

City of Bradford Metropolitan District Council

Let's Talk

www.bradford.gov.uk



Also in this issue...

New – Government shake up of the private rented sector

Fire safety in rented accommodation

New – Gas Safe replaces CORGI

Bond Guarantee Scheme

HMO update

Local Housing Allowance update

New – Incentives for Recycling Empty Homes

If undelivered please return to: Housing Service, 1st Floor, Jacobs Well Bradford BD1 5RW



**Issue 13
Autumn 2009
The magazine
for Bradford district
private sector landlords**

I'd like to introduce another fact packed edition of Let's Talk, Housing's magazine for all private sector landlords in the Bradford District.

As a Council we recognise the important role that the private rented sector plays in providing housing for all types of people in our district. The Council produces the "Let's Talk" newsletter to provide essential information for responsible landlords to help them continue to provide good quality, well managed accommodation for tenants, but equally to encourage those less responsible landlords to meet their obligations and improve standards. You'll be aware from reading the "Legal Matters" article that the Council has adopted a "Zero Tolerance" approach towards those landlords who do not license their licensable HMO properties, supporting both conscientious landlords and tenants alike.

I do hope that you find this new edition interesting and helpful.

Cllr. Adrian Naylor
Regeneration & Economy
Portfolio Holder

Over the last year many landlords have experienced some dramatic changes in their businesses and more radical changes are in the pipeline. Major new Government proposals could mean widespread national registration for all landlords and agents, even licensing for many.

The poor economic climate is affecting everyone and the difficulties that many landlords have found with the new Local Housing Allowance are a particular issue. This has led some Bradford landlords to meet up and begin to lobby the Council for help. As a result, the Council's Revenues and Benefits Service and Housing Service are now working with landlords to try to improve the situation, although the Government's strict guidance for this payment is proving a barrier to any significant change at the moment.

We're also keen to get many of the District's good quality empty properties lived in again through incentives to re-house overcrowded families. This can help to regenerate some areas and provides income for the owners.

Sadly, there's also been deaths due to fire in rented homes, which were well publicised earlier in the year. To help both landlords and tenants avoid more tragedy, I've included some advice on fire safety and information about the gas safety changes which came in last April.

If you would like further information on any of the matters discussed in this issue please contact 01274 437148.

Margaret Pearson
Editor

Let's Talk is produced by Housing Service's Service Improvement Team and is distributed to 7,500 landlords in the Bradford District.

www.bradford.gov.uk/housing

Bed Bug Epidemic:

An epidemic of bedbugs is sweeping the nation! Infestations have soared in the last two years, according to pest control experts, backed up by evidence from our Housing officers.



Cities such as London and Manchester have taken the brunt of the epidemic because of the large number of people on the move every day, but Bradford is also taking a direct hit. Experts believe the huge expansion in air travel, coupled with global warming, has brought millions of bedbugs into the country on travellers' clothes and in their suitcases.

Bedbugs are very hard to spot because they hide in mattresses or in cracks in flooring or walls and come out to feed between 1am and 5am.

Experts advise vacuuming mattresses and cleaning regularly to keep them at bay.

The National Landlords Association

(NLA), the representative body for private residential landlords, has welcomed a decision by the High Court dismissing legal challenges to the

NLA/NFRL merger. Members of the former NFRL are now incorporated into the NLA. To join tel. 020 7840 8937 [Mon-Fri 9am-5pm] or online at www.landlords.org.uk



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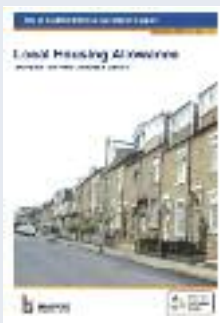
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Local Housing Allowance



Local Housing Allowance (LHA) which has replaced Housing Benefit since April last year has changed the way all Councils pay out the money.

Anybody who has had a new tenancy since April 2008 is now paid Local Housing Allowance which means that in most cases payments will go direct to the tenant unless they are vulnerable or unlikely to pay their rent.

Tenancies which date back before April 2008 will still continue to be paid Housing Benefit under which the tenant can simply request that payment is sent directly to the landlord.

The new rules were introduced by the Government to make tenants more responsible for managing their own money.

However, the Council recognises that the new policy has caused problems for some landlords who have experienced tenants falling into rent arrears.

As a result the Council's Revenue & Benefits Service will start to collect data to build up a picture of those tenants who habitually get behind with rent payments. They will then be able to look into whether they should consider paying the housing allowance directly to the landlord.

If a tenant starts to get into arrears with their rent and you think they have made a claim for the Local Housing Allowance, contact the Revenues & Benefits Service, Britannia House, Hall Ings, Bradford. BD1 1HX.

