Newsletter No 24 June 2015

SOUTHERN LANDLORDS ASSOCIATION

This edition's featured Corporate Member MOORE BLATCH solicitors

THE ELECTION IS OVER: HOW WILL THE RESULT AFFECT PRIVATE LANDLORDS?

For the next five years we will have a Conservative government with a small working majority which, it is assumed, will continue with the agenda for private landlords proposed prior to the election. In other words, a resumption of unfinished parliamentary business affecting residential landlords. At least, the several pieces of legislation that were processed by the previous government are unlikely to be altered, as the same party is now again in government. Examples relate to further conditions in respect of introducing discretionary licensing, either selective or additional, and the introduction of a statutory Section 21 Notice.

Examples of the unfinished parliamentary business that we expect to see brought forward by the new government are as follows:

- Secondary legislation on 'Flood Re' insurance, offering a reasonable insurance premium for properties in flood areas. This scheme will not include properties owned by private landlords.
- Supplementary planning guidance from the GLA on housing and student accommodation.
- The new rules on landlord licensing, passed just before the end of the last government, are likely to be proceeded with.
- It is believed that the new government will be keen to start engaging on the Budget suggestion that clauses in tenancy agreements banning subletting should be subject to a test of unreasonableness.

More about some of these items further in the Newsletter.

'FLOOD RE'

Members will be aware that following recent heavy flooding in certain areas of the country, a committee was set up by government to look at the insurance of properties that are likely to be affected by flooding. It has been decided that following intensive negotiations, private landlords owning properties in these areas will not be covered by the new Flood Re insurance and could well therefore find it difficult to obtain affordable insurance cover for their properties.

The British Property Federation (BPF) has fought the private landlord's corner throughout the negotiations but it seems that the insurers are not prepared to cover such properties and it is most likely therefore that the secondary legislation will exclude them and will be introduced very shortly. Our association can therefore only advise any landlord wishing to purchase properties in areas subject to flooding to look very closely at the problems surrounding the cost (even if it is obtainable) of insurance cover. It is very sensible therefore for members wishing to purchase further residential properties to ensure that they understand the insurance implications and in all probability should avoid flood risk areas.

HOLIDAY LETS: COUNCIL TAX OR UNIFIED BUSINESS RATES

Members who have holiday lets may not be aware that local authorities have discretion as to whether they charge Council Tax or Unified Business Rates on a property which is subject to holiday lets. In this respect, the local authority has full discretion on which it chooses to impose. The situation is that if a local authority decides to have holiday let properties in its area subject to Unified Business Rates, it applies to the Valuation Office for a business valuation on the property and then applies Unified Business Rates to it. A landlord, of course, can appeal against the assessment but not the fact that the local authority has chosen to apply Unified Business Rates instead of Council Tax.

If you own a property which you let as a holiday let, you may be able to claim small business rate relief but this only applies if you own no other property in respect of which you are liable to pay Unified Business Rates. Therefore if you only own one holiday let and no other commercial building for which you are responsible for paying business rates, you could be entitled to claim small business rate relief, which operates under the present legislation until 31st March 2016. If, for example, you have a property that is rated at £6,000 or less, then no Unified Business Rates will be payable. However, after 1st April 2016 50% of the rates payable will be chargeable. If, however, the property is valued at between £6,001 and £12,000 the discount is 50%, rising on a scale of 1% for every £60 rateable value over £6,000, and on 1st April 2016 it reduces to 50% to 0% on a scale of 1% for every £120 rateable value over £6,000. Any property with a valuation of over £12,001 is subject to paying the full Unified Business Rates applicable to that property.

Members should also be aware that if Unified Business Rates are applied to the property, the council may well charge extra for clearing rubbish, as business rate occupiers are not entitled to any rubbish collection and should make their own arrangements if the council does not collect waste, etc from such properties (even for a charge).

It should be emphasised that the discounts only apply if the landlord only pays Unified Business Rates on that property and no other property, which would include offices, shops, workshops, etc.

SECTION 8 & 13 NOTICES

Members will be aware that if they wish to obtain possession for a breach of tenancy, for example rent arrears, then the normal way is to use the Section 8 procedure and that one method of increasing the rent is by using a Section 13 notice.

