



West of England Landlord Panel

23 April 2008

Minutes

Present:

Shane Dyke (NSC), Lisa Perry (NSC), Gary Twinn (NSLF), Philip Gilbert (BCC), Cathy Provenzano (BALMA), Julie Ann Smith (BALMA), Suzanne Wignmore (BCC), Harriet Stevens (Rent Service), Richard Johnson (BCC), Alan Tink (WLA), Janet Redfern (NLA), Chris Kenrick (NLA), Tony Hardacre (NLA),

Apologies:

Katherine Shuttleworth (B&NES), Olivia Donaghy (ARLA), Chris Johnson (SGC), Leanne Arthur (SGC), David Brown (NLA), Helen Lossl

1. Introductions

Welcome to Cathy and Julie Ann who are now chair and vice-chair of BALMA. Chris Kenrick also informed the meeting that he is no longer chair of the NLA Wessex Branch, this position has now been taken by Angela Hardacre, however Chris will continue to attend the WOE Landlord Panel as a NLA representative.

2. Previous Minutes

WOE accreditation was due to be on the agenda for this meeting, however it will be carried over to the next meeting.

3. Housing Act 2004 update

Bristol – have reached a more manageable point with applications and can now start looking for unlicensed properties and have 2 dedicated officers for this task.

N Somerset – continuing to process applications, have 20 more to do, then will start searching for unlicensed properties through looking at lists of housing benefit applications and door knocking.

Bath & North East Somerset - are continuing to inspect licensable properties. They carried out a street survey to find unlicensed HMOs, out of 557 properties surveyed only 2 unlicensed properties were found. Applications were promptly returned for these properties, so no further action will be taken. They are now targeting tenants to raise the profile of licensing.

4. Local Housing Allowance

a. Safeguard Policy

Suzanne Wignmore attended the meeting to explain the safeguard policy, she first of all thanked everyone for their feedback to the proposals. Each local authority has now set up their own safeguard policy which defer slightly to reflect the different client groups within each local authority. The policies are now available on the websites along with an application form.

They are currently making weekly safeguard decisions and have started to make payments to landlords whilst the decisions are being made.

The move over to the LHA seems to have gone smoothly, the software is working and applications are coming in gradually.

The one problem that is being experienced is that as the rate of LHA has been set fairly high, many landlords with existing tenants are asking how they have move onto the new rates. In practice this can only occur by giving the tenant notice which is not ideal. They have made representation to the DWP and the Audit Commission about this issue.

Harriet Stevens from the Rent Service gave more background information about how the rates and the areas have been set. Surveys are taken to establish the location of how far people travel to obtain the following services known as HERBS; Heath, Education, Recreation, Banking and Shopping. The rent service also gathers market evidence about rents, each officer aims to gather 100 pieces of evidence each month.

It is very early days for the LHA so it will be kept on the agenda for the time being to assess what is happening with rent levels, the supply of landlords willing to accept benefits, the safeguard policy for vulnerable tenants and whether tenants requiring a bank account to receive LHA payments is creating more debt and rental arrears.

5. Smoke free legislation

Philip Gilbert circulated an email from the OFT which confirms that it is acceptable to include a 'no-smoking' clause in a tenancy agreement. Tony Hardacre echoed this, he has had a no-smoking clause within his tenancy agreements for a number of years which has been reviewed and accepted by the OFT.

6. Energy Performance Certificates

A leaflet produced by the Energy Saving Trust was distributed. The biggest problem landlords seem to be having is finding an energy assessor, however there is a register of assessors on <https://www.hcrregister.com/FindAssessorInspector>

Netrent have also set up a service to offer EPCs for £70 for a 4 bed property. Also accredited landlords in Bristol who put their property within the deposit bond scheme will receive a free EPC.

7. Landlord Development & Landlord Manual second edition

The second edition of the Landlord Manual was circulated at the meeting, this official launch of this will be at the Landlord Expo next month.

The cost details for the West of England Landlord Development course are currently being finalised, further information will be brought to the next meeting.

8. Fire Safety, RRO & HHSRS

Tony Hardacre introduced a paper he has written entitled "A quantitative Framework for Describing Fire Risk in Houses of Multiple Occupation and he also made comparisons to the recent LACORS paper – "Consultation on Development of National Guidance on Fire Safety Standards in Existing Residential Accommodation". Tony said that the conclusion in both papers were similar however there was no quantitative framework in the LACORS paper. Tony supports the view that risks should be quantified and put into proportion amongst other risks and that cost effectiveness of action needs to be considered.

The HHSRS operates under a risk assessment approach and also local authorities consider the practicalities of actions to reduce the risks. However, some landlords prefer to have a blanket standard so that they know what is expected of them. It may be possible to follow both approaches

and allow landlords who wish to can carry out a risk assessment of their properties but also have benchmarking information about good practice. Gordon Turner from Avon Fire & Rescue attended a recent meeting to discuss the RRO and his attitude towards the risk assessment approach was positive.

The LACORS consultation has now ended and is expected to issue final guidance in May, it is expected that the revised report will contain a move to a more risk based approach. Further information will be circulated to the group once the guidance has been published.

9. Landlord Expo 2008

Landlord Expo 2008 will take place on Thursday 15th May 2008 at the Holiday Inn, Hambrook, Bristol.

10. Any other business

a. Hostel management – Lisa Perry asked the panel what their view was on a situation that had recently occurred in N. Somerset. A resident of a hostel died in his bedroom but was not discovered for 8 days. There is a question about whether the manager of the hostel should have been aware of this sooner and whether this could be viewed as bad management. The general view of the panel was that a hostel was not a prison and the residents are free to come and go and can often be away for periods of time and that this situation could potential occur anywhere.

b. Local Housing Allowance – the figures for the LHA are published monthly, the figures for May have come out exactly the same as April, this is reassuring as there was some previous concerns that we may see massive swings between the months.

c. Richard Johnson attended a conference in London this week regarding the Future of the Private Rented Sector, there were a number of interesting points which he wanted to raise:

1. There was report of an increase in Buy-to-let repossessions meaning that tenants were being evicted. There was no local evidence of this at present however it is likely to occur later this year and is more likely for people who have just become landlords with new build flats.

2. There was a suggestion at the conference from Simon Llewellyn from CLG that landlords should attend local resident association meetings to try to combat anti-social behaviour. Many of the local agents do this as standard practice and although they can receive a difficult reception it seems to help in the longer term.

3. The government have undertaken a review of the Private Rented Sector which is expected to be published in the Autumn. There is also some consideration of a change in legislation to prevent retaliatory evictions where tenants complain about repair issues in a property. There was concern that again we could be seeing legislation which affects all landlords to prevent poor practice amongst a small percentage.

A paper on this issue produced by the CAB is attached to the minutes. We will consider practical ways that this can be taken forward at the next meeting.

d. Julie Norris has now returned to her role as Landlord Liaison Officer as the project she was seconded to has now ended, Phil Gilbert will now return to his role. The panel would like to thank Phil for his work and commitment to the role.

Date of next meeting: Wednesday 2nd July 2008 at 10:30am