In your letter include:

- Your name & address
- Your landlord reference number (if you have it)
- Your tenant's name and the address of the property
- How much the tenant is in arrears by and by how many weeks

Bradford Landlords Group

Bradford landlords have joined to form a Bradford Landlords Group to discuss the problems being faced in this tough economic climate.

Current issues include:-

- What are your thoughts on the Local Housing Allowance?
- Are your tenants paying you the money they owe you?
- Is the Benefit Office at Bradford Council helping you with the claims?
- Are you in arrears on your Mortgage due to non-payment from your tenants?

As a collective voice, we can raise our concerns as a group to get results.

We are aiming to have regular meetings with guest speakers from various organisations to hear our voice and assist us with our problems.

If you are interested in joining the group, please contact the following:

Saeed Younas
Homes4Living
07791 568986 or

Paul Fennelly
Blackshaw Holdings Limited
07976 721707

If you know any other landlords who may be interested in attending please let them know.

The next meeting will be held on 21st October at 6.15pm at Incommunities, City House (2nd Floor), 23 - 27 Cheapside, Bradford BD1 4HR

Tips for getting your rent paid on time:

- **Make it clear from the start what the tenants' responsibilities are for paying the rent even if they get Housing Benefit (or LHA).**
- **Get your tenants to pay by Standing Order; it's easy to set up and can help ensure regular payments!**
- **Make it easier for them to pay by offering more payment options.**
- **Complete full tenant verification and referencing before taking on a tenant. Ideally use a service provided by a reputable commercial company or landlord organisation. As a minimum use character references, a reference from their bank or employer, even from their previous landlord. Ask to see the three most recent bank statements and salary details if they are employed.**
- **If tenants are going to claim Housing Benefit (LHA) make sure you provide them with the information that the council requires, e.g. the Tenancy Agreement and payment/rental details etc.**

Fire safety in rented accommodation

Statistics show that a fire is seven times more likely to occur in rented accommodation!

Following the tragic accident on Friday 3 July at Lakanal House in Camberwell, London, where six people lost their lives as a result of a fire, the government has asked that landlords are provided with fire safety advice and information.

Landlord's Obligations

Under the law as a landlord you have to meet the following safety obligations to keep your property and tenants safe from fire.

- make sure your gas and electric appliances are in good working order - gas appliances must be checked by a Gas Safe registered gas fitter every year and electrical appliances should carry the British Safety Standard sign.
- ensure your furnishings are fire resistant and meet fire safety regulations.
- landlords should provide smoke detectors and a carbon monoxide detector is also recommended.
- a House in Multiple Occupation (HMO) will need more significant means of escape and fire precautions.

The Council may take action under the Housing Act 2004 using the Housing Health and Safety Rating System (HHSRS) to assess the potential risks to health and safety from any deficiencies identified in dwellings and ask for works to be done to remove any hazard found. One of the risks identified is that caused by fire.

LACORS

promoting quality regulation



National guidance "Housing – Fire Safety: Guidance on fire safety provisions for certain types of existing housing", is now available.

It adopts a risk based approach to fire safety that will satisfy both the Housing Act 2004 and the Regulatory Reform (Fire Safety) Order 2005. It includes guidance to landlords on how to carry out a fire risk assessment.

Copies of the fire safety guidance can be found at

<http://www.lacors.gov.uk/lacors/ContentDetails.aspx?id=21329>

For more information or advice contact: Shonu Miah, Senior EHO Bradford Council, Housing Service. Tel. 01274 434726

Recycling

New incentives exist for landlords to help tackle both empty homes and overcrowding in the Bradford district.

The Council's Housing Service is really keen to reduce the number of vacant properties across the whole District as they can become a magnet for anti-social behaviour such as vandalism or graffiti and can be squatted in or become a base for fraudulent criminal activities.

The situation is often made worse because owners often live elsewhere, completely unaware of the impact their empty property is having on the local community.