Members should therefore make note that on 6th April 2015 a new Section 8 & 13 Notice (which are statutory notices) have been issued. Any member wishing to use these Notices after 5th April 2015 must use the new form of notice, as if they do not it is most likely that the court will throw out any application for possession using an outdated notice. Members who have already issued an old Section 8 Notice prior to 6th April 2015 but have yet to seek court proceedings will find that those forms will be accepted.

It is most important that members take note of the new requirements, otherwise they will not only delay possession but waste the cost of taking the matter to court in the process. The new Section 8 & 13 forms are available on the SLA website.

SCOTTISH GOVERNMENT PUBLISHES SECOND PRS CONSULTATION

Any member having residential property in Scotland will wish to note that the Scottish government has published its second consultation on the private rented sector, following feedback given on a previous consultation carried out late in 2014.

It proposes a raft of changes to the sector in Scotland, including the removal of 'no fault' possession and the introduction of 11 grounds for repossession, as well as proposals to give tenants the power to challenge rental increases if they deem them to be disproportionate. The consultation also suggests the creation of a single tenancy regime to replace assured shorthold tenancies and assured tenancies with a single Scottish PRS tenancy contract.

If any member has a property in Scotland and would like more information, they should contact David Melhuish. Email: dmelhuish@bpf.org.uk.

Members will note from the above the way the Scottish government is moving in respect of private rented sector landlords in Scotland.

NEW LICENSING CONDITIONS

Prior to the last government leaving office, it introduced/proposed a number of changes to the discretionary licensing regulations, as follows:

Selective licensing

On 1st April 2015 the government introduced a new regulation, in that if any local authority wished to implement a selective licensing scheme affecting over 30% of its rental properties in the area, the scheme has to be submitted to the Department for Communities and Local Government (DCLG) for approval. From our association's perspective this is a move in the right direction.

Additional licensing

This is a proposal and does not yet form part of the licensing requirements for additional licensing:

- The area contains a high proportion of properties in the private rented sector.

- The local authority deems there to be an issue with housing conditions in the area and it intends to carry out inspections to enforce standards.

- There has been an increase in migration (or the expectation of it) and that introducing licensing will improve social economic conditions, particularly relating to overcrowding.

- The area is suffering from high levels of deprivation, and licensing and other measures could be used to address it. Deprivation can be judged based on employment levels, average income, health of households, availability of education, housing conditions, the physical environment and crime levels.

It is proposed that all of these conditions should be met before additional licensing is considered to be introduced.

DEPOSIT REGULATION

Members will be aware from the last Newsletter of the new regulations in respect of deposits. It does seem, however, from Helpline enquiries, that members are still not completely aware of these regulations and how they affect them. The following therefore again sets out the current requirements.

- Any deposit taken after 6th April 2007 is required to be regulated and any member who has failed to regulate a deposit taken after 6th April 2007 cannot now do so and, in addition, is liable to have action taken by the tenant for repayment of the deposit plus up to three times the value of it for failure to regulate it. In addition, the landlord will not be able to proceed for possession using the Section 21 Notice. In these circumstances, all that a landlord can reasonably do is to return the deposit to the tenant in the hope that the tenant will not bring an action against the landlord for non-registration of that deposit.

- Any tenancy that was entered into as a fixed term tenancy prior to 6th April 2007 and converted into a periodic tenancy after that date is required to be regulated and, again, this must be done by 23 June 2015, otherwise the landlord could be subject to the same actions as detailed in the bullet point above.

- Any deposit taken prior to 6th April 2007 and converted from a fixed term to a periodic tenancy prior to that date or, in fact, was originally a periodic tenancy and where a deposit has been taken, is not required to be regulated, nor is it liable to challenge by a tenant if it is not regulated. But if the landlord wishes to seek possession at any time under Section 21, they will not be able to do so if they have not regulated the deposit by 23 June 2015 or, alternatively, returned it to the tenant prior to the issue of the Section 21 Notice.

- The need to re-regulate a deposit when a tenancy changes from a fixed term to a periodic tenancy is no longer applicable and once the deposit has been regulated within 30 days of the tenancy commencing, then there is no requirement for a landlord to re-regulate it.

Mike Stimpson comments: I trust that the above brief description of the current situation in respect of all deposits covers members' concerns, but in the event of any query/concern members can use our Helpline for further explanation/advice.

