## Minutes

**Merton Private Sector Landlords Forum - Friday 26 June 2009**

<table>
<thead>
<tr>
<th>Item</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Welcome and introductions</td>
<td>1.1 KL welcomed people to the forum and introduced the speakers.</td>
</tr>
</tbody>
</table>
| 2. The GasSafe Register - John Byrne | In 2006 the HSE (Health and Safety Executive) carried out a review of domestic gas safety, which uncovered some concerns around the lack of public awareness of using non-registered inspectors. As a result, the HSE embarked on a procurement exercise to select a provider to run an innovative new scheme for a five-year term.  

In 2008 Capita won the contract and the Gas Safe Register is the result. The name and logo for Gas Safe are owned by the HSE and will be used whoever wins future contracts to run the scheme, unlike ‘CORGI’.  

The new service works to maintain the register of gas engineers and provides a technical helpline.  

Funding comes only from the engineers’ registration fee to provide the following:  
- Maintain a register of competent gas Engineers  
- Develop new gas safety brand  
- Undertake consumer education and awareness  
- Inspect the work of registered Engineers  
- Manage complaints and appeals  
- Provide technical support, alerts and updates  
- Provide facilities to report gas work  
- Pursue illegal Engineers  

There are three ways to apply to be on the register:  
- Online at www.GasSafeRegister.co.uk  
- By phone on 0800 408 5577  
- By post  

The website also provides information on local engineers in the area and illegal engineers can be reported online. |
In essence there is no change to the mandatory requirements for rented properties:
- Still need to get an annual safety check carried out on Landlords gas appliances in rental properties
- Landlords’ Gas Safety Certificates
- Telling tenants about the change
- Check that the engineer is qualified to carry out a gas safety check
- BUT, from 1st April this work must be carried out by a Gas Safe Registered Engineer

The service went live on Wednesday 1st April 2009. From March 2010 the ‘CORGI’ brand will not be used.

(Information contained was correct when produced on the 1st June 2009)

<table>
<thead>
<tr>
<th>3. The London Landlord Accreditation Scheme - Andrew Woolmer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Merton Council have recently joined the London Landlord Accreditation Scheme working to accredit landlords and provide them with the skills needed to be a good landlord.</td>
</tr>
</tbody>
</table>

The London Landlord Accreditation Scheme:
- Recognises the landlord, not the landlords houses
- Gives landlords missing skills and knowledge
- Covers the whole of London, all 33 London Boroughs are now members. Landlords are not geographically limited.

Members and Participants:
- You the landlords
- Managing agents and companies.
- London local authorities.
- Landlords’ organisations.

There is a target in the Draft Housing Strategy for London (the GLA and Mayor) to double the number of Accredited landlords by 2011.
- An increase of 3,450 to 6,900.
- Since 2004, over 3,450 accredited.

How does it work:
- Cost to landlord is £79.90 (if booked online, or £100+ if phone or in writing)
- Initial 1 day training ‘continuing professional development’ course
- Skilled trainers
- Multiple training locations.
- Lunch included (no special diets)
- A written assessment (test)
- CD with Logo’s and Manual (within a month)
Empty Properties - Steve Nottage (Principal Environmental Health Officer)

The Mayor of London has made Empty Properties a priority. As a result there has been a London-wide empty property audit to identify empty properties within the area. Merton have been given funding of £500,000 for 2009/10 to deal with properties that have been empty longer than 6 months and a similar amount for 2010/11.

The results from the empty property audit have identified about 60 long-term vacant properties in Merton. There is grant money and resources available to take action.

Empty properties can:
- Attract squatters, vandals, burglars and anti-social behaviour
- Quickly become derelict and costly to repair
- Devalue the neighbourhood and surrounding properties.

