



**AN INTRODUCTION  
TO PRIVATE RENTING**  
Housing Services



## **The Council recognises the value of the private rented sector in the City. It wants to encourage private landlords, and work with them to achieve good, safe accommodation.**

This leaflet is intended as a brief introduction to private renting and the main requirements as applied in Plymouth. It gives information on the authorities who can advise you and who are ultimately responsible for applying the standards. Other leaflets are available to describe these matters in greater detail.

### **STARTING OUT**

When considering buying a property to let, it is important that you consider the market in which you will be operating. The type and location of the property needs to be suitable for your prospective tenants, and the initial and running costs need to be met by the income.

In choosing a property, you must also be clear whether you are seeking a net income or are simply investing for capital growth, since the level of maintenance and repairs may be affected by the type of property.

If you are thinking of becoming a landlord you are advised to spend some time researching:

- The demand for rented housing
- The achievable rent
- The costs of outgoings including financing purchase etc
- Costs of repairs and letting
- Insurance
- Taxation
- The loss of income through vacancies (between tenancies)
- Unexpected costs
- The profit margin
- The amount of time and experience you will need

In addition, you may want to manage the accommodation directly or arrange for a managing agent to carry out some (or all) of the functions of letting, rent collection and repair.

The document "Landlord Development Manual" (published by the I&DeA) contains more information and is available on our website.

Remember that you have a duty to comply with legal requirements and standards. You should ensure that these costs are reflected in your "business plan".

In addition to these statutory requirements, you have a general duty of care to your tenants and must take all reasonable steps to protect their safety in the property.

## LANDLORD GROUPS

You will find it helpful to join one of the local landlord associations. These can offer support and advice.

### **Guild of Residential Landlords**

[www.all4landlords.com](http://www.all4landlords.com)  
0845 3700107

### **South West Landlords' Association**

[www.landlordssouthwest.co.uk](http://www.landlordssouthwest.co.uk)  
01752 510913

### **Westcountry Landlords Association**

[www.wlainfo.co.uk](http://www.wlainfo.co.uk)  
01752 242980

In addition, there is the National Landlords Association at [www.landlords.org.uk/](http://www.landlords.org.uk/)

## UNIVERSITY OF PLYMOUTH

If you are considering letting to students, you may wish to contact the University Accommodation Office on 01752 588644 or email [landlords@plymouth.ac.uk](mailto:landlords@plymouth.ac.uk)

## PATH (PLYMOUTH ACCESS TO HOUSING)

PATH operates a deposit guarantee scheme to help tenants who have difficulties with a deposit. They want to work with landlords who take housing benefit clients and are prepared to receive direct payments.

They also operate a Tenancy Support Scheme to help tenants who have problems managing their tenancy.

Contact PATH on 01752 305955 or at [www.plymouthpath.org](http://www.plymouthpath.org)

## PLYMOUTH CITY COUNCIL

You will probably have contact with a number of Departments within the City Council. These are:

### **Housing Services**

Four teams work in the private rented sector:

- The Private Rented Sector Team
- The Housing Advice Service
- The Development Team.
- The Anti Social Behaviour Team

### **Private Rented Team**

- Works closely with landlords and provides guidance on standards
- Carries out inspections of houses, (including houses in multiple occupation or HMOs)
- Administers Licensing of some HMOs.
- Responds to complaints about housing conditions
- Administers loans (currently only available for works relating to improving heating). Please note that the Energy Savings Trust (0800 512012) can also advise on heating improvements and the financial assistance which may be available for this.

The team deals with the following legislation:

**The Housing Act 2004** this introduced a number of changes that affect landlords.

Housing must be reasonably healthy and safe for occupation. The Housing Health and Safety Rating System assesses hazards to occupier health and safety.

The most significant problems are inadequate heating/insulation, damp, mould, slips, trips and falls. Other hazards include gas safety, burglary, electric shock and fire

The term “House in Multiple Occupation” (HMO) now includes shared student housing as well as bedsits, most flat conversions and some bed and breakfast/ hostel accommodation.

