

37th Edition June. 2018

Summer Networking Event & Live BBQ

Join us on Friday 6 July 2018

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Welcome to the latest edition of the PReSs

As I reported in the last edition the Government are steaming ahead with further proposals for the PRS, in the hope of attracting the younger voters and those renting. This Government's ad hoc and knee jerk approach to PRS legislation is producing an unprecedented increase in the burden on landlords and affecting the ability of good landlords and agents to operate within the law. We may have been in a completely different situation had the recommendations been adopted in a major PRS review published 10 years ago - the Rugg Review from the University of York.

LLAS was involved in the evidence gathering and dissemination of its findings and recommendations. This review was a well-respected and made a number of sensible suggestions of how the PRS could be regulated for the benefit of tenants, good landlords and agents alike, including light touch registration of landlords and licensing of agents, client money protection insurance etc. Despite generally being well received, with many of the wide-ranging suggestions being widely supported, the Government of the day decided not to act and the whole sector is now suffering from this lack of vision. This lack of a considered long term strategy is contributing to the flood of new requirements often based on little or dubious information and data.

In the pipeline from 1 Oct 2018 are new definition for mandatory licensable HMOs – 5 or more persons in 2 or more households, but the requirement for the HMO to be 3 or more storeys will be removed with an estimate 100,000 plus more HMOs requiring a licence. Any HMO licence will also have new minimum room sizes applied to occupancy levels and adequate refuse facilities will need to be provided.

Several provisions introduced by the mis-named Deregulation Act 2015 will be extended to existing tenancies and will include the use of prescribed form 6A for s21, the times limits for s21 notices and the retaliatory eviction provisions. Transitional regulations had been hoped for to clarify how these changes would apply to existing tenancies, but none has been produced. From 1 April 2019 agents will need to have client money protection insurance (CMP).

Other changes to be included at some time in the future are the requirement for all rented premises to have an electrical safety check, a ban of fees and a cap to the amount of deposit that landlords & agents will be able to demand from tenants. The Health and Safety Executive have also been requested to see whether a CO alarm should be required in any room where a gas appliance is provided in rented accommodation.

It is possibly no surprise that the Ministry of Housing and Local Government has just reported the first reduction in the number of PRS premises available for renting in over 30 years. There was a 46,000 reduction in the year up to March 2017. The Residential Landlord Association anticipate that the number could exceed 130,000 for the following year.

Everyone in the PRS needs to be aware of the changes being imposed and those regulating should also consider the likely impact on good landlord and agents and on availability of homes for tenants. I hope you enjoy this issue.

Dave Princep (Chair of LLAS & ATLAS)

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Speakers



David d'Orton-Gibson – MD, TFP
An update on PRS Legislation



Tony Gimple
Founder & MD
Less Tax for Landlords - **What the tax changes really mean for you as a landlord,**



Dave Princep
PRS Housing Consultant & Chair of LLAS/ATLAS
Welcome & PRS Quiz master



Peter Littlewood
iHowz Director - **Master of Ceremony & PRS Quiz master**

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Still worried about Section 24?

As a Landlord facing the removal of financing costs as a legitimate business expense, apart from putting up rents and compounding the tax problem, you have four options: -

Option 1 - Sell Up

Take the CGT hit and mortgage penalties, and either spend the lot or invest the money elsewhere.

Option 2 - Do Nothing

Accept the changes and put up with less cash in your pocket.

Option 3 - Incorporate

Jump on the band wagon and incorporate, ending your section 24 concerns, but opening up further difficulties as laid out in our guide: [LT4L.UK/guide](https://www.lt4l.uk/guide)

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- Peace of mind and more money in your pocket!

Now is the time to chose, but whatever you do, don't simply bury your head in the sand!

Visit [LT4L.UK/LLAS](https://www.lt4l.uk/LLAS) to request a free assessment.

Specialist landlord & tenant lawyer - Tessa Shepperson answers landlords' FAQ. Banning orders – what are they and how do they work?

On 6 April 2018 new rules came into force introducing 'banning orders'. What are these and how do they affect landlords?

Initial points

First – these regulations only apply in England. So, if you own properties in Wales, they will not apply to you as a landlord of that property.

Secondly, they will probably not apply to you anyway. A banning order can only be made against a landlord who has been convicted of a 'banning order offence'. So if you have never been convicted of anything – a banning order cannot be made against you! At the moment. However, this does not mean that you will never fall foul of the authorities, so you do need to be careful. A banning order, if made, will effectively end your business. So, something to be avoided at all costs.

What are banning order offences?

There are two types:

1 Housing related offences. These are things like failure to comply with the HMO rules, failing to comply with an improvement notice or convictions for unlawful eviction or harassment.

2 Serious criminal offences. There is a great long list of offences covering a wide variety of offences running from blackmail to manslaughter (although, strangely, not murder). However:

- The offence must be committed against or in collusion with a tenant occupying the housing or the offence must be committed in relation to that housing
- At the time the offence took place the offender must have been the residential landlord or property agent of that housing, and
- The offender must have been sentenced in the Crown Court (which will include cases where someone is convicted in the Magistrates Court and sent to the Crown Court for sentencing).

How is a banning order made?