MIKE STIMPSON'S COLUMN

It is with some relief, so far as I am concerned, that a Conservative government has been re-elected with a working majority, as, in all probability, members will face less new regulation than they would have had other parties been elected.

Members will see from the article about proposals in Scotland that the Scottish Nationalists are intent on bringing back permanent tenancies with rent control. It will be interesting to see what the Scottish Nationalists actually implement and, if against the interests of private landlords, how many landlords will continue to invest in Scottish property.

Even though we have a more moderate government with regard to private landlords, there is no doubt that the government will be looking at ways to control the cost of renting. This could well be by further limitations on Local Housing Allowance or by bringing in legislation to control rent increases. Our association does not believe that it will abandon the use of Section 21 Notices, although there is no doubt that they will not be as easily useable as in the past, and members may well find the Section 8 Notice (if applicable) an easier option to obtain possession.

Members should also note carefully the way in which the Flood Re insurance proposals are moving, in that it is very unlikely that landlords with properties in flood risk areas will be able to obtain the benefit of the

Flood Re insurance and will be exposed to difficulty in obtaining any form of insurance and, even if possible, the premiums may be extortionate.

Our association, uniquely, has brought (or threatened to bring) judicial reviews against a small number of councils who, in our opinion, have introduced discretionary licensing unlawfully. The latest case we have been involved with is Hastings, where we took a dual attack of threatening a judicial review to the extent of seeking legal advice on its probability of success and, at the same time, negotiating with Hastings Borough Council itself to obtain the best conditions in respect of their licensing proposals.

In effect, the negotiating team obtained for members of landlords' associations with an early-bird discount a licensing fee of £150 for the five years. Our negotiating team was also able to persuade the Council to reduce the number of wards in which selective licensing was to be implemented from ten to seven. Further, landlords with over ten properties will be able to pay their licensing fees on a staged basis.

These are real benefits for all landlords in the Hastings area and we must thank those landlords who donated money which enabled us to seek a legal opinion and stage public meetings. It is a shame that many landlords in the area do not belong to landlords' associations but gain the benefit, even if only in part, of the efforts of a few dedicated members. On behalf of the SLA may I thank them for their support.

We shall not be taking the Council to a judicial review but note that the decision to implement the scheme was made on 30th March, whereas had it been delayed until 1st April or after it would have had to have been submitted to DCLG for its approval. It seems politics always plays a part in these decisions.

We are now looking into the proposed extension of additional licensing in the city of Brighton and Hove, and your committee at present are preparing a response to oppose the scheme. We do note, however, that following local elections, the Labour Party has the majority of seats (but not an overall majority) and has in its local manifesto a pledge to license all landlords within the city, one which we believe cannot be met and neither should it be. Once again, we consider that licensing in Brighton and Hove is a political policy situation and is not based on the real problems that licensing was introduced to deal with.

In summary, we now have a new government re-elected and in due course its policies affecting private landlords will develop and members can rest assured that through our connection with the British Property Federation we will be opposing unreasonable legislation at every opportunity.

Mike Stimpson

AROUND THE BRANCHES

Hastings

On 30th March the Housing Committee at Hastings Borough Council approved the implementation of selective licensing in seven wards within the town. At the meeting, which was attended by a very significant number of private landlords, there was no mention whatsoever of the fact that antisocial behaviour is caused by tenants, not by landlords, and that in reality landlords have little authority to control such behaviour. The whole objective of the discussion appeared to be about controlling landlords and regulating them.

There is little doubt that the decision to implement was based on political judgment and not real evidence of landlords failing to control their tenants. Had the cabinet met on or after 1st April, as mentioned earlier in this Newsletter, the proposal would have had to have been submitted to DCLG for approval. That may well have caused the Council more work to prove that landlords in the area are not dealing with antisocial behaviour in significant numbers to warrant the implementation of the scheme. SLA will closely monitor progress.