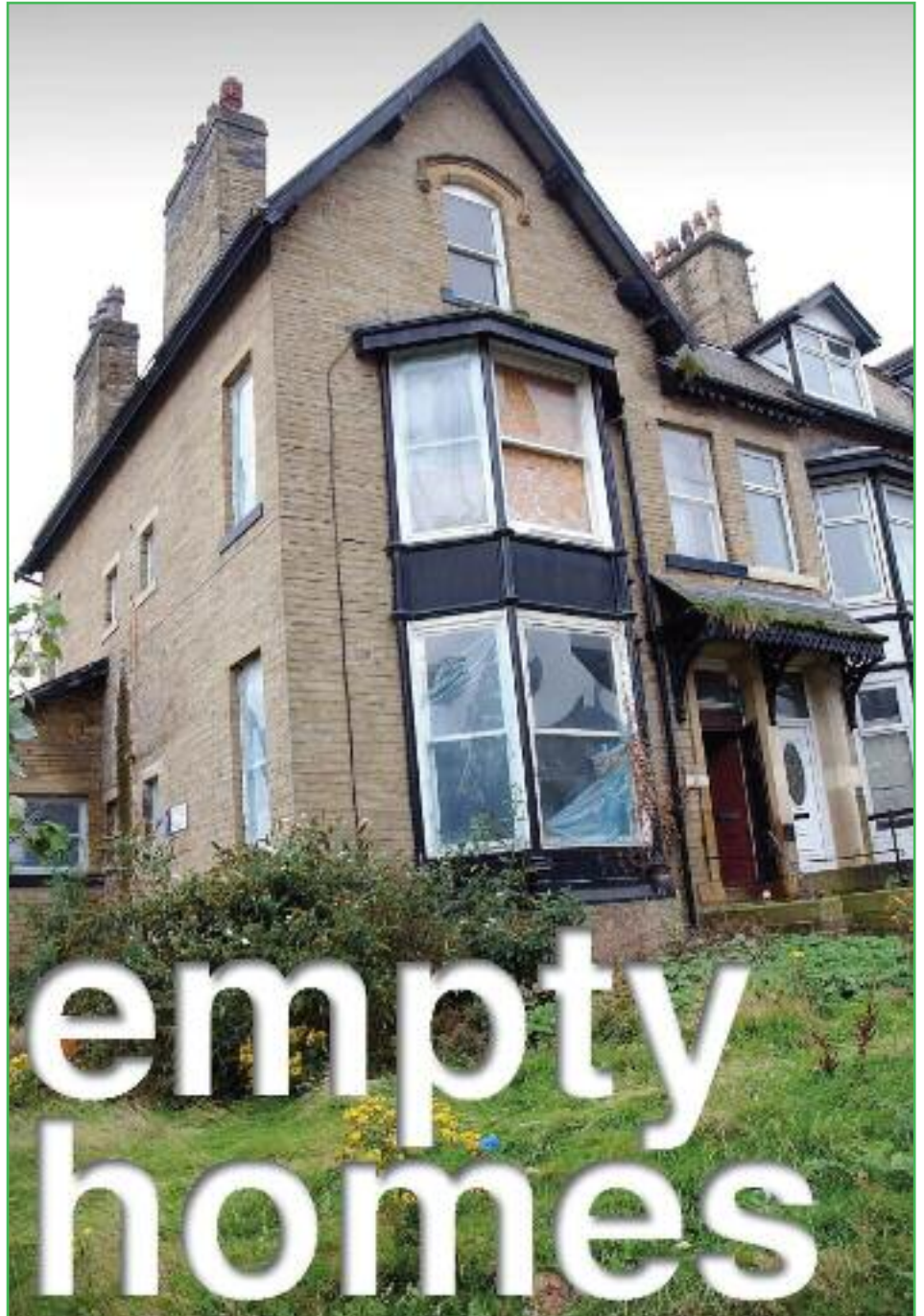
Empty home owners can now get new help from Housing's Overcrowding Team to get their property back into use if...

- **the property has been empty for 6 months or more and;**
- **the owner is willing to let to an overcrowded family and;**
- **the owner will accept the Local Housing Allowance rate as rent (appropriate to the property type).**

The package of help also involves "Inlets" (a social lettings agency & part of Incommunities) who will find a tenant and even manage the tenancy for a fee or this can even be done through the Bond Guarantee scheme free of charge.

For more information about these incentives please contact Housing's Overcrowding Officer on 01274 432356.

Some empty or derelict properties can also be helped back into occupation simply by giving advice and information about incentives to the owner. For others, the only answer is enforcement action to repair properties causing a statutory nuisance or, in extreme cases, Compulsory Purchase where there



has been a long history of non cooperation by the existing owner and the property is causing continued blight on the surrounding area.

Housing's Regeneration Team have put together a Recycling Empty Homes pack containing beneficial comprehensive information and

advice on selling, letting, renovation, energy saving and tax incentives – in fact all the options available to empty property owners to help bring the empties back into use.

If you would like a Recycling Empty Homes pack, advice or information, contact the Regeneration Team on 01274 437107.

The Bond Guarantee Scheme – a route into private sector housing

The Bond Guarantee Scheme is ensuring that more good quality private rented homes are available for local home hunters.