Some HMOs require licensing. In general, licensing applies to HMOs (a) occupied by 5 (or more) people where (b) the HMO is arranged on 3 (or more) storeys.

## **The Management Regulations.**

These set out the duties of the ‘Manager’ of an HMO including those relating to cleanliness and maintenance of the common parts of the house.

**The Environmental Protection Act 1990** Applicable where the conditions are considered to be:

- Prejudicial to the health of an occupant

- Causing a ‘nuisance’ to a neighbouring property

The Private Rented Sector Team can be contacted on 01752 307075

## **Housing Advice Service**

Provides free, impartial advice to landlords and tenants on:

- Their legal rights and responsibilities
- Matters relating to contracts and tenancies
- Eviction procedures; these are complicated, requiring the service of specific documents at appropriate times. Eviction is only enforceable through the courts
- The law relating to harassment of tenants. The tenant is entitled to the quiet enjoyment of their home.

The Housing Advice Service can be contacted on 01752 305950

The Private Rented Team and the Housing Advice Service wish to work with landlords to achieve good, safe standards of accommodation in the private rented sector and good relationships between landlords and tenants.

Initial approaches to landlords will normally be informal and it is usually possible to resolve any problems amicably. Where dialogue fails, compulsion may be necessary in accordance with the Department’s Enforcement Policy. For information on this and the procedures used please refer to the leaflet ‘Housing Standards: Procedures and Policies’.

Our enforcement procedures recognise that some occupiers do not conduct themselves in a tenant like fashion. When we become aware of a problem we will take this into account. Any decisions concerning the improvement/repair of housing will reflect this difficulty as well as conditions within the building and the appropriate legislation.

## Strategy Team

This is responsible for many areas of overall housing strategy for the City Council and includes the work of the Empty Homes Team who:

- Advises owners of empty homes how to bring them back into use
- Develops schemes to tackle the problem of empty properties in the City
- Where necessary takes enforcement action with regard to empty houses
- Works with the Private Rented Team to deal with nuisances caused by empty homes
- Manages the "HouseLet" Scheme for bringing empty houses back into use, managing their letting, and guaranteeing an agreed rental payment to the landlord.

The Empty Homes Team can be contacted on 01752 307578 and 01752 307570 (for HouseLet) or by email at [dhs.empty.homes.team@plymouth.gov.uk](mailto:dhs.empty.homes.team@plymouth.gov.uk)

## The Anti Social Behaviour Team

This team will work with private sector landlords and can offer advice on issues such as graffiti, fly tipping, dog mess, neighbourhood disputes, noise nuisance, physical and verbal abuse, threats and intimidation etc.

Please contact them on [antisocialbehaviourunit@plymouth.gov.uk](mailto:antisocialbehaviourunit@plymouth.gov.uk) or ring 01752 307049.

## Development Department

This Department contains the Environmental Regulatory Services and Planning Services

### Environmental Regulatory Services

This contains the **Environmental Protection, Commercial and Trading Standards Services.**

The **Environmental Protection team** are responsible for:

- Pollution control (including noise and refuse nuisances)
- Pest Control
- Dog Wardens

The contact number for these services is 01725 304147

This service is also responsible for

- Refuse disposal
- Street cleaning
- Recycling
- Hypodermic needles
- Fly tipping
- Graffiti etc

The contact number for these services is 01752 304750

**Commercial Services** are responsible for food safety and health and safety at work. They can be contacted on 01752 304141.

**Trading Standards** are responsible for consumer protection regulations including:

- The Furniture and Furnishings (Fire)(Safety) Regulations 1988 which require that all furniture and furnishings in rented property is flame retardant
- The Consumer Protection Act 1987 and General Product Safety Regulations 2005 require that all electrical goods, furniture and

appliances provided by a landlord, satisfy general safety provisions

- The requirement for Energy Performance Certificates (EPCs) for rented housing. Currently most housing must have an EPC where the tenancy changed after 1st October 2008. It is proposed to extend EPC requirements.

This team can be contacted on 01752 304141

### **Planning Services**

This includes Development Consents who deal with the lawful use of a property and the granting of planning consents.