Brighton and Hove

Members with properties in the city will be aware of the proposal to extend additional licensing into seven more wards. The consultation is now over and your association is submitting a detailed response objecting to the scheme, which will be available for members to view on our website. Unlike Hastings, to date we have been unable to negotiate any discounts for landlords, despite the government indicating that good landlords should have 'a light touch'. Not only that, but the cost of a licence is much higher than in Southampton or, for that matter, Hastings. These other local authorities also inspect the properties and therefore one wonders why Brighton and Hove City Council finds itself unable to charge similar fees to those charged by Southampton and Hastings. We are challenging this and will press for answers.

Again, as in Hastings, we have no doubt that the object of the scheme is control of private landlords and will be a political decision, rather than one based on real evidence of landlords' failure to control the behaviour of their tenants or maintain their properties in a safe condition.

MANDATORY LICENSING FOR MANY LANDLORDS

The Prime Minister has just dropped an unexpected bombshell by announcing that more landlords will be subject to mandatory licensing! This was during a speech on immigration, when he also announced that all landlords will have to check the immigration status of their tenants - this was expected, but the licensing wasn't.

Until now, the Conservatives have always avoided such a policy. The last Labour administration said it wanted licensing for landlords and letting agents - but never introduced it. They did introduce mandatory registration for landlords, but the Coalition scrapped it.

But this is what Cameron said:

"There are other ways we can identify those who shouldn't be here, for example through housing. For the first time we've had landlords checking whether their tenants are here legally.

The Liberal Democrats only wanted us to run a pilot on that one. But now we've got a majority, we will roll it out nationwide, and we'll change the rules so landlords can evict illegal immigrants more quickly.

We'll also crack down on the unscrupulous landlords who cram houses full of illegal migrants, by introducing a new mandatory licensing regime. And, a bit like ending jobs when visas expire, we'll consult on cancelling tenancies automatically at the same point.

It's not just through housing and jobs; we can track down illegal migrants through the banking system too."

The full speech is at:
https://www.gov.uk/government/speeches/pm-speech-on-immigration.

Whilst it is not known what this will entail, it is anticipated that the current parameters covering mandatory licensing of HMO's will be amended to either lower the number of occupants; and/or the number of floors; or even include all HMO's.

The Devil is in the detail, yet to be published. Whatever the detail, it is bound to place more work on already overstretched local authorities.

QUEEN'S SPEECH

The Prime Minister, David Cameron says that his programme will mean that, 'Wherever you live you can have the chance of a good education, a decent job, a home of your own and the peace of mind that comes from being able to raise a family and enjoy a secure retirement.'

These were some of the matters that were raised in the Queen's Speech (details to follow):-

Full employment and welfare benefits bill
To reduce the benefits cap from £26,000 to £23,000.

Housing Bill
To extend the Right to Buy Scheme to 1.3 million housing association tenants.

EU Referendum Bill
To allow a referendum on continuing membership of the EU. Whilst the Prime Minister is keeping details of negotiations secret, recent press speculation is that his demands will be far less than was anticipated. The EU 'brethren' were anticipating substantial demands, and were gearing up to allow many of the changes.

Difficult to know the effect on the Private Rented Sector (PRS).

Income Tax Bill
Writing in the Sunday Telegraph about his first 100 days in office, the Prime Minister said: "It is a permanent measure to re-write not just the laws of this country but the values of this country. And it will be there as the centrepiece of the first Queen's Speech of my new government."

Immigration Bill
As mentioned above, plus a crackdown on illegal immigration; Police given new powers to seize wages paid to illegal workers as a 'proceeds of crime'; councils to be given new powers to deal with unscrupulous landlords, and to evict illegal migrants more quickly; and a new enforcement agency will be set up.

The nattily named **Tax lock commitment - National Insurance Contributions Bill/Finance Bill**
To ensure there will be no rise in VAT; income tax rates; or National Insurance Contribution (NICs) rates.

