property is an HMO or is in a Licensing scheme location.

On receipt of your claim the court will write to your tenant/s to give them 14 days to respond with a defense. If your tenant should claim that some of the above critical documents were not received, or they were defective in some way, then your claim will be thrown out.

Retaliatory Eviction

One of the key issues addressed in the Deregulation Act 2015 is that of so called retaliatory or “revenge” eviction. This is where a landlord starts the eviction process upon receiving a complaint about repairs, rather than taking appropriate remedial action.

For new tenancies started on or after the 1st of October 2015 a valid section 21 notice cannot now be served where a tenant has notified the landlord of a repair issue AND a council Improvement Notice has been issued. The tenant MUST have made a written complaint to the landlord about the condition of the property BEFORE the section 21 notice was served.

The landlord must then “provide an adequate written response within 14 days”. That would be a letter setting out a plan of action with timescales for the repairs.

Where the tenant also complains to the relevant local authority and they subsequently issue an Improvement Notice, then a valid Section 21 notice cannot be served for 6 months after the Improvement Notice is issued.

Where a tenant complains and the landlord responds, but still issues a Section 21 notice; this could go through providing no Improvement Notice is issued before a possession order is granted by the court.

Exceptions to Retaliatory Eviction

- If the property is genuinely on the market for sale
- If the property the subject of a mortgage repossession order
- If it can be shown that the tenant caused the dis-repair.

On the last point, disrepair by the tenant may be difficult to prove or contentious. For example, mould caused by [condensation](#) is often down to the tenant not having sufficient heating and not ventilating steam and moisture from the property, perhaps when drying clothes.

It's a good idea to build a record of success for a rental property by having tenants complete an end of tenancy survey. In this way, if you can show the property has a record without condensation and mould it is pointing to the tenant/s being at fault and will be very good evidence in case of a dispute. You can download an End of Tenancy Survey [here](#)

Tenancy Journal

You should keep a journal of all recording the date, time and subject of all contacts – reports and promises – made to your tenants when dealing with repairs and other issues.

Serving Notices

Important documents such as section 21 notices should be hand delivered and signed for, or served and witnessed by an independent person. Posting through the letter box is acceptable providing you have a witness. Where the tenancy agreement says so, notices can be served by first class mail – allow time for delivery.

Some documents can be delivered via e-mail, including the latest version of the “How to Rent” document, PROVIDING the tenant has agreed to this, and the above forms will help with this. However, it is difficult to prove that an email has been received and read unless you get an acknowledgement (difficult if in dispute), so surface mail correspondence, or e-mail in addition to surface mail might be prudent.

Most tenancies end peacefully by the tenant giving notice and leaving. However, a few end in acrimony where there is no option but to evict. It's because of this that every tenancy needs to be treated with the utmost due diligence and caution if you want to bring a bad situation to an end quickly, and with the least possible legal expense.

It cannot be emphasised too strongly that creditable DOCUMENTARY EVIDENCE is vital in any legal process.

Read the Explanatory Memorandum to the Assured Shorthold Tenancy Notices and Prescribed Requirements (England) Regulations 2015 no.1646 [here](#)

All the **documentation** we recommend is available to download:

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

See also these notes on the Deregulation Act 2015 – Retaliatory Eviction and the new Section 21 Notices – [here](#)





LLAS & UKLAP CPD (Continuous Professional Development course Dates

Tenancy Agreements - Setting them Up ½ day course (9:30 to 12:30 am) on 26 January 2017 in Thurrock

Course for: All landlords and letting and management staff.

Just about everything you need to know to avoid problems setting up tenancy agreements! It focuses on the factors that produce different types of agreement and the notices used with common agreements;

- Choosing a tenancy agreement
- Setting up and ending different agreements
- Choosing and serving the correct notices
- Why most agents find they have “wrong” agreements
- Understanding different agreement types (including, for example, 3 types of assured shorthold tenancy).

Book: www.londonlandlords.org.uk

End of Tenancy Management - ½ day course (1:30 to 4:30pm) on 26 January 2017 in Thurrock

Course for: All landlords and letting and management staff

This course focuses not on the legal processes of possession (that is covered in our range of possession proceedings course) but rather looks at the range of practical things that can be done and the understanding that is necessary to effectively manage bringing a tenancy to a conclusion.

- We start by looking at the things you need to do setting up a tenancy in order to achieve a successful ending
- We look at what you can do during a tenancy to improve the move out experience
- We discuss the importance of the inventory
- We talk about the risky point of change of occupiers
- We discuss the different legal tenancy endings possible
- We will show you where other have gone wrong
- And what you should do to get it right

Managing HMOs: ½ day course (9:30 to 12:30 pm) on 31 January 2017 in Camden

Course for: All landlords and letting and management staff involved in letting HMOs.