Consent may be required for the change of use of a property from single family home to house in multiple occupation. Guidance is available from Development Consents on their policies in this area. Consent is required for other changes of use or numbers at a property and you should always get advice before proceeding with changes.

Consent is also required for changes to:

- Listed Buildings (both internal and external; this usually includes the outbuildings and other structures within their grounds).
- the exterior of properties in Conservation Areas.

The Development Consents Team can be contacted on 01752 304366. Queries on Conservation Area or Listed Building issues can be directed to 01752 304145.

### **Building Control**

Conversions, structural alterations, replacement of windows, electrical works, drainage works etc. must be carried out in accordance with the Building Regulations.

This section also deals with dangerous structures, taking action to remove any threat to the safety of the public.

The Building Control Team can be contacted on 01752 304343.

### **Revenues and Benefits**

Contains two important sections:

- Housing Benefit
- Council Tax

There is a dedicated landlords' number to contact Housing Benefits; 01752 304000 or email: [hbqueries@plymouth.gov.uk](mailto:hbqueries@plymouth.gov.uk)

If you suspect that a fraudulent benefit claim is being made please contact Housing Benefit.

Council Tax and Housing Benefits can also be contacted on 01752 668000.

### **HEALTH AND SAFETY EXECUTIVE (HSE)**

This is responsible for enforcing health and safety standards in many premises including the Gas Safety (Installation and Use) Regulations 1998 which require that gas appliances in rented accommodation are properly maintained and checked for safety at least every 12 months.

All gas works and safety checks must be carried out by a competent engineer named in the "Gas Safe Register" (This replaced CORGI in 2009). You should check that your contractor is (a) registered and (b) listed as being competent to carry out the works.

The Health and Safety Executive can be contacted on 0845 345 0055, and their website is: [www.hse.gov.uk/contact](http://www.hse.gov.uk/contact)

# **DEVON AND SOMERSET FIRE AND RESCUE SERVICE (DSFRS)**

For most housing, Plymouth City Council applies fire safety standards. DSFRS enforces the fire safety requirements of the Regulatory Reform (Fire Safety) Order 2005 (The RRO) to the common parts of buildings which are:

- In mixed commercial and residential use or
- Contain flats or
- Are HMOs (except those which are occupied under a single tenancy).

The main requirements of the RRO are that:

- A fire safety risk assessment is carried out
- Appropriate fire precautions and safety measures are put in place to reduce the risk of a fire and minimise its effect. These must be maintained.

Further information is available on the DSFRS website [www.dsfire.gov.uk/devonfire](http://www.dsfire.gov.uk/devonfire)

This is one of a series of advice leaflets produced for tenants and private landlords. Links to these and all the documents referred to in this leaflet are available at [www.plymouth.gov.uk/housing](http://www.plymouth.gov.uk/housing)

## **Disclaimer**

The information and advice given in this leaflet is accurate to the best of our knowledge. However, you are advised not to rely exclusively on what we say here, as legislation or government advice may have changed since this leaflet was printed.

If you have a particular problem you should take the advice of a qualified expert in the relevant area. Plymouth City Council will not accept liability for loss resulting from relying on advice from this leaflet

# **THE VALUATION OFFICE AGENCY**

(Replaces the Rent Officer Service)

This can be contacted through their website [www.voa.gov.uk](http://www.voa.gov.uk) or by telephone on 0845 026469.

## **OTHER REQUIREMENTS**

The Landlord and Tenant Acts require that the landlord is responsible for the maintaining the house in reasonable repair.

The Housing Act 2004 demands that Assured Shorthold Tenancy deposits are protected by the Tenancy Deposit Scheme. There are specific requirements to use one of the three approved schemes and notify the tenant within 14 days.

## **CONTACT**

Housing Services  
Plymouth City Council  
Plymouth PL1 2AA  
Tel: 01752 307075  
Email: [private.rent@plymouth.gov.uk](mailto:private.rent@plymouth.gov.uk)  
[www.plymouth.gov.uk/housing](http://www.plymouth.gov.uk/housing)

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**This information is available in other languages  
and formats, please call: 01752 668000**