Also anticipated are:-

Policing Bill - to ban the use of police cells for the mentally ill; extend police-led prosecutions; overhaul the complaints procedure; and change the use of bail;
City Devolution Bill - to devolve more powers to many English cities, including election of local Mayors;
Strike laws reform - making it more difficult to take strike action;
Employment Bill - to create 2 million more jobs, and 3 million more apprenticeships. Paid for by the decrease in benefits cap;
Schools Bill - The Conservatives want to expand their free schools programme - which Labour opposes, with Mr Cameron committing to creating an extra 270,000 free school places by 2020.
Childcare Bill - to increase the amount of time free early education or childcare for 3 & 4 year olds. Also tax-free child care for all children.
Enterprise Bill - to cut red tape, and a new Small Business Conciliation Service to help settle disputes.
Scotland Bill/ Wales Bill - to devolve more powers.
Human Rights Act Repeal Bill - to abolish the Human Rights Act and replace it with a British Bill of Rights.
Counter-extremism Bill - will include new immigration rules, powers to close down premises used by extremists, and "extremism disruption orders".
Communications and Data Bill - known as the 'Snoopers Charter'. Opposed by the Lib Dems, and current legislation will expire in 2016.
NHS Bill - to commit to an extra £8bn on the NHS. Where will this come from?
Hunting Ban Repeal Bill - anticipated to be defeated by some Conservative opposition, along with Labour.

Accidental landlords set to be banned by the EU

Property owners could find it much harder to become accidental landlords within the next two years as a result of forthcoming European legislation.

Many of Britain's small army of landlords ended up letting out a property originally purchased with a mainstream mortgage - often when they decided to hold onto it as an investment after a change of circumstances, such as moving in with a partner, relocation or failure to sell.

However, the Treasury has said a new European Mortgage Credit Directive, which comes into force in 2016, will result in some landlord mortgages facing regulation - and this would stop homeowners making an easy move to being a landlord.

At present, buy-to-let mortgages are non-regulated, unlike mainstream owner-occupier mortgages. This is because landlords are usually viewed as business borrowers and thus require less supervision.

Those with a regular mortgage are viewed as consumers and so need tougher rules, and the regulations lenders must abide by were tightened up this April by the Financial Conduct Authority.

It means currently older people can obtain landlord loans, as opposed to stricter age limits on mainstream mortgages - and it means lenders do not have to apply stricter affordability criteria and take almost all new borrowers through a mortgage advice process.

But from 2016, banks may have to start refusing to lend to homeowners not intending to treat their buy-to-let portfolio as a business. This could hit those hoping to simply hold onto their existing mortgage and pay a small premium to let their property, or complete an easy switch to a buy-to-let rate.

New deadline for deposit protection less than one month away.

Following the Deregulation Act, which passed into law at the end of March, landlords have until 23 June 2015 to protect deposits that were taken before 6 April 2007 and which they are still holding for periodic tenancies agreed on or after that date.

Periodic tenancies are those which continue on a period-by-period basis once the term specified in the original agreement has passed.

The Act has also clarified the uncertainty created by a June 2013 decision by the Court of Appeal in the Superstrike v Rodrigues case over the need for landlords to provide 'prescribed information' upon every renewal or the tenancy becoming periodic. The Act states that if the prescribed information has been validly given in relation to an initial tenancy, it does not need to be given again in respect of replacement tenancies (except where circumstances or details change).

Prescribed information is the information that a landlord must by law make available to the tenant about the deposit protection scheme protecting their deposit and other specific details about the deposit and tenancy.

Landlords and letting agents should take independent legal advice in order to understand how this and other changes in the Deregulation Act 2015 affect their particular circumstances.

The DPS is the only scheme to offer a choice between schemes that are custodial - where it holds the money for the duration of tenancies - and insured - where landlords retain deposits but pay a fee to protect them.

MyDeposits, and the TDS currently only offer insurance based schemes.

CHANGES TO HMO LICENSING SCHEME IN SOUTHAMPTON

The SLA and Southampton City Council have reached agreement on changes to the City's HMO Licensing Scheme.

The changes came into effect on 25 May 2015 and include a revised fee structure, which will be the same for both Mandatory and Additional Licensed properties. There are no changes to the Southampton HMO Amenity Standards which were previously agreed between SLA and the Council. In the Autumn of 2015 the HMO Additional Licensing Scheme will be extended from the current four wards (Swaythling, Portswood, Bevois and Bargate) to now also include the wards of Bassett, Shirley, Freemantle and Millbrook. This means that all HMO properties in Southampton which are west of the River Itchen will now be licensable, except those on the western fringe of the city in the wards of Coxford and Redbridge.