Banning orders can only be made by an English local housing authority making an application to the First Tier Tribunal. However, the local authority must give you notice first and you will be given an opportunity to make objections. You are not going to suddenly receive a banning order though the post without warning!

When deciding to make a banning order, the First Tier Tribunal will consider the following:

- The seriousness of the offence
- Any previous convictions for banning order offences
- Whether the person has ever been included in the database of rogue landlords and property agents, and
- The likely effect of the banning order on the person and anyone else who may be affected by it

There is a right of appeal to the Upper Tribunal, and also to apply to revoke or vary a banning order once it has been made.

What is the effect of a banning order?

A banning order will ban a person from

- Letting housing in England and
- Engaging in English letting agency work
- Engaging in English property management work, or
- Doing two or more of those things

This will be for a specified period of time which must be for at least 12 months.

The order may contain exceptions, for example to allow a landlord to deal with existing tenancies and to allow agents to wind down their business.

Conclusion

These rules are aimed at serious criminals. An ordinary landlord or agent is unlikely to have a banning order made against them for an honest mistake. However, technically, it could be! So, it behoves landlords and agents to take care that they are complying with the law and all the regulations which now apply to rented property.

All landlords and agents should do regular training (for example attending our annual Landlord Law Conference or LLAS/ATLAS training) and belong to an organisation such as LLAS/ATLAS, my Landlord Law service or a landlord's association which provides help and guidance.

Remember that 100% protection is only available if there is 100% compliance.

Tessa Shepperson

Read more from Tessa at www.landlordlawblog.co.uk

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Landlord Incorporation – Out of the frying pan and into the Fire!

Overview

Since the introduction of the 3% Stamp Duty (SDLT) uplift and George Osborne's now infamous S24 landlord tax and everything that went with it, such as the removal of the wear & tear allowance, and the additional 10% Capital Gains Tax (CGT) surcharge for 'investment' assets, landlords have certainly been feeling the heat. And if you do the wrong thing now, you'll be walking towards the flames and not the extinguisher!

So, what should you do about being every politicians' whipping boy'?

A simple Google search will reveal that landlords are being told that the only answer is to incorporate, i.e. move their property portfolio into a limited company.

And, as limited companies can deduct 100% of their finance costs and the like, that would be the obvious thing to do. The trouble is that what landlords are not being told is that incorporation is a one-way street and will be the most expensive 'business' decision/mistake they ever make. Talk about jumping out of the frying pan and into the fire!

Here's why. Apart from the transactional costs (re-mortgaging, professional fees, etc.) and the significantly higher tax regime that you'll eventually find yourself in, you'll have to qualify for what is known as S162 Incorporation Relief. In basic terms, that means the transfer of ownership of *all* your 'investment' properties at the same time from being in your name, to that of your limited company without having to pay CGT or SDLT in the process. By the way, you can't transfer properties one at a time, incorporation and S162 is an all or nothing one-way street.

Pretty much up until the end of 2017 HMRC was happy to give non-statutory clearance for S162 applications, meaning that you had the certainty that there wouldn't be a massive and wholly unexpected tax bill upon completion. Sadly, that's no longer the case, which means that you won't know whether you have a tax bill or how much it's likely to be until it's too late to stop. BTW, there's no way back once you incorporate and, as you'll see later, the tax position gets progressively worse.

By the way, when it comes to mortgages, upon incorporation you go from being a private individual with a whole raft of consumer legislation to protect you, to becoming a commercial borrower whom the law expects to be able to look out for themselves; which if you've ever entered into a non-regulated finance agreement you'll know is a very different world.

If, perchance, you're being told that by using a Beneficial Interest Company Trust (BICT) you can avoid the need to remortgage, then think again. BICTs constitute a breach of your mortgage terms and conditions, and some lenders have powers to call in the debt if any others do so even if your account with them is otherwise in good order.

The transactional costs

The value of your time to one side, moving from being a private landlord to a corporate one will incur you in the following costs: -

- CGT and SDLT if you don't qualify for S162 Incorporation Relief (you won't know until it's too late)
- Early redemption charges
- Brokers fees
- Lenders fees

- Legal fees
- Loss cannot be carried forward

Whilst not in themselves direct transactional costs, being a commercial borrower impacts you in the following ways: -

- Significantly reduced choice of lenders and higher interest rates; the majority won't lend to limited companies, and none are keen on BICTs as they fundamentally weaken their ability to pursue the debt.
- Lenders will mostly require full personal guarantees on a joint & several basis from all the directors and shareholders (if the company goes bust you remain responsible for the debt).
- Lenders will take a debenture (legal charge) over the company's balance sheet, which restricts your ability to make best use of your director's loan account if at all.
- You're tied in to the first lender and their appetite for further lending, if any, meaning that each new acquisition or remortgage may need a new lender and a new company if your existing lender isn't interested.
- If property prices fall thereby increasing the loan to value beyond the point to which the lender originally agreed, you'll have to find the cash difference
- Restrictions on what you can borrow for i.e. remortgage to fund lifestyle.