The scheme, set up in 2008, is a partnership between Bradford Council and Incommunities and helps families who, because of their personal situation, are unable to afford a bond or rent deposit for a home.

Since the scheme started it has helped support over 120 new private rented tenancies.

From the start, it was hoped to provide 30 tenancies each with a full bond guarantee, but due to its popularity this funding was quickly used up and the bond contingency had to be changed from a full deposit to a 20% contribution.

A high demand for accommodation in the Bradford district, matched by a plentiful supply of good quality private rented accommodation is helping the Bond Guarantee Scheme to go from strength to strength.

KEY FEATURES AND BENEFITS

- It's free of charge to both applicants and landlords.
- Incommunities staff negotiate directly with local landlords, ensure the tenancy is viable and part-manage the lettings.
- It helps people in immediate need such as those facing home repossession to access private rented accommodation.
- Since it started, the scheme has supported 120 private rented tenancies.
- Over the next three years the aim is to support up to 150 additional families.

For more information or to add your property to the scheme please contact:

Jeff Mayers, Incommunities,
Tel 01274 254734 or email:
jeff.mayers@incommunities.co.uk



Katie and Kelsea have been supported in their move to a city centre apartment by The Bond Scheme.

Legal Matters



Insufficient fire doors results in fine

On 29th June 2009 the Council were successful in their case heard at Bradford Magistrates Court against Bradford landlord Salim Khan for failing to licence his property or manage it properly.

When officers visited the property a few months ago they discovered that the communal areas were dirty and insufficient fire doors had been fitted, exposing the tenants to real risk in the event of fire.

Mr. Khan pleaded guilty to all three charges and after hearing about the evidence and law, and listening to the landlord's mitigation plea, the Court sentenced him to pay well over £3000 in fines and costs.

Eight more cases of "failure to licence"

The Council have eight more cases of "failure to licence a House in Multiple Occupation" being prepared to present to the courts with a view to prosecution. This is a consequence of the "zero tolerance" situation following the successful amnesty period for licensable HMOs last summer. The Council is keen to

ensure that the many responsible landlords who have paid for their licence are not disadvantaged because of the few who try to evade their responsibilities. All landlords of occupied unlicensed HMOs found in need of a licence will now face prosecution and fines of up to £20,000.

A house in multiple occupation is a property where three or more tenants who are not all members of the same household are sharing some or all of the living accommodation and/or amenities. An HMO which is three or more storeys with five or more tenants in two or more households is required to be licensed.

Rugg Review Response



The Rugg Review Response - will it help good landlords and tenants?

Measures to strengthen consumer protections for

tenants living in privately rented homes has been published by the Government.

The aim is to improve the quality of the private rented sector by increasing professionalism, driving out bad landlords and strengthening protections for tenants affected by repossessions.

The new proposals include;

- A national register for landlords, protecting both vulnerable tenants and good landlords. The landlord's registration number would be on tenancy agreements
- Creating an independent regulator for all letting and managing agents;
- Compulsory written tenancy agreements
- To increase the upper Assured Shorthold Tenancy threshold from £25,000 to £100,000 per year
- To review the current criteria for selective licensing schemes
- An improved complaints and redress procedure for tenants. Tenants would be able to register official complaints about landlords, if these complaints are substantial and proven then landlords may be removed from the national register
- All landlords to be encouraged to seek Accreditation status through local schemes
- Greater Local Authority support for good landlords - Councils to be encouraged to create local 'lettings agencies' to facilitate tenancies in the private rented sector for those in housing need including Housing benefit/LHA recipients
- Tenants to have a minimum two months' notice if the landlord's property is being repossessed by a mortgage lender. (As of April 09 this has already been increased to 7 weeks notice)

A full copy of the Government's response to the Rugg Review is available at

www.communities.gov.uk/publications/housing/responseruggreview

news in brief...

Cannabis factories:



Police forces across the country have reported a rising number of rented homes being used as illegal factories to grow cannabis.

The damage caused to a property used as a cannabis farm can be catastrophic, with internal walls removed, the cost of repairs running into the tens of thousands, and insurance companies potentially not paying out. Safety is also a concern. The properties themselves become a fire hazard due to amateur electrical wiring and the heat involved in the production of the plants!

Bradford District Pilot:

Bradford Older People's Partnership is providing one point of contact



for many partner agencies e.g. the NHS, Pension Service, Police and the Council so that anyone from the local community can come to them and find out about a whole range of services and information.

This pilot scheme will run in the Girlington area for one year before it is hopefully extended across the District. Contact Age Concern on 01274 395144 or for more information www.ageconcernbradford.org.uk

New landlord Minister appointed:

Ian Austin MP has been appointed the new minister with responsibility for the private rented sector. The new Housing minister is John Heeley MP and the Secretary of State for Communities and Local Government is John Denham MP.