The new fee structure is almost identical to that proposed by SLA. Applications submitted within three months of the property becoming licensable and accompanied by a certificate of compliance issued by a RICS or CIEH approved surveyor will now cost £250. Applicants will also still have the option of submitting an application without a certificate of compliance. Such properties will be inspected by a Council Housing Officer, the fee for this route will be £560 within three months of becoming licensable. If an application is made later than three months from when a property becomes licensable then a higher rate of £860 is payable. In addition the Council is now offering pre-application advice for a fee of £60.

Members with properties in the four new wards which will become licensable in the Autumn are advised to check their compliance with the LACORS 'Housing - Fire Safety' standards, the Southampton HMO Amenity Standards as well as making sure they have a valid annual gas safety certificate and a satisfactory Periodic Inspection Report for the Electrical Installation dated within the last five years. Thanks to the work both nationally and locally by SLA representatives these requirements are not onerous but compliance is still necessary.

Mitch Sanders, Head of Regulatory & City Services at Southampton City Council said 'The introduction of additional HMO Licensing in Southampton in 2013 has been positive for both tenants and neighbours and subject to Cabinet approval in July we are looking forward to extending the scheme so that the vast majority of HMOs in the City are covered. The SLA has represented Southampton's landlords' interests very strongly and the Scheme is undoubtedly more effective and efficient than it would have been without their contribution'.

Chris Brown, a local SLA negotiator said 'Landlords are never likely to celebrate the introduction of more regulation, however I believe that the scheme we have negotiated in Southampton for good, compliant landlords is one of the least cumbersome and least expensive in the country, while still meeting the Council's requirements and covering their costs. Other Local Authorities would benefit by looking at what has been achieved in Southampton.' Chris went on to say 'If you have an HMO property in Southampton which should have been licensed and has not been, then now is the time to come forward. The Council are getting tough on those flouting the Law and have successfully prosecuted several landlords already this year for not being licensed. There is a maximum £20,000 fine and potentially loss of all rent for unlicensed periods'.

BRIGHTON BRANCH: CHAIRMAN GARY WALLER WRITES:

Monday 18th May 2015

We held our second meeting of the year at the English Language Centre. With almost 70 members and visitors attending, our meetings are going from strength to strength. If you have speakers or subjects that you would like to hear about, please let me know, my email is:
gary.waller@southernlandlords.org

Our first speakers included Ellen Berry from the Access PRS service. They cover Brighton and West Sussex and work closely with landlords to house some of the more disadvantaged members of society. They can provide a full management service. Please see the advert for contact details.

Our main speaker was Rob Fraser from the planning department at Brighton & Hove City Council. Rob presented the highlights of the city plan, some of which I have captured here:

There are 8 development areas under consideration, these include Brighton Marina where plans have been submitted for 2,000 new homes. This includes the old gas works site just outside the Marina. The restriction on keeping the new development below the height of the cliffs has been lifted, no doubt to the angst of the flats behind! Lewes Road is up for major redevelopment with 860 new homes planned including significant new student housing on the University sites and Preston Barracks. The New England quarter is still seen as the core employment area of the city.

Toads Hole valley has a proposal for 710 houses for families. Rob also presented on the urban fringe, the area of land between the City and the National Park, the council have looked at 66 sites covering 400 hectares. There is the potential to accommodate 1,180 new homes on 39 sites, covering 31 hectares. In total, despite these sites Brighton & Hove city council and the neighbouring authorities know that the City cannot accommodate the housing needed.

The Inspector's draft report is due out around October this year. Full details on the council web site.
Rob covered some other projects including various sources of Government funding for Shoreham harbour flood defences, City College development and the Circus Street market development.

The planning department control policies were discussed and Rob is aware that some policies are dated and there is the opportunity to review these policies. With a demand for housing greater than ever, now could be the opportunity to get that long awaited planning consent granted!

Steve Cox: Alan Boswell Insurance.
Alan Boswell continues to be a great friend to this association and we benefit greatly from the insurance premium that they provide to fund some of the good work of the SLA. A difficulty that I always have at insurance time is trying to work out the cost of rebuilding a property should the worst happen, Steve pointed to a very useful calculator http://calculator.bcis.co.uk/ . Once registered on site it does provide some very useful figures.

Steve's tips also included were :

- Don't underinsure
- be honest in disclosing information
- Property owners liability claims are on the increase, make sure you have property owners liability cover.
- If you rent a leasehold flat make sure that both you and the freeholder are covered for public liability.