The tax position*

Limited Companies and the individuals within them are taxed up to seven different ways: -

- Corporation Tax (19% falling to 17%, but could be uplifted for 'property/investment' companies, as CGT was for individuals)
- Capital Gains Tax on personal withdraws of capital resulting from selling assets (10%, 18%, 28%)
- Directors Loan Account Tax (32.5%)
- Dividend Tax (7.5%, 32.5%, and 38.1%)
- Income Tax (20%, 40%, 45%, and 60% on the slice between £100,000 and £123,700)
- Employees and Employers NIC (12% and 13.8% respectively)
- Inheritance Tax (40% - 'investment' companies, i.e. those that hold residential property for 12-months or more for the sole purpose of collecting rents, are fully subject to IHT)

*as of the 2018/19 tax year

For most landlords, the above information will come as something of a shock, despite the fact that they may have already received 'professional' advice. Don't panic though if you've already incorporated, as it may still be possible to significantly reduce the ongoing tax bills, albeit that's sophisticated accounting territory and not something that the average firm either understands or knows how to do. But then the same lack of understanding goes for accountants in general when it comes to knowing what to do with property businesses, else they wouldn't be advising you to incorporate in the first place.

Thankfully though, there are alternatives to outright incorporation.

You could simply stay as you are; not every landlord will suffer, and those on basic-rate tax with small loan to values should be ok, albeit IHT and CGT will most likely remain a problem.

If, however, your goal is to maximise the commercial benefits of building, running, and growing a recognised professional property business that's fully in line with stated Government policy, and to pass it on as intact as possible to the next generation without suffering the huge disadvantages associated with Incorporation, then a 'hybrid' approach could work for you.

When properly arranged and managed, hybrid tax and property ownership delivers a recognised business arrangement that means: -

- No need to remortgage or change title, thus no CGT or Stamp Duty
- Tax from your property income at basic rate regardless of how much you draw
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- Being fully in line with Government policy to professionalise the sector and compliant with both the letter and spirit of the law
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We only work with those who are involved in owning or developing buy-to-lets, HMOs or, commercial property.

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The General Data Protection Regulation

Does this affect me as a Landlord?

The short answer to this question is *yes*, the General Data Protection Regulations (GDPR) affects all private landlords. The GDPR came into force on 25 May 2018 and applies to all businesses, organisations and governments within the EU, as well as those outside the EU, who process EU resident's data. The new regulations will continue to apply after Brexit and future-proofs the transfer of personal data between the UK and EU. A private landlord is classed as a business and therefore must comply with GDPR and register with the Information Commissioner's Office (ICO) as a data controller. The ICO is the supervisory authority responsible for data protection.

Roles within GDPR

Within GDPR there are two roles that are important to understand. The role of the '*controller*' and the role of the '*processor*'. The controller determines the purpose for which, and the manner in which, personal data is processed, therefore making the decisions. The processor is responsible for carrying out the controller's instructions and is limited to the scope of those instructions. The processor must not process the data any further than permitted by the controller. GDPR places specific legal obligations on the processor. The processor will have a legal liability if they are responsible for a breach. Controllers will need data processing agreements with processors stating what can and cannot be done with personal data the processor is processing.

What is Personally Identifiable Information?

Personally identifiable information refers to any information relating to an identifiable person who can be directly or indirectly identified, this is also known as 'personal data'. This may include a name, bank details, right to rent documents, an email address and location data (IP address). This reflects the changes in technology and the way in which organisations collect information about people since the introduction of the Data Protection Act 1998. Personally identifiable information also refers to sensitive information that relates back to a person, for example, the salary information of a prospective tenant along with their name would be classed as personal data. The fact a tenant is looking for a property in London would not be personal data.

What is processing?

Processing is collecting, recording, storing, retrieving, using, erasing and the destruction of data.

Lawful basis of processing

There are six lawful bases of processing, of which consent is only one and you must have a valid basis in order to process personal data. Examples might include:

1. **Contractual fulfilment** – most likely to be relied upon. A landlord provides the tenants' contact details to the carpenter in order to repair the kitchen cupboard door, this would be contractual fulfilment, the landlord fulfilling his contractual obligations to repair the property.
2. **Legitimate interest** – the legitimate interest must be identified and where it is identified this must be stated on the privacy notice. A landlord needs to ask themselves '*am I using the personal data in a way in which the tenant might reasonably have expected when they gave me the data*'. A landlord would have a legitimate interest in referencing a tenant as they need to ensure the tenant is financially suitable to take on the responsibility of letting the property.
3. **Consent** – If you go beyond legitimate interest you may need to get consent. Consent is unlikely to be the most significant basis of processing within the private rented sector.
4. **Compliance with the law** – the landlord provides the tenants' information to the deposit protection scheme in order to comply with the Housing Act 2004.

5. **Protecting vital interests** – this is relevant to a life or death situation and must be in the vital interest of the data subject as opposed to the business. It is not likely to be relied upon in the private rented sector
6. **Public interest or official function** – the landlord discovers the tenants are supplying illegal drugs from the property, this is not in the public interest therefore the landlord informs the police supplying them with personal data relating to the tenant.

What is consent?

- A lawful basis of processing, GDPR sets a high standard for consent but you often will not require consent.
- Consent offers individuals real choice and control, putting individuals in charge of their data.
- Consent should be obvious and requires a positive 'opt in', pre-ticked boxes, opt out boxes or any other method of default consent is not permitted under GDPR.
- There is no time limit for consent. The length of time it lasts will depend on the context.
- It must be easy for people to withdraw consent at any time they choose.