Empty Property Grants
To qualify for an empty property grant the following criteria apply:
- Property must have been empty for 6 months or more
- £22,000 max for 1 & 2 bed properties
- £27,000 max for 3+ bed properties
- The grant covers the Decent Homes ‘+’ standard and will be paid once the eligible work has been completed.
The property must be available to the Council to nominate tenants for a period of three years. There is no guaranteed rent.

**Empty Dwelling Management Orders (EDMOs)**
Local Authorities have new powers to take over the temporary management of properties, which have been vacant for over 6 months, and where landlords have refused assistance to bring it back into use. This new power is within the Housing Act 2004 and became operational in July 2006.

An EDMO would only be considered when other voluntary routes had failed to bring the home back into use and are an extreme way of dealing with empty properties. It will not apply where there is a plan and progress being made to sell, rent or renovate the property. Empty homes are exempt from EDMOs whilst the ownership is resolved through probate and for a further 6 months after probate has been completed.

There are two types of EDMO
1. **An interim EDMO** can be obtained by a local authority by application to an residential property tribunal. If the interim EDMO is granted, it can last for up to a year. During this time, the local authority cannot put tenants in the property unless the owner agrees. If at any time the owner agrees to sell, let or in any other way cause the property to be reoccupied, the order would be revoked.
2. **If the owner still wants the property to remain empty**, the local authority will consider applying for a final EDMO. This lasts up to seven years and gives the local authority power to renovate and manage the property. Rent paid to the Council pays for the renovation works and management fees. The balance is paid to the owner.

**Compulsory Purchase Orders**
Local Authorities have powers to compulsorily purchase a property. They are used for derelict ‘eyesore’ properties and can take up to 2 years to go through. The Government Office must confirm the CPO.

**Enforced Sale**
The Law of Property Act 1925 allows the local authority to sell any vacant, private dwelling, which has been registered with Land Registry and where debt is owed to the Council (usually for works in default).

**To enquire about Empty Property Grants, please contact:**
- Environmental Health 020 8545 3025, or
- Housing Solutions 020 8274 5769
Manager) and Steve Nottage (Principal Environmental Health Officer)

The housing market has stalled and mortgages are difficult to come by because of the recession. This makes selling a home very difficult. To help meet financial commitments, many homeowners are looking to rent out their home.

When owners do their sums, they often look at the rent they could charge and whether it would cover the mortgage costs. However, many owners fail to appreciate the responsibilities they take on by becoming a private landlord.

Speak to your mortgage lender
- You could be in breach of your mortgage agreement if you rent out your property without getting consent from your mortgage lender.

Get references from potential tenants
- This will help minimise the risk of your property being damaged or the rent not being paid.

Prepare a formal tenancy agreement
- A signed tenancy agreement will make it easier to deal with any disputes if they arise.
- Assured shorthold tenancies are the most common and are available from WH Smiths.

If you take a deposit, it must be properly protected
- Deposits taken from tenants must be protected. There are three government approved tenancy deposit protection schemes:
  - My Deposits ([www.mydeposits.co.uk](http://www.mydeposits.co.uk))
  - The Deposit Protection Service ([www.depositprotection.com](http://www.depositprotection.com))
  - The Dispute Service ([www.thedisputeservice.co.uk](http://www.thedisputeservice.co.uk))

- If you do not protect a tenant’s deposit, you may be ordered by the Courts to pay the tenant three times their original deposit, plus the deposit itself in compensation. You would also lose the right to regain possession of the property using a Notice of Possession under section 21 Housing Act 1988.

Obtain an energy performance certificate
- Private residential landlords are legally required to provide an EPC when renting out a home to new tenants. EPCs usually cost about £80, if you let a property without an EPC, you may find yourself facing £200 fine.
- EPCs provide information on a building’s energy efficiency using a sliding scale from ‘A’ (very efficient) to ‘G’ (least efficient); a typical rating for a property is D or E. The EPC also has recommendations on how to improve the energy efficiency rating and make the property more attractive to
tenants. A landlord does not have to implement changes but may be eligible for financial assistance.