Community Warmth Scheme:

Bradford Council and Npower have teamed up to



help the district's residents save on their energy bills and keep warmer.

All properties (including those privately rented with the landlord's permission) are entitled to free...

- installation of cavity wall insulation (where technically possible);
- loft insulation for residents aged 60 or over (in suitable homes);
- and a technical energy efficiency survey for the property which helps assess for handyman services, heating and a host of partner services.

Accommodating Asylum Seekers:

We regularly get calls from private landlords asking how they can let their property to tenants placed by the public sector. Private landlords can participate in the United Kingdom Border Agency (UKBA) contracts for housing asylum seekers but via the contract holders rather than through the Council's Housing Service.

There are four providers active in the area that have contracts with UKBA, United Property Management (UPM), Priority Properties North West (PPNW), Angel Group and Incommunities. In varying degrees all of these have arrangements with private landlords to deliver accommodation on their behalf for their contracts. The providers may undertake some basic checks to ensure that property meets health and safety standards and is fit to be let out. If you are interested in providing your property contact one of the private property contract holders:

United Property Management
0161 202 0201

Priority Properties North West
0161 708 0357

Angel Group - 0113 237 9750.

Incommunities - 01274 25 4000

news in brief...

Accreditation benefits:



For landlords of accredited properties, Simple Landlords Insurance is offering a 5% discount from their usual premiums.

Visit www.simplelandlordsinsurance.com for policy information.

Intelligent Lettings offer a DIY package for £39 which includes advertising your property on the top property websites. 10% extra discount for all landlords of accredited properties on the website published price. Contact www.intelligentlettings.co.uk or call on 01924 849409.

To claim, only landlords of accredited properties can get a discount code from the Service Improvement Team (Housing Service) on 01274 437148.

Tenancy Deposits:



MTD Secure Limited trading as mytenancydeposit.co.uk is NOT part of Tenancy Deposit Solutions Limited (TDSL) trading as mydeposits.co.uk. This company does NOT operate a Government-authorised Scheme for the protection of tenants' deposits within England and Wales.

The three official Schemes are:

- Tenancy Deposit Solutions Limited trading as mydeposits.co.uk,
- The Dispute Service, also known as the Tenancy Deposit Scheme www.thedisputeservice.co.uk
- The Deposit Protection Service www.depositprotection.com



In April 2009 the Gas Safe Register™ replaced CORGI.

Regulations dating back to 1998 require all landlords to have an annual safety check on all gas appliances, pipework and flues provided in a rental property. Now, however, the recognised engineer has been redefined as a "Gas Safe" registered engineer (and not a CORGI installer).

Gas Safety Certificate

The 'Landlord Gas Safety Record', or 'Gas Safety Certificate' (CP12 form) is still acceptable – even if it has a CORGI logo or the word CORGI on it.

A record of safety checks must;

- be provided to the tenant within 28 days;
- be provided to each new tenant before they move in;
- be kept by the landlord for two years;
- include a description of and the location of each appliance or flue checked;
- include the name, registration number and signature of the individual carrying out the check;
- include the date on which the appliance or flue was checked the address of the property at which the appliance or flue is installed;
- include the name and address of the landlord (or his agent where appropriate);
- any defect identified and any remedial action taken a statement confirming that the safety check completed complies with the law.

All existing gas safety records will be valid until their expiry date. You

can find or check a Gas Safe registered engineer 24 hours a day, 7 days a week by calling 0800 408 5500 or look online at www.GasSafeRegister.co.uk.



Install a carbon monoxide (CO) alarm

Gas Safe strongly recommend you fit a CE-approved audible CO alarm in every property and test it monthly. CO is a waste gas produced when natural gas is burned and has no odour or visibility, so an audible alarm is the only way to detect harmful levels in the property. CO poisoning causes headaches, nausea, chest pains or dizziness and can result in death.

Don't DIY

Never attempt to install or repair a gas appliance yourself. This is breaking the law and putting lives at serious risk. If your tenants suspect a gas appliance isn't working correctly, ask them to turn it off and report it to you immediately so you can contact a Gas Safe registered engineer for advice or call the National Gas Emergency Service on 0800 111 999.

More Info

Leaflets for landlords can be obtained by emailing 'Landlord Leaflet Request' to marketing@GasSafeRegister.co.uk. Further advice on landlords' duties is contained in HSE's Guidance to Landlords and Letting Agents found at www.hse.gov.uk/gas/domestic/faqlandlord.htm