

BROXBOURNE COUNCIL'S LANDLORDS' FORUM

Thursday 10 October 2019

Present: Pat O'Keeffe, Tammy Grey, Alison Bannister - Borough of Broxbourne
Neil Wright – Sopra Steria
Matthew Oliver – National Landlords Association (NLA)
+ over 25 landlords and letting agents

Pat O'Keeffe, Broxbourne Council's Accommodation and Resources Manager, welcomed everyone.

Simple Lets Landlords' Incentive scheme

Pat O'Keeffe outlined the details of the recently launched scheme which offers cash incentives from £200 to landlords that let a new property through the Council's Simple Lets scheme. Further information on the incentive scheme can be found on the [Simple Lets page of the Council's website](#).

Industry news and a legislative update

There was a presentation by Matthew Oliver from the NLA on the latest industry news including changes in legislation. The presentation covered many topics including:

- The upcoming merger between NLA and the RLA (Residential Landlords Association). The organisations are merging to combine resources to better serve private landlords and provide a unified and consistent voice when lobbying the government. The new association will be called the NRLA and will have 80,000 members. More information about the merger can be found [here](#).
- Government consultation to abolish Section 21 notices and to reform the grounds on which Section 8 notices can be used to evict tenants. Under the proposals, landlords will have to provide a concrete, evidenced reason already specified in law for bringing tenancies to an end. There will be an amendment to the Section 8 eviction process to enable property owners to regain their home should they wish to sell it or move into it. Court processes will also be expedited so disputes can be resolved quickly. The NLA has suggested that the Government should consider the same approach as Scotland whereby the court system was reformed before they made changes to how tenancies work. The consultation closed on 12 October 2019. More information can be found [here](#).
- Section 21 notices are invalid if a gas safety certificate is not served before the start of the tenancy (England only). This cannot be rectified at a later date and would mean an Assured Shorthold Tenancy would be treated as an Assured Tenancy. The NLA advises landlords to keep detailed records of when any documentation was issued to their tenants. The NLA will continue to press the Government for change and greater clarity on this matter. To check if an engineer is currently on the Gas Safe register go to: <https://www.gassaferegister.co.uk/find-an-engineer/>
- Tenant Fees Act came into force on 1 June 2019 but tenancies signed before this date will not be subject to the ban until 1 June 2020. The Act bans all fees from letting agents and landlords to tenants. However, there are exemptions for fees arising out of the actions of the tenant.
- Government consultation to allow public access to the national rogue landlord database. The database contains details of landlords and property agents who have been convicted of specific housing-related offences. The consultation is to consider a number of issues such as: whether the database should be open to the public, what details should be made available and whether landlords should be required to disclose that they are on the database. There is no equivalent tenant database at



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present. The consultation closes on 12 October 2019. More information can be found [here](#). The NLA has warned that the aforementioned changes would be pointless if local authorities don't use their existing powers to tackle rogue landlords.

- Landlords to be legally required to join a redress scheme. Landlords need to join a redress scheme or face a fine of up to £5000. Currently there are three recognised schemes. There are no plans to have a national register of landlords at the moment.
- Five year electrical safety checks to be compulsory but the implementation date is not known yet. These checks must be carried out by a qualified electrician. Visit <http://www.electricalcompetentperson.co.uk/> to check whether an electrician is competent. However, not all competent electricians are registered on this site as electricians can demonstrate competence through qualification and continued professional development.
- English Housing Survey 2018. According to this Government survey, 84% of private renters are satisfied with their accommodation. Also, most tenancies end because the tenant wants to move not because they are asked to leave by their landlord. More information on the survey can be found [here](#).
- Right to Rent high court ruling. The High Court has ruled these checks are unlawful as they can lead to discrimination. However, the requirement to carry out the checks will remain in force until Parliament changes the law. Instructions on how to carry out Right to Rent checks can be found on the Gov.uk website [here](#). You can also use this website to check if a prospective tenant has the right to rent your property.

Following the presentation there was a Q&A session during which a number of questions were raised such as:

Q: Does Broxbourne Council have a selective licensing scheme?

A: Broxbourne Council only operates a mandatory licensing scheme for HMO landlords. The NLA provide information and updates on licensing schemes and relevant consultations to members who register for 'NLA Licensing 365' on their website.

Q: Are there any current discounts on NLA courses?

A: There's an early bird discount of 30% off all courses if you book 6 weeks in advance.

Q: If I have a new tenant and the gas safety certificate on my property is still valid, do I have to get a new certificate?

A: No, but you should issue a copy of your valid certificate to your new tenant before the tenancy begins.

All the presentations can be viewed on the Council's website:

<http://www.broxbourne.gov.uk/resident-housing/landlords-forum>

The Forum finished with Pat O'Keeffe thanking the speakers and everyone for attending.

Date of next meeting: April 2020