- All prospective tenants must be given a copy of the EPC when they go to view the property, when they ask for written information about a property or before a rental contract is signed.
- Ratings allow prospective tenants to assess the estimated cost of heating the property and the environmental impact of the property.
- EPCs can only be provided by an accredited domestic energy assessor or a certified home inspector.
- *Warm Front* is a government scheme that provides heating and insulation for tenants claiming certain benefits. Maximum grant available is £3500.

**Find out whether you need a property licence**

- If your property has three or more storeys and houses five or more people who are not all related, you must get a licence from your local council so that your property can be used for multiple occupation.
- This is called an HMO (House in Multiple Occupation) licence and costs in the region of £750 for five years. If you do not get a licence you could be taken to court and, upon conviction, fined up to £20,000.

**Get all your gas and electrical appliances checked**

- All gas appliances must be checked annually by a registered Gas Engineer and the tenant should be given a copy of the landlord gas safety certificate before they move into the property. (see the new GasSafe Register presentation).
- Electrical installations and appliances must be safe. Electrical installations should be inspected and tested at least every five years.

**Minimise the risk from fire**

- As a landlord you must ensure that there is a safe means of escape from the property you are renting out, in the event of a fire and that there is a suitable fire alarm has been fitted in the property.
- LACORS’ (Local Authorities Coordinators of Regulatory Services - the local government central body responsible for overseeing local authority regulatory and related services) have produced national guidance on fire safety in residential accommodation and can be downloaded from their website - [www.lacors.gov.uk](http://www.lacors.gov.uk)
- The Housing Act 2004 brought in a new system of regulation for fire safety in existing residential premises by way of the housing health and safety rating system (HHSRS) and is a tool used to assess and regulate hazards in domestic premises including fire safety. (see following link [http://www.communities.gov.uk/publications/housing/housinghealth](http://www.communities.gov.uk/publications/housing/housinghealth))

**Ensure that your property presents no risk to your tenants’ health and safety**

- Before the start of the tenancy, carry out an inspection of your property and
look for any obvious hazards.
- The accommodation must be in good repair, well maintained, and capable of being effectively heated. Any safety hazards must be promptly dealt with.

Don’t find yourself in court when something goes wrong
- Being a landlord is a huge responsibility and you will need expert advice.
- A wealth of information is available through landlord associations such as the National Landlords Association (www.landlords.org.uk), the Residential Landlords Association (www.rla.org.uk) and the British Property Federation (www.bpf.org.uk), or through council-run landlord accreditation schemes. (Refer to London Landlord Accreditation Scheme)
- If you don’t want to take on the management of the property yourself, you may want to consider using a reputable letting or managing agent. Details of local agents can be obtained from the Association of Residential Letting Agents (www.arla.co.uk), the National Approved Letting Scheme (www.nalscheme.co.uk) and the UK Association of Letting Agents (www.ukala.org.uk). Terms and conditions vary, so please check the small print before signing any agreement.

6. Rent Deposit Scheme - Marion Collier (Private Sector and Home Sales Co-ordinator)

Marion Collier is based in Housing Solutions (114 London Road, Morden, SM4 5AX). Housing Solutions opened in 2003 and 600 sign-ups have been completed since the scheme started. Since April this year there have already been 70 sign-ups.

The Rent Deposit Scheme (RDS) helps landlords rent a property in the private sector as an alternative housing option. The council are working in partnership with private landlords to provide homes for people in housing need.

Housing Solutions are specifically interested in acquiring 1 and 2 bedroom properties. If a landlord visits the shop or phones Housing Solutions Marion’s team will try to arrange a home visit if the type or size of property is needed. Marion’s team provide advice and explain any safety requirements. The landlord needs to provide Gas, EPC and Electrical safety certificates. The landlord is responsible for the management and maintenance of the property.