The fundamental question a landlord need to ask themselves is *“do I require consent to process the data?”*

What is a data audit and why is it required?

A thorough data audit (also known as an Information Asset Register) is the first step towards achieving GDPR compliance. You need to determine what data you hold, who is collecting it, how it is collected, why it is collected, the lawful basis of processing, who it will be shared with, how it is stored and when it will be deleted. As a private landlord the data subjects maybe your agent (if personally named), tenants, previous tenants and contractors.

Privacy Notices

Being transparent and providing accessible information to data subjects about how you store their personal data is key, the way in which you do this is by providing a privacy notice. Privacy notices are not new to GDPR, they are a requirement under the previous Data Protection Act 1998. Privacy information is normally located at the bottom of a web page. The output of your data audit will be privacy notices.

Privacy notices must specifically cover the controller's name, the purposes of the processing and the types of processing activity.

Data Processing Agreement

Where a data controller engages a data processor the controller needs to provide the processor with a data processing agreement. Where data consists wholly or partly of personal data the law requires certain provisions to be included in the written agreement.

Subject Access Request

The Data Protection Act 1998 allowed a business to make a charge of £10 and gives up to 40 days to respond to an individual's request for a copy of their data held by a landlord. GDPR does not permit a charge and the timescale has been reduced to within one month of receipt.

Breaching GDPR

It is a breach of the regulations to accidentally destroy personal data, to lose it, to allow unauthorised alteration or to allow unauthorised access or disclosure. The legislation requires serious breaches to be reported to the ICO within 72 hours of the breach being discovered. Personal data breaches include sending personal data to an incorrect recipient, alteration of personal data without permission and loss of availability of personal data. Failure to comply with GDPR can lead to a fine of up to 20 million Euros or 4% of annual global turnover if that is higher than 20 million Euros.

Transfer of data to third countries

Countries outside of the EU are classed as third countries and the GDPR imposes restrictions on the transfer of data to third countries. It is advisable that landlords check the location of any servers they use for cloud storage of data. In the event that storage is based outside of the EU it will be required to be changed to a storage facility within the EU.

What do I need to do as a private landlord?

You will have the personal data of your tenant(s) and you will make decisions as to how the data is controlled and processed. There has been some confusion as to whether landlords are required to register with the ICO. As a private landlord, managing your own property portfolio and holding tenants personal data, you are required to register with the ICO. This can be completed online <https://ico.org.uk/for-organisations/register/>. There is a charge dependant on your size and turnover but in the vast majority of cases it will cost £40.00 per annum. You will also need to issue data processing agreements to anyone you deem to be a data processor, for example, contractors you may wish to instruct. You are also required to issue those whose personal data you hold with the relevant privacy notice, informing them of how you process and manage their data.

Article by Debbie Wareham Training for Professionals (TFP)



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Fire which wrecked flat in Camden was caused by sun rays on mirror'

London Fire Brigade issues warning to keep reflective and glass objects out of direct sunlight

FIRE which destroyed a two-floor flat in Camden Town is believed to have been caused by intense sunlight shining onto a mirror. London Fire Brigade issued a new warning that glass ornaments and mirrors should be kept away from direct sunlight in the wake of the blaze in Plender Street, Camden Town. More than 30 firefighters attended the fire at the maisonette on Thursday afternoon after the brigade received 13 emergency calls.

Two people who escaped the burning building before crews arrived were later treated for smoke inhalation. A neighbour was taken to hospital as a precaution. Hope Stevens, who lives a few doors away, ran back into the building to alert housemates after seeing flames shoot from a first-floor window.

She said: "I was out in the garden. I heard someone shout: 'Fire, jump'. When I looked round there were flames coming out [of the window]. Then I ran upstairs and got them." Her housemates, all students at UCL, were able to leave the building unharmed.

Olivia Day said: "We heard shouting outside, then glass smashing. We didn't really think anything of it. Then we looked out the window and there were people in the street shouting 'Fire!'."

A neighbour who lives opposite said: "The flames were going up to the flat above. The woman in there saw the flames and went running out. She left the doors open, so it's lucky there isn't another flat burnt."

Investigators said they believed the sun's rays had shone onto a concave mirror in the bedroom during last week's hot weather.

A fire brigade statement said: "These sorts of incidents are not as rare as you would think. In the last five years we've seen over 100 fires caused by the sun's rays. This is the second one in a fortnight after sunlight reflecting on a shaving mirror set alight to curtains in Fulham last week."

It added: "Our advice is to make sure you keep mirrors, crystals, glass ornaments and other reflective items out of direct sunlight at all times."

Source: <http://camdennewjournal.com/article/fire-which-wrecked-camden-town-flat-caused-by-sun-rays-on-mirror>

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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® UK.

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Bond Housing Group – make our place your home

We are a national multi award winning and accredited letting agency, working with Place Group in London and Lincoln to offer fabulous “boutique hotel standard” shared and studio housing in Lincoln city Centre and student housing in London.

We have cut out all the silly administration charges, we don't ask for a tenancy deposit and we pay all the bills, council tax and other outgoings, as well as supplying free fibre optic internet and flat screen TVs, so you can get on with your life whilst we take care of all the boring things for you. www.bondhousinggroup.com 01522 246 724



London Property Licensing is a housing consultancy offering simple, impartial and expert advice on property licensing and the regulation of private rented homes.