LONDON LICENSING

For those of you with properties in London, I recently came across a web site that gives the details of licensing in all the London Boroughs - www.londonpropertylicensing.co.uk

This is run by Richard Tacagni, previously Head of Housing at Redbridge; prior to that he was at LACORS, part of the Local Government Association (LGA), the body formed to co-ordinate all local authorities. He was Head of the Housing team there and formed part of the steering group that brought about the LACORS Fire Safety Guide.

Access PRS

Access PRS is a West Sussex based lettings service offering landlords **free** support to let their properties in a way that is beneficial to their local communities.

We work with vulnerable people who are homeless or at risk of homelessness and through full individual assessment and tailored pre-tenancy support we ensure they are ready to sustain a tenancy before presenting them as prospective tenants.

Throughout the lettings process we provide a flexible and responsive service to both landlord and tenant which includes ongoing support being available through our MyKey housing support service as and when required.

To find out more a please contact:

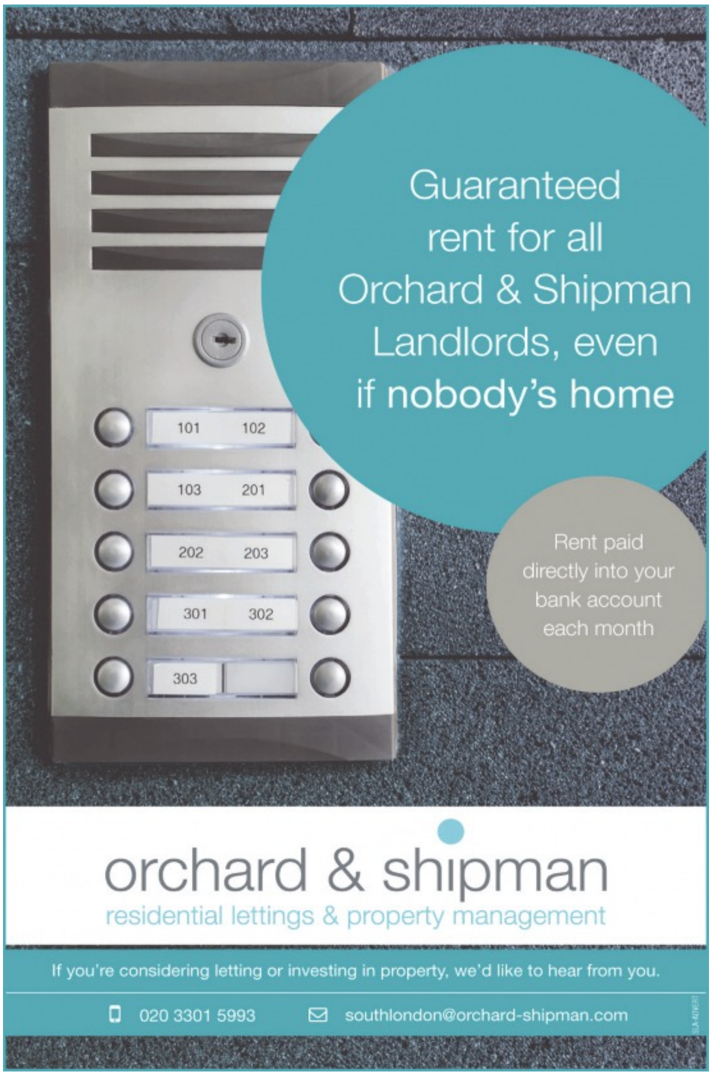
Email: MyKey@southdownhousing.org

Phone: 01903 867350

You are also welcome to attend our Open Day on Tuesday 30th June between 1.30 - 4.30pm at:

Southdown, Caravelle House, 17-19 Goring Road, Worthing, BN12 4AP

wise-moves.co.uk



MTM Property

sla southernlandlordsassociation

MTM Sales and Lettings are delighted to have joined the SLA this month. For some time we have attended meetings and got to know several members. As a prominent agent covering the whole of Brighton & Hove, we feel the SLA delivers a great platform for landlords and serves as a proactive voice for the industry, actively lobbying both for and against key issues that affect us all.