In 2008 the law changed regarding how Housing Benefit is paid. It now goes directly to the tenant rather than the landlord. The Local Housing Allowance is now based on the rent, number of bedrooms and postcode of the property. Housing Solutions help a tenant complete the Housing Benefit Claim form and then give it to a designated officer in Housing Benefit who fast tracks the application.

If the tenant has not paid rent for 8 weeks (which do not need to be
consecutive weeks) then the landlord can contact Housing Benefit and request the money be paid directly to the landlord.

There are some tenants who would prefer the rent to be paid directly to the landlord, but the government changed the process to encourage greater accountability and tenant responsibility. This new process can make some tenants vulnerable.

A petition to government around this issue is being organised on a national level.

Once the tenant has found private rented accommodation there is a floating support service for those who need extra help to maintain independence within their home.

Please see website: http://www.merton.gov.uk/living/housing/privatehousing/rentdepositscheme.htm

Contact details: 0208 274 5765/5769
Email: housingsolutions@merton.gov.uk

7. **Energy Performance Certificates - Notes from previous forum 07.10.08**

An Energy Performance Certificate must be made available to prospective tenants before a new tenancy begins.

Certificates last for 10 years and can be used before a new tenant moves in during this period. But the certificate is a snapshot and will not include new measures completed since initial certificate completed. The certificate is very similar to the energy rating labels on white goods and informs the person how much carbon dioxide is being omitted and guidelines on how much it costs to heat, light and power a property.

The certificates provide important information due to the fact that 40% of all energy is used by domestic properties. It has been difficult to engage with landlords regarding energy saving measures because they do not tend to pay the energy bills and are sometimes unaware about the energy efficiency condition of their property.

Only Accredited Energy Assessors can complete the EPCs. Surveys within the £60-£80 bracket are reasonably priced. The Residential Landlord Association provides a flat rate survey for £69 including VAT.

SP informed the group that he had just taken out Breakdown Emergency Cover for electricity and plumbing for his properties and they are included an EPC within the price. The company is called One Plus and this deal covers a
Energy Saving Measures include the following:

- Loft and cavity wall insulation
- Dry lining and external cladding (although planning permission may need to be obtained and there may be difficulties around listed buildings)
- Condensing boilers and heating system controls
- Solar panels
- Wind generated power

There is a Tax Allowance against energy saving measures of up to £1500 per unit per year. See your accountant for details.

There are various grants and schemes available for tenants in receipt of benefits but they need to apply for the funding themselves, although should consult with their landlord initially. For example the Coldbusters scheme is a grant which replaces boilers and installs central heating systems. For each property there is a maximum grant of £6K.

The Coldbusters funding for this year has already been committed but a new bid has been submitted and we should hear the whether we have been successful before Christmas.

Demand for grants is extremely high but it is worth tenants contacting the Energy Savings Trust Advice Centre for more information about how to apply: The landlord is not obliged to refund Coldbusters grant monies when the tenant moves out of the property.

**Energy Savings Trust Advice Centre - 0800 512 012**

Utility companies are obliged to make money available for loft and cavity wall insulation, and people over 70 can receive these works free, anywhere in the UK!

For anyone in Merton who is 65+, there is free loft and wall insulation subject to a property survey. Contact Warm Zones on **0800 587 2251** whilst funds are available.

Enforcement – Trading Standards are the EPC enforcers and they can serve a Fixed Charge Notice of £200 if a newly let property is without an EPC, and this is repeatable penalty.

### 8. Any Other Business

#### 8.1 Suggested topics for future forums were:

- Good practice examples from other successful forums. Invite an external speaker to share ideas and experiences.
- Panel discussion with council representatives to take questions
- Mock grievance procedure with Housing Benefits
- How to protect the landlord
- Help with repairs and recommended tradesman
- Fire Risk and Housing Health and Safety Rating System training

Proposed date of next forum: The third or fourth week in November – to be confirmed.