Established in 2015, the business was awarded 'Best Service Provider in the Private Rented Sector 2016' by the UK Landlord Accreditation Partnership and was a finalist in the FSB London Business Awards 2017.

Our website www.londonpropertylicensing.co.uk maps out the property licensing requirements across every London borough. We can handle license applications and provide expert advice on compliance. Landlords can also sign up to our free **newsletter** (www.londonpropertylicensing.co.uk/newsletter) for regular updates. For further information contact: info@londonpropertylicensing.co.uk

London Borough of Tower Hamlets Landlord Forum 2018 Dates

- Monday 17 September 2018, from 3:00pm to 5:00 pm
- Wednesday 12 December 2018, from 5:00pm to 7:00 pm

At: Room 701, Tower Hamlets Town Hall, Mulberry Place, 5 Clove Crescent, London E14 2BG



Accommodation providers benefit from increased occupancy and reduced default risk at no cost to them or the landlord through Housing Hand's assured solution to the guarantor problem. We provide the only award-winning UK rent guarantor service comprehensively covering rent, damages and dilapidations for students and working professionals from the UK and abroad.

Housing Hand is a safe way of securing your rental property, trusted by thousands of students and working professionals every year. Don't turn away tenants because they cannot supply a qualified UK-based guarantor! For more information on how to work with Housing Hand, please call our offices on **+44(0)207 205 2625**. For more info visit: www.housinghand.co.uk



Central Housing Group's 'Guaranteed Rent Scheme' provides landlords with a guaranteed monthly rental income for up to 5 years. Quite simply, it's the most reliable way to let your property! We are a trusted and well established residential letting and management Agency that has been successfully acquiring and managing private rented accommodation since 2000 in North, West & East London. We are members of the Government's 'National Approved Lettings Scheme' (NALS), 'Ombudsman Services' for residential lettings, and the UK Association of Letting Agents (UKALA).

We are regarded as a professional letting services team that give our clients — landlords and local authority housing departments — a friendly, reliable, high-quality residential letting and management service. For further info please visit www.centralhousinggroup.com

Do you own an empty property in Barnet?

Why not convert your empty property into regular income

Ask us about grants that are available to bring your property back into use and how you can rent it back to the council.

The advertisement features a photograph of a three-story brick residential building with a bay window. The text is overlaid on a teal background on the left side of the image.

How do I find out more information?

tel: 020 8359 4359 or email: empty.properties@barnet.gov.uk

Write to: Empty Property Team, Development and Regulatory Services, London Borough of Barnet, 9th Floor, Barnet House, 1255 High Road, London N20 0EJ

Property Fraud – How to protect your property from fraudsters: How much of a threat is property fraud?

Property fraud in the UK is on the increase. You might not have even thought about it – the idea of a tenant selling your property right under your nose might not be something which has even occurred to you as a landlord. However, a recent survey showed that an estimated 6.5% of adults in England and Wales had been the victim of fraud in the previous 12 months. It is also a changing phenomenon – cyber-fraud is becoming ever more common as we become more dependent on computers and the internet in every area of our professional and personal lives. As a result, we all need to be more aware of the threat of fraud.

Property in the UK is increasingly valuable and is most people's largest asset. This is particularly true in the buy-to-let sector, which is seeing a huge growth: landlords earned a combined £14.2bn in net income from rental properties between 2013-2014, and these figures have continued to grow. With sums like this involved, it is no surprise that the sector has drawn the attention of criminals seeking to profit from mistakes made by landlords.

The issue of fraud surrounding property has not generally been widely publicised until fairly recent cases hit the media. Several high-profile cases where properties have been sold by tenants posing as the owner have caught the attention of the press, acting as a warning to owners of property that this kind of crime is no longer a rarity.

One such landlord only became aware that he had fallen victim to property fraudsters after seeing his own property advertised for sale on a property website. He was lucky to spot the advert but others have been less fortunate.

Many landlords may be at risk of falling victim to fraudsters without even realising and as with all sorts of crime it can be very easy to assume that these things won't happen to you. As such, it is important to be aware what the risk factors are. If this does happen it is likely to cost a great deal of money to get the situation resolved and require drawn out court proceedings. Therefore it is best to ensure that you are not caught out in the first place.

What are the risk factors for property fraud?

As with most kinds of fraud, some landlords are likely to be seen as 'easy prey' for fraudsters and swindlers. Generally, a healthy dose of common sense should keep you safe, but it is worth keeping in mind if you are particularly at risk.

Landlords who are most at risk of fraud include those who rent out their properties and live overseas. Living overseas away from your property naturally makes it harder to keep an eye on it, and to keep tabs on correspondence regarding it, meaning you might miss something suspicious or important.

Leaving your property empty can also make you more vulnerable to property fraud, as it is much easier for a fraudster to pretend a property is theirs if there is nobody else living there, or keeping an eye on the post.

Properties which are not mortgaged or registered with the Land Registry are also at risk, although these are increasingly uncommon.

Finally, most cases of property fraud are facilitated by identity theft, a crime which rose by a massive 57% last year.