We are delighted to become members and look forward to getting to know you all. We work with a large number of professional landlords and investors, managing in excess of 450 rental properties, covering the whole of the city and also out as far as Shoreham-by-Sea and Saltdean in each direction.

Our team are available to assist with any queries you as a landlord may have, as well as of course offering our services for both residential lettings and property sales. In addition, all members of the SLA will be entitled to a 10% discount on both our letting and sales rates.

Tel: 01273 645797 Web: mtmproperty.co.uk

Email: info@mtmproperty.co.uk

Ensure you are doing things correctly

Following calls to the Help Line, we would like to remind you about things that are sometimes forgotten. This is not an exhaustive list, just the common matters that are not always dealt with correctly:-

Matter		***Essential***	***Desirable***	***Good idea***
insurance:-				
	allows property to be let	☑		
	covers all landlords contents		☑	
	covers **all** landlords liabilities	☑		
If using an agent:-				
	ensure they have client money protection	☑		
	have a contract – so everyone knows what they are doing		☑	
Check validity of:-				
	annual gas inspection	Legal requirement		
	electrical safety	☑		
	working smoke and Carbon Monoxide alarms	Legal requirement (after Oct 2015)		
	EPC	Legal requirement (if let after April 2008)		
Before letting:-				
	inventory	☑ (if going to claim for damage)		☑ (if not making a claim)
	reference tenants/guarantors		☑	
	check immigration status	Prob legal requirement after October		
	consider rent guarantee insurance			☑
	ensure property has no Category 1 hazards[i]	☑		
	if required – ensure property has a valid licence[ii]	Legal requirement		
Start of let:-				
	use an up-to-date AST	☑		
	protect the deposit[iii]	Legal requirement		
	ensure tenant(s) understand everything			☑
	leave contact details	Legal requirement		
During let:-				
	be visible[iv]	☑		
	be contactable[v]	☑		
	ensure rent is paid – don't assume it will arrive	☑		
End of let:-				
	if notice required - give correct notice; correct form; correct date[vi]	☑		
	ensure you can prove keys have been handed back voluntarily[vii]	☑		
	check for damage/ outstanding bills		☑	
	return deposit – get proof	☑		

[i] Category 1 hazards – bad fault under the Housing Health and Safety Rating System (HHSRS)
[ii] Either a mandatory HMO licence; or an Additional, or Selective licence
[iii] It's not a legal requirement to take a deposit – but if you do it is essential to protect it properly
[iv] Conduct regular inspections
[v] Ensure someone can be contacted in the case of an emergency – e.g. holidays
[vi] Section 8 new format after April 6th
[vii] Else tenants might claim the tenancy continues

MEETINGS/EXHIBITIONS FOR NEXT QUARTER

Make a note in your diary, details on the web:-

Social meetings

The regular London and Thanet socials will be:-

- London, the first Monday of every month (bar August) commencing February. To be held upstairs at the Constitution - 42 Churton Street, SW1V 2LP. 020 7834 3651. Commencing 6.30 pm

- Thanet, the first Thursday of every month (bar August) commencing February. To be held in the newly re-furbished, and renamed Botany Bay Hotel (formerly the Fayreness), Marine Drive, Kingsgate, Broadstairs, Kent CT10 3LG. 01843 868 641. Commencing 7.00 pm If using Sat Nav put CT10 3LH.

Meetings/exhibitions for next quarter:

Make a note in your diary, details on the web:-

- Thurs July 2nd - Thanet Social
- Mon July 6th - London Social
- August - no meetings
- Thurs Sept 3rd - Thanet Social
- Mon Sept 7th - London Social
- Wed/Thurs Sept 9th/10th - Landlord and Letting Show
- Mon Sept 14th - Southampton branch meeting
- Thurs Sept 17th - Brighton & Hove Social meeting - The Neville
- Thurs Sept 24th - Landlord Investment Show - North London, Elstree
- Thurs Oct 1st - Thanet Social
- Mon Oct 5th - London Social
- Thurs Oct 22nd - Landlord Investment Show - Maidstone
- Mon Nov 2nd - Brighton & Hove branch meeting
- Mon Nov 2nd - London Social
- Thurs Nov 5th - Thanet Social
- Mon Nov 9th - Landlord Investment Show - Olympia
- Thurs Dec 3rd - Thanet Social

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