As soon as a property becomes an HMO there are additional legal obligations to comply with; This course gives a thorough understanding of what makes a property an HMO and what you then have to do about it;

- Identifying an HMO (if you can't identify an HMO you will never get this right)
- Who is the manager?
- The management legislation
- Duties of the residents (yes they have legal obligations too)
- The link to the Regulatory Reform Fire Safety Order
- Fire safety risk assessments

Repairing Obligations: ½ day Course (1:30 to 4:30pm) On 31st January 2017 in Camden
Course for: All landlords and letting and management staff.

This course looks at the range of legislation and responsibilities around repairs in residential properties. Repairing responsibilities come from different sources and this course will give you the most comprehensive knowledge possible of this important subject;

- Statutory repairing obligations
- Tenant repairing obligations
- Implied repairing obligations
- Instructing contractors
- Health and safety considerations

Practical Possession Proceedings under section 21: ½ day course (9:30-12:30pm) on 28 February 2017 in Camden

Course for: All landlords and letting and management staff involved in the possession process some basic possession knowledge assumed.

This course looks at the most common possession action using section 21 and the form N5B. We will walk you through the process from serving notice to enforcing the court judgement, with examples for you to complete on the course. By the end you should have done the basic notices and court paperwork needed for possession;

- Experience Accelerated Possession Proceedings process
- See the court forms and the forms sent to the defendant
- Complete the notices
- Fill in the court application forms
- Discover how much of the process you can actually do
- Apply for enforcement of your possession action

Practical Possession Proceedings under section 8: ½ day course (1:30 -4:30pm) on 28 February 2017 in Camden

Course for: All landlords and letting and management staff involved in the possession process. Some basic possession knowledge assumed.

This course looks at the important action necessary for tenants in rent arrears using section 8 and the court forms N5 and N119. We will walk you through the process from serving notice to enforcing the court judgement with examples for you to complete on the course. By the end you should have done the basic court paperwork and notices needed for possession;

- Experience rent arrears possession proceedings process
- See the court forms and the forms sent to the defendant
- Complete the notices
- Fill in the court application forms
- Discover how much of the process you can actually do
- Apply for enforcement of your possession action
- The same process is used for many different breach of tenancy situations

Managing HMOs: ½ day course (9:30 to 12:30 pm) on 22 March 2017 in Thurrock

Course for: All landlords and letting and management staff involved in letting HMOs.

As soon as a property becomes and HMO there are additional legal obligations to comply with; This course gives a thorough understanding of what makes a property an HMO and what you then have to do about it;

- Identifying an HMO (if you can't identify an HMO you will never get this right)
- Who is the manager?
- The management legislation
- Duties of the residents (yes they have legal obligations too)
- The link to the Regulatory Reform Fire Safety Order
- Fire safety risk assessments

Legal Update: ½ day course (1:30 -4:30pm) on 22 March 2017 in Thurrock

Course for: All landlords and letting and management staff.

This course looks back over the last 12 months and forward to legislation going through parliament and provides a comprehensive update of all the key issues that either have changed or are about to change.

- Immigration Act update
- The new Consumer Rights Bill
- New rules to comply with deposit protection
- Other new legislation passed or tabled
- Significant court cases around residential lettings
- The content of this course will evolve as laws and cases alter

Immigration Act 2014 (Right to Rent Checks): ½ day course (9:30 to 12:30 pm) on 28 March 2017 in Camden

Course for: All landlords and letting and management staff.

Covers the responsibilities of the Immigration Act 2014, updated to include the responsibilities introduced by the Immigration Act 2016 that came into force 1 December 2016, including new criminal offences

- Getting it right from the start
- Understanding the “right to rent”
- When to recheck ID
- Handling renewals
- What to do if notice is served on you
- Avoiding a criminal conviction
- Understanding the penalties and fines

Housing Act 2004: ½ day day course (1:30 -4:30pm) on 28 March 2017 in Camden

Course for: All landlords and letting and management staff.

Covers all the parts of the Housing Act 2004 that will be relevant to the residential lettings market including. This course should not be offered in the same day as the HMO Management course due to overlapping content;

- Housing Health and Safety Rating System
- Understanding when a property is an HMO
- Mandatory, Additional and Selective licensing
- Requirements for non-licensable HMOs
- Penalties
- Management orders
- Tenancy Deposit regulations

Book at www.londonlandlords.org.uk



UK LANDLORD ACCREDITATION PARTNERSHIP (UKLAP) CPD (CONTINUOUS PROFESSIONAL DEVELOPMENT)

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	8points
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 session attended	12 points
Additional training provided by UKLAP ½	CPD awarded for each ½ day session attended	5 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 2015/2016 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 programme 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 recommended 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

The right to rent- Landlord immigration checks

The right to rent

- The right to rent restrictions introduced in Immigration Act 2014
- Began nationally 1st February 2016.
- Makes it **COMPULSORY** for all private landlords to check the immigration status of all persons over the age of 18 who will be occupying the property **BEFORE** entering into a tenancy agreement.
- It had already come into effect on 1st December 2014 in Dudley, Walsall, Sandwell, Wolverhampton and Birmingham.