This is in no small part due to the increasing ease of access to people's personal information online, be it via your social media profiles or through hackers stealing personal information from company databases and selling them to the highest bidder on the dark web. More conventional methods of identity theft still pose a high risk, such as the changing of names via deed poll and use of fake ID. If you know or suspect that you have been a victim of identity theft, you are far more likely to be at risk of losing your property to fraudsters.

How do I protect my property from fraud?

Fortunately, it is generally quite easy to safeguard your property against these scams:

Stay vigilant for identity fraud – Whilst it may seem obvious, you should take care when it comes to your identity and the information available about you – or your property – online. Take any suspicious letters or emails seriously.

Keep an eye on the Land Registry – It is simple and inexpensive to check your property on the register. Keep your details on the register up to date and make sure that the information on the register is current and correct – it can be easy to forget to change your contact details if you move house, and anyone can look at what address is associated with the property on the Land Registry. It is easy to make mistakes, and many landlords fail to register their personal property address correctly. It is all too common to register the owner's address of the rental property as the rental property itself making fraud very easy indeed for an unscrupulous tenant.

Sign up for property alerts – The Land Registry has introduced a new, easy, *and free* way to keep tabs on your properties. You can sign up to receive email alerts with the Property Alert Service whenever somebody interacts with your property on the register. This includes searches and applications made against the property, meaning that you know as soon as something suspicious takes place. The system is free to use and lets you monitor up to 10 properties. All landlords should have one or more alerts set up on their property.

Restrict changes to your title – The Land Registry allows you to place a restriction on your title, meaning that nobody can register a sale or mortgage on your property without your signed certification from a solicitor or conveyancer. If you know you are particularly at risk of property and identity fraud, this could be a really important first step. Again the Land Registry does not charge for this restriction. While you can do this yourself you may wish to enlist the services of a conveyancing solicitor – we are able to offer this service at Anthony Gold.

It may seem like common sense, but being aware of the risks and following these simple steps can ensure that you never find yourself in the unfortunate situation of falling victim to property fraud.

Source: <https://www.anthonygold.co.uk/latest/blog/pfaw-property-fraud-protect-property-fraudsters/>

London Borough of Harrow Help2Let Landlord Forum 2018 Dates

- Wednesday 12 September 2018, from 6pm to 9pm
- Wednesday 5th December 2018, from 6 to 9pm

Venue: Council Chamber, Harrow Civic Centre, Station Road, Harrow, HA1 2XY

Refreshments will be provided on the day

To register your interest, please email Help2let with your contact details.

Email: Landlords@help2let.co.uk

Calling all landlords

Do you have a property to let?

Then why not contact us immediately? We offer:

- cash incentives
- housing benefit fast tracked and paid directly to you for properties in Brent
- advice on tenancy issues
- competitive rents.

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

www.brent.gov.uk/rwb



Do you have a property available to rent in Medway? Join our private Rented Scheme.

Medway Council is actively looking for affordable rental accommodation of various sizes to meet the needs of a wide variety of tenants.

The council provides landlords with an introduction to prospective tenants. Where a letting is agreed, landlords will be able to access a number of incentives (dependent on property size, area, rent charged).

Some benefits of joining the Private Rented Scheme (PRS):

- There are no fees or commission payable for this service
- For new landlords there is help and assistance with accessing the lettings market
- There is assistance with completing housing benefit forms
- It saves landlords time and money, as there is no advertising and can reduce the amount of time a property is left vacant
- Ongoing tenancy support assistance

If you are a managing agent or if you own a property which you wish to offer a client from the council, please contact us. One of our officers will be in touch with you to discuss the scheme in further detail.

For more information about the PRS phone: **01634 333053** or email:

lenka.trent@medway.gov.uk



Landlords...

Do you want immediate tenants for your property? **YES.**

Would you like someone to help you find tenants at no cost to you? **YES.**

Then let Newham Council find you a tenant **for free** with no hidden fees or commission.

What we offer:

- > Up to £3,000 towards your rent
- > Deposit bond – a value of six weeks' rent, **or**
- > One month's rent in advance
- > One month's cash deposit

We also pay you £200 to reserve your property.

If you have properties to let, or would like to find out more about our Private Rented scheme, contact the Housing Supply Team direct on: PRSupply@newham.gov.uk or 020 3373 1149
www.newham.gov.uk/privatelandlords

London Borough of Lambeth Landlord Forum

20 September 2018 between 5pm and 9:30pm at the Assembly Hall, Lambeth Town Hall SW2 1RW

Lambeth is hosting a seminar for everyone keen to learn and invest in the rental property market.

We will have contributions from a broad range of people, including experts in the field, landlords, agents and staff. Exhibitor stands will remain readily available throughout the evening with literature and advisers. There will be specific presentations by professionals on relevant topics including planning and legislative changes to maximise your investments.

It is a free event being held 20 September 2018 between 5pm and 9:30pm at the Assembly Hall, Lambeth Town Hall SW2. Seating is available for 200 people and an eclectic range of food and refreshments will be provided. Access can be gained from the Acre Lane entrance, which is within walking distance from Brixton underground and national rail stations.

Accreditation CPD points will be awarded to LLAS/ATLAS accredited landlords who attend and our professional teams look forward to your company on the evening.

