

Welcome

From the Chair, to issue 12 of Private Renting Matters from the Private Rented Forum

Home Energy Surveys and the Green Deal



Earl Ware of First Call Assessors

attended the meeting to brief us on this topic.

It has been suggested that the Energy Bill proceeding through parliament may bring in a requirement for all let property to achieve at least E on its Home Energy Report.

It is currently not clear whether this Bill will be adopted. Most properties surveyed in Plymouth are scoring an E or D and if a minimum banding is brought in it probably wouldn't be too difficult for landlords to achieve this. Landlords reported that generally tenants did not seem to be very interested in the reports when they were made available.

No-one was aware of any prosecutions for failure to provide EPCs but Mr Ware felt that various Trading Standards Officers were set up to do this if they received complaints/referrals. It should also be noted that requirement to have EPC will be extended to holiday lets from the end of the month. Requirement doesn't currently apply to houses let as bedsits (but does to 'shared' houses).

NB: Information received after the meeting suggested that the extension of the requirement to provide EPCs to Holiday Lets was not clear-cut and may not proceed.

[Click this link for more details.](#)

LHA Plans for changes

Pat Newton and Susan Fulcher from Plymouth City Council's Housing Options service attended to update on plans to deal with the impact of LHA changes over the coming months. They believe the changes will affect 6,371 people and will be looking at advising tenants on how to negotiate with landlords; maximising income; debt advice; tenancy support and negotiation with landlords on behalf of tenants. There will be some funds available to top up LHA payments.

A team from Housing Benefits will be visiting those who are affected by loss of the 5 bed rent. All advice agencies are working together on this. There will be a pack to assist including a guidance sheet for tenants. This work is intended to support landlords and tenants through the transition. If they can help find a way

News in Brief (continued)

- Claire Heale of National Landlords Association raised the issue of Article 4 Directions. These allow the Council to require planning applications to be made for the creation of HMOs of 3 – 6 occupiers (normally this falls within permitted development).

Exeter has introduced one and is looking at additional licensing on the back of this. She advised members to be alert to what is happening in Plymouth.

It was confirmed that Planning are looking at this and are under pressure from active groups within communities to introduce such a scheme.

- Westcountry Landlords Association advised that DPS have changed their terms and conditions frequently. Now on version 16! It states that in rent arrears cases they will need court judgment to include return of deposit before they can return it. Some question on validity of changed terms and conditions where parties to the contract are not advised of changes.

New Members

The Forum sometimes receives requests for new members to attend but we do not have a clear procedure to consider this. Currently landlord representatives are in the majority over other members.

around the problem they will do so but recognise this may not always be possible.

It was felt by those at the meeting that landlords may not reduce rents as they had the option of taking working tenants. However, a working tenant can become a tenant in receipt of benefits at any time. It was agreed that an advice pack would be useful for all parties. A recommendation was made to use the Credit Union to receive rent with an arrangement that the money could not be withdrawn for any other purpose.

Licensing Policy

Linda advised that the Licensing Policy was being amended and copies of the draft had been sent to members. A separate meeting would follow to discuss this in more depth.

Main changes are:

- Reduction in number of standard conditions
- Recalculation of initial licensing fee based on experience of last 5 years.
- Calculation of re-licensing fee.
- Widening of advice on housing standards – no changes to standards.

It was also explained that although the re-licensing fee is lower than the initial licence it cannot be at a negligible level as we have to go through the same process. The Council are expecting changes in legislation to streamline the process but don't know when this will occur. At that time the policy will have to be revised.

News in Brief

- Bill Grantham of Devon and Somerset Fire and Rescue Service (DSFRS) advised on a number of recent prosecutions for non-compliance with the Fire Safety Order. Fines have been very high and one suspended prison sentence has been imposed. There was a general discussion around fire safety and lack of clarity in advice received. In particular a question of whether to provide fire extinguishers or not was raised. DSFRS do not require them in common areas, this is the only part of the property for which they are responsible. A case was reported where a landlord being sued for negligence as fire fighting equipment (FFE) had been provided but the tenant had not been trained and was subsequently injured trying to fight a fire. Generally the view now does seem to be that if FFE is provided, tenants should be trained in its use.

It was agreed that it would be beneficial to have new faces around the table and therefore:

- Members could bring a guest but would need to make a request through the Secretary beforehand.
- No more than three guests to be brought to any meeting.
- If guests subsequently wanted to come to meetings on a regular basis their request would be considered by a panel consisting of Chair, Vice Chair and Secretary.
- Will need to control numbers and to this end attendance rules will be applied and it was suggested that consideration may need to be given to SWLA and SAMS reducing to one representative.

Responsibility for Council Tax when tenant vacates early

Pam Dean was unable to attend to report on this long running issue. However, a response to the view of Counsel had been sent and copies of this were distributed at the meeting. This letter disagreed with Counsel's view and emphasised that legislation required a tenant to be 'in occupation' rather than just having a 'right to occupy'.

Anti Social Behaviour Consultation

Angela Irving of Plymouth City Council's Anti-Social Behaviour Unit advised that their original remit had been to deal with ASB in Council owned properties.

They are now looking to increase support/advice to private landlords who have to deal with ASB. They are getting calls from private landlords and want to decide how best to help them.

One meeting has been held where issues were discussed with landlord representatives and information gathered on what would be most helpful.

A list of the area that they may be able to help was distributed and landlords were asked to rank them to see which

they would find most useful.

Agents felt they could deal with the low level nuisance but needed something more concrete and robust to deal with those few who take no notice and don't care. Also comments we made that various agencies need to get together and give consistent advice. It was agreed to arrange another meeting to discuss the issues in greater depth.

Colebrook Housing Society

The CHS are seeking to recruit new members to their management committee. Details are in the attached document.