Overview

- Applies to any new tenant wanting to rent accommodation as their only or main home. This includes lodgers or sub tenants. Checks must be made on all persons over the age of 18 who will be living in the property - not just the tenants.
- The landlord or agent must undertake the check (agents **MUST** be instructed in writing to carry out checks).
- Documentary evidence need to be checked *no longer than 28 days before the start of the tenancy* in the presence of the tenant (or video link) and must be originals. Must be satisfied that they are genuine and take copies.

- Copies must be stored securely for at least 1 year after the tenancy ends
- Checks last for the length of the tenancy or the expiry date of any restricted leave, whichever is the longer
- Large fines that can be imposed if checks are not made

Who has a right to rent?

1. Relevant Nationals

These are people who are not subject to immigration control and include British citizens, EEA and Swiss nationals. Just have to prove ID and nationality but are not required to prove a right to be in the UK

2. Those with a right to rent

People subject to immigration control and who have leave to enter or remain in the UK that has no limit or restrictions

Groups 1& 2 only need to be checked when they move into a new property and can rely on expired passports provided they can be identified by them.

3. Those with a limited right to rent

These are individuals who have limited leave or restrictions imposed by the home office that is time limited. Landlords are required to carry out follow up checks either just before the lease expires or after 12 months, whichever is the later.

What documents are required? They will require 1 of list **A** or 2 of list **B**

A	B
UK, EEA or Swiss passport	UK Birth or adoption certificate
EEA or Swiss ID card	Full UK drivers licence
Permanent EEA /Swiss residence or family member card (blue)	Official letters from: HM prison service or national offender service or criminal record check *
Biometric residence permit or immigration status document endorsed with ILR or ILE	Evidence of current or previous service in armed forces *
Passport or UK travel document endorsed with ILR or ILE	Letter from the police confirming certain documents have been stolen*
Commonwealth citizens right of abode	Testimony from employer or UK passport holder*
Certificate of naturalisation	Letter from UK further education establishment, local Authority or Benefits Agency*
TIME LIMITED RIGHT TO RENT valid passport , biometric document , non-EEA national residence card or UK immigration status document endorsed with time limited leave	*These letters and testimonies cannot be more than 3 months old

The Process

- The documents must be checked for authenticity in the presence of the tenant and copied. These documents must be kept securely for at least 1 year after the end of the tenancy.
- Comply with the Data Protection Act and dispose of unwanted documents by shredding or burning them.

If documents are with the home office due to an outstanding immigration application, checks can be made with the **landlord checking service** online form or with the advice line on **0300 069 9799**.

- The Home office reference number is required. If the online form is used a reply will be made within 48 hours, if no reply has been received then the landlord may continue with the letting.
- If follow up checks need to be carried out and it is discovered that the person no longer has a right to rent the landlord must make a report to the home office. **There is no need to evict the tenant.**

What are the penalties?

- It is now an offence to rent accommodation to “an illegal immigrant”. If an illegal immigrant is found in a landlords property and they have failed to make the proper checks then they are liable to a Civil Penalty of up to £3,000
- If a landlord is reported to the Home Office s/he will receive a **referral notice** and be asked to provide an explanation following an **information request**. Following this a **civil penalty notice** will be issued or a **no action notice**. Landlords have 28 days to object to a civil penalty; grounds are that the landlord is not liable, the penalty is too high or there is a statutory excuse. The outcome is by means of an **objection outcome notice**, if they still disagree they may appeal to the courts

Summary



Tenants now have the right to request energy improvements

From 1st April 2016, tenants have the right to request consent from their landlords to make energy-saving improvements for the properties they rent.

Landlords will not be able to refuse their consent without good reason, but tenants will need to ensure that they have a way of funding improvements at no cost to the landlord, unless otherwise agreed.

Key steps a tenant must take when preparing an energy efficiency consent request:

- checking their tenancy type,
- deciding which energy efficiency improvements they wish to make,
- securing appropriate funding, and
- compiling the necessary evidence and preparing the written request.

Key steps a landlord must take when considering an energy efficiency consent request:

- deciding whether there are any grounds under which they could reasonably refuse consent,
- deciding whether they need to obtain additional advice or evidence before making a decision,
- deciding whether they require third party consent before consenting to the tenant's request, and
- deciding whether they wish to make a counter proposal.



For more info visit www.gov.uk/government/publications/tenants-energy-efficiency-improvements-provisions-guidance-for-domestic-landlords-and-tenants





AZAD AYUB

Azad Ayub started as a property management company in 1980 and it was incorporated in 1995, providing continuity to our clients both landlords and tenants for over 35 years.



We manage properties in North London and other areas within the M25. Most properties are owned by the directors of the company and a small number by our clients, who use the management services that we provide to Landlords.

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