Please contact George Knight at email address gmknight@lambeth.gov.uk if you would like participate with a stand or discuss matters further. Invitations will be sent out the first week of July 2018.

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Haringey Homefinder Scheme

Frequently Asked Questions

- **What's in it for me?** Homes for Haringey will pay you, the Landlord (or your Agent) up to **£4,000.00** for every completed let dependent on the size of the unit. This incentive is conditional on a minimum of a two year assured shorthold tenancy being offered. The incentive will be less if the term is shorter.
- **What else is in it for me?** Homes for Haringey will also give you a free training voucher for the London Landlords' Accreditation Scheme administered by the London Borough of Camden.
- **How much rent can I charge?** The rent you can charge should not exceed the Local Housing Allowance (LHA) rate for the size of property or the area in which it is located. To find out what LHA applies to your property please visit the website of the local authority responsible for the area in which your property is located. If that is Haringey, please visit: www.haringey.gov.uk/index/advice_tax_and_benefits/benefits/lha/lharates
- **Who are the prospective tenants the Council will send me?** The vast majority of prospective tenants the Council will refer to you will be claiming Housing Benefit to help them pay some or all of their rent. They will be customers who are threatened with homelessness through no fault of their own and who we believe have shown that they are capable of maintaining a tenancy and have a good rent payment history.
- **What checks do you carry out on prospective tenants?** Before a tenant is referred to you we will check that they have a good rent payment history in their previous accommodation and, if we find that they did have arrears, we will tell you about them. We will check, as far as possible, that there is no history of anti-social behaviour or any other un-tenant like behaviour that would make them high risk to you. We will carry out an affordability check to make sure that they will be able to pay the rent in full whether that is via housing benefit, via a combination of housing benefit and their own contribution or solely from their own income and share this information with you before you agree to take the tenant. We will also organise for them to attend a tenancy training session either before they move in or shortly afterwards.
- **What happens after I accept a tenant?** We will arrange a convenient time with you and the tenant to sign the tenancy agreement and set the tenancy up. You will be given contact details for the Acquisitions & Sustainment Teams who will provide you with help, advice and support if and as and when you need it throughout the course of the tenancy.
- **Who pays my rent?** It is the tenant's responsibility to make sure that the rent is paid to you in full and on time. If they are in receipt of housing benefit they may arrange for it to be paid directly to you. If the housing benefit is paid to them and/or they are responsible for making a contribution to the rent from their own income we will encourage the tenant to set up a standing order to ensure that rent is always paid on time.
- **Who manages the tenancy and the property?** The agreement is between the landlord and the tenant. It is, therefore, the landlord's responsibility to manage the tenancy and the property or to employ the services of an agent to do so for him.
- **Who pays for damage to the property?** The tenants will be expected to pay for this. We encourage landlords and agents to carry out regular inspections of their properties to ensure they are being looked after appropriately by tenants. If you discover your tenant is damaging your property and would like our help and advice in dealing with the situation you should contact our Sustainment Team.

- **What size properties is the Council looking for?** We have tenants waiting for all sizes of accommodation but by far our biggest demand are for two /three bedroom homes so we are particularly interested in procuring these. Bed sizes. However, we are looking to let genuine HMOs or shared houses at LHA rates.
- **Which area of London is the Council looking to procure properties?** We will consider units across London but not outside London. Inner London boroughs are excluded from this scheme because of the high rent levels in those areas.
- **Is the Council ready to consider properties now?** Yes, we have tenants waiting!

I hope this information has been useful. The next step is to contact us immediately if you have a unit or units to let.

Telephone – **0208 489 1010**

Email – landlords@haringey.gov.uk

In the meantime, you can also find attached more information about our scheme. Please visit our website: www.haringey.gov.uk/letting for information relating to the minimum property standards and an initial information request about your property.

Landlords do you have a property to let in the london area?

Camden Lettings offers great benefits to landlords and is tailored to protect you and your investment during a time of immense change in the sector.

With Camden Lettings you can choose between our free rent guarantee service, or generous **cash incentives** up to **£5000**.

The comparison chart highlights some of the key features of Camden Lettings:-

To get a quote, please contact the PRS Initiatives team on:

camdenlettings@camden.gov.uk
020 7974 4158
camden.gov.uk/camdenlettings

Camden Lettings	Cash Incentive	Rent Guarantee Service
Fully vetted prospective tenants. Checks includes immigration status, housing & credit history	Yes	Yes
All tenants attend tenancy training & receive 3 months support at the start of the tenancy	Yes	Yes
Rent paid directly to you the landlord	Yes	Yes
Choice of tenants so that you can decide who is most suited for your property	Yes	Yes
Tenancy Support Service, offering FREE specialist support and expert advice for landlords and tenants*	Yes	Yes
Generous Cash Incentive Payments	Yes	No
Guaranteed Rent up to 6 Months in advance	No	Yes
Free London Landlord Accreditation Scheme (LLAS) voucher worth £100	Yes	Yes
Fees payable	No	No

*T's & C's apply



Buy2Lease



A new Help2Let scheme for landlords

Let us do all the work

If you would like up to £5,000 financial help to buy a rental property in Harrow, this scheme is for you. This offer is to encourage growth in Harrow's private rented sector.

- Includes full management service
- 5 year lease - guaranteed payments paid 3 months in advance
- Offering you financial security and worry free letting
- Advice on property you are thinking of buying
- Money available now!

*Terms and conditions apply



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

Call us on 020 8424 1605

Email landlords@help2let.co.uk

www.help2let.co.uk



Government long awaited guidance on Changes to mandatory HMO licensing

The government on 20 May 2018, published guidance to help local authorities implement changes to mandatory HMO licensing. The new arrangements apply across England and will come into force on **1 October 2018**.

Under the new rules, mandatory HMO licensing is being extended to almost all Houses in Multiple Occupation (HMOs) that are occupied by five or more people and where there is some sharing of facilities. The licensing scheme was previously restricted to properties that were three or more storeys in height.

One of the few exemptions will apply to multi-occupied flats in purpose built blocks, if the block contains three or more self-contained flats. However, the flats may still need licensing if the council have implemented an additional or selective licensing scheme in the local area.

Time is running out to get applications submitted

With less than four months until the new regulations come into force, the guidance makes clear that landlords and agents who fail to apply for a licence by 1 October 2018 will be committing a criminal offence and could face enforcement action

With the government estimating an extra 160,000 properties will require licensing and with minimal promotional activity having been undertaken, this may come as a surprise to many people. Councils may find themselves facing a large influx of enquiries and applications as the deadline draws near.

With a recent Better Connected survey finding 65% of council websites contain poor or unsatisfactory information about property licensing ([read here](#)), it is important that councils act quickly to get the message out.

The government have made clear that councils must promote licensing in their local area and must start to accept and process applications before 1 October.

Landlords and agents that fail to apply on time risk being prosecuted and given a hefty fine, or issued with a civil penalty of up to £30,000.

Even if the council takes no action, the tenants could apply for a Rent Repayment Order to reclaim up to 12 months' rent, and whilst the property is unlicensed, the landlord can't use a section 21 notice of seeking possession to evict the tenants.

Transitional arrangements

The government have clarified the transitional arrangements for properties that are currently licensed under an additional or selective licensing scheme but will fall within the new mandatory HMO licensing criteria.

In relation to additional licences, they will remain valid and no action is needed until they come up for renewal.

In relation to selective licences, the existing licence will be automatically passported into mandatory HMO licensing without any action needed. The licence conditions will remain unchanged until the licence comes up for renewal

New minimum room sizes will be introduced on 1 October

To coincide with the changes to mandatory HMO licensing, new absolute minimum room sizes for licensed HMOs will also be implemented on 1 October 2018

Under the Licensing of Houses in Multiple Occupation (Mandatory Conditions of Licenses) (England) Regulations 2018, the new absolute minimum bedroom sizes will be:

4.64m² for a bedroom occupied by a child under 10 years old

6.51m² for a bedroom occupied by a person over 10 years old

10.22m² for a bedroom occupied by two people over 10 years old

These minimum room sizes will apply to all mandatory HMO and additional licenses that are approved or renewed on or after 1 October 2018. Whilst councils will have discretion to require larger room sizes, they will have no discretion to permit smaller rooms to be occupied.

If a property is found to be over-occupied when the license application is approved, the council can allow up to 18 months for the issue to be resolved, either by evicting the occupant or carrying out internal alterations to make the room larger.

The MHCLG guidance makes clear that the minimum room sizes will not apply to visitors or to charities that run night shelters or provide temporary accommodation to certain client groups. The sizes will also not apply to council or RSL accommodation as it does not fall within scope of the licensing scheme.

Widening of HMO licensing criteria may drive up license application fees

Signs are starting to emerge that the widening of the mandatory HMO licensing criteria could lead to an increase in HMO licence application fees.

For example, Cambridge City Council have announced their intention to increase fees from £580 for HMOs with up to 9 rooms to a flat fee of £950 per property, regardless of size. For most applications this will represent an increase of almost 64%. The council have said they expect to receive an extra 1,000 applications and will need to recruit additional staff.

New waste disposal licence condition

From 1 October 2018, all new mandatory HMO and additional licences will also contain a condition requiring the licence holder to comply with the council's storage and waste disposal scheme, if there is one.

However, the government has also expressed their view that HMOs are residential properties and so the council's waste collection service should be offered free of charge, with no commercial fees levied.

A copy of the MHCLG guidance can be viewed [here](#).

London Property Licensing has published a free guide to mandatory HMO licensing which is available [here](#).

The new Prescribed Descriptions Order and minimum room size regulations can be viewed [here](#).

London Property Licensing operates a licence application handling service in the London area, details [here](#). With demand running at a high level, anyone wanting applications prepared before 1 October is urged to contact us now to avoid disappointment. Other licensing companies can also be found in our landlord supplier's directory [here](#).

Source: <http://www.londonpropertylicensing.co.uk/government-publish-long-awaited-guidance-changes-mandatory-hmo-licensing>

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.

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





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As a result of this long period of service, we have been able to provide continuous support to our clients both landlords and tenants.

We own and manage properties in North London and other areas within the M25. Recently we have expanded our business in Spain, USA and Pakistan.



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www.azadayub.co.uk

If you would like your property managed by a long established award winning company, please contact Azad or Elena.



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