

THE SOUTHWEST'S BIGGEST
**LANDLORD
EXPO** ALL A LANDLORD
NEEDS TO KNOW

'a local show for local people'



**FREE
ENTRY**
to all visitors

**Thursday 9th June 2011
12.00-7.00pm**

Fast-track register at
www.landlordexpo.co.uk
or just come along on the day

Landlord News

Issue 30, Spring 2011



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This issue sponsored by:

- **Flomp**
- **Bristol & Wessex Water**

Do you have any stories or items of interest that you would like to share with other landlords? If so please contact **Julie Norris** on:
Tel: 0117 353 3867
Email: Julie.norris@bristol.gov.uk



2005-2006
Promoting Fiscal Equality
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Transforming the Delivery of Services Through Partnerships
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Healthy Schools
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Fit & Proper Persons Update for agents

For HMO Licence applications made after the 1st April 2011 we do not require a separate Fit and Proper Person fee, but for each application we do require the Declaration in section C to be signed by each relevant person.

We realise that this will be time consuming for agents to get every member of your staff to sign a declaration for every licence application you make.

We are making arrangements to hold a list of all your Fit & Proper persons for your business, which you can confirm is current or amend with each application. We hope this will save you time. It will still be your responsibility to ensure that you notify us of any changes to your staff.

If you have applications that need to be made please do not wait for the new arrangements to be put in place, as there may be legal implications. We will be providing further details by writing to all agents shortly.

The Flood and Water Management Act 2010

What has this Act got to do with me as a landlord? In short it places a responsibility on landlords to provide the water utilities with information about their tenants. You will quite reasonably wonder why you would be required to do this; in a nutshell because many tenants fail to tell the water company when they move in or don't do so in a timely way. Confusion about the Data Protection Act causes some landlords not to give the information when we ask for it. This creates problems for both the tenant and the water company as a debt builds up which is often difficult to deal with.

If we get the right information at the right time we are in a far better position to help the customer to manage their account with us effectively.

If a landlord does not provide the information then the act allows the water company to hold the landlord jointly and severally liable for the charges.

The Act now in the consultation phase comes into force on 1st October 2011, and we want to use this time to work with landlords to develop the most effective and least onerous methodologies for the provision of the information. We don't yet know what information will be included but think it might include:

- Name of tenant(s)
- Date of birth of tenant(s)
- National Insurance number(s)(possibly)
- Property address
- Date of occupation/liability and length of tenancy
- Previous address and payment method
- Forwarding address of previous tenant
- Name and address of owner or agent.

One possibility is for us to provide a web-based application which would minimise paper work and perhaps enable us to provide an acknowledgement.

If you would like to participate in the dialogue about this please contact Pete Murray at Bristol Wessex Billing Services Limited by phone on 0800 600 3 600 e-mail: customer.services@wessexwater.co.uk or customer.services@bwbsl.co.uk

Further information about the Flood and Water Management Act can be found at: www.defra.gov.uk/environment/flooding

Do you have student tenants?

I am sure you are aware that if a property is occupied exclusively by full time students then the property is exempt from Council Tax.

The qualifying criteria for a full time student are;

- a) a course which covers at least one academic or calendar year;
- b) normally requiring attendance (whether at premises of the establishment or otherwise) for periods of at least 24 weeks in each academic or calendar year;
- c) would normally require periods of study, tuition or work experience which together amount in each such academic or calendar year to an average of at least 21 hours a week.

In the event that one of the occupants is not a full time student then a discount may still be applicable.

Private landlords often ask for their student tenants to provide them with a Certificate of Full-time Student from their Faculty Office. Bristol City Council has clarified that if the student is attending University of Bristol or University of the West of England it is not necessary to obtain a student certificate. However a private landlord can ask the student for other forms of evidence to confirm the full-time student status eg. Offer letter, confirmation of acceptance letter

Dispute Resolution guidelines released

A new 'Guide to Tenancy Deposits, Disputes and Damages' has been jointly published by all three government authorised tenancy deposit protection schemes.

Since 2007 some 47,000 disputes have been settled by the schemes' alternative dispute resolution processes. The pooling of information on these disputes and their eventual outcomes has allowed the schemes to identify common issues and to work together to publish collective guidelines.

The guide covers items, such as the collation of evidence and what an adjudicator looks for when considering a dispute, and outlines the principles on which scheme adjudicators make decisions so that the process is consistent and transparent for letting agent, landlord and tenant alike.

This is the first time all three schemes have worked together to publish educational information which is aimed at landlords, agents and tenants alike.

The guide can be seen on the Bristol City Council website www.bristol.gov.uk/privatelandlords

Dates for your diary:

National Landlords Association (Wessex) – open to all landlords

Wednesday 12 October 2011, 2:00pm at Lansdown Golf Club, Bath, BA1 9BT

Wednesday 26 October 2011, 7:00pm at BAWA Club, Southmead Road, Filton Bristol, BS34 7RG, email: Nlawessex@landlords.org.uk

Westcountry Landlords Association – open to all landlords

Wednesday 22 June 2011 & Wednesday 7 September 2011

7:30pm at Filton Community Centre, Elm Park, Filton, Bristol, BS34 7PS.

Tel: 01752 242 980 see www.wlainfo.co.uk

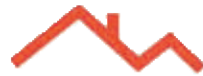
Landlord Expo 2011

The annual Landlord Expo will be taking place

On: Thursday 9 June

From: 12.00 till 7.00 pm.

At: The University of the West of England,
Exhibition and Conference Centre
UWE North Entrance



Landlord
Expo 2011

Sponsored by



Full details of companies exhibiting and the seminar programme, can be seen on the Expo website www.landlordexpo.co.uk

You don't need to pre-book to attend a seminar; you can just turn up on the day.

You can also register on the website and print off a fast-track registration ticket for the day, this will mean you can avoid the queues.

A huge thank you to Andrews who have sponsored the Landlord Expo 2011, in these days of budget cutbacks their support has been crucial in enabling us to continue to provide the Landlord Expo.

Landlord Prosecution

A private landlord has been fined £7,400 with £800 costs for failing to maintain and undertake work required in a house in multiple occupation (HMO) in Clifton.

The landlord admitted to 7 offences in Bristol Magistrates Court in January 2011. An Environmental health officer found that the fire alarm system was faulty and that HMO Licence conditions to provide heating, ventilation and additional facilities in the kitchen had not been undertaken.

The landlord also failed to provide a gas and electrical safety certificate when requested and when a Council contractor tested the electrical installation they found 36 serious faults.

The Council has since revoked the HMO Licence as the landlord is no longer considered a 'Fit and Proper Person' to manage a licensable private rented property.

Rental Arrears – Is your current agent taking it seriously?

The current financial climate has made the possibility of rental arrears a real concern for many landlords. As many as 1 in 3 landlords have tenants in arrears. This problem is not easily solved and could get worse due to uncertainties in the employment and financial markets. Some landlords will choose to have rent guarantee insurance although this is costly and may never fully resolve the issue of arrears.

To avoid both arrears and paying a high premium for rent guarantee insurance, landlord's can use an agent who will use a professional and experienced service which is RICS accredited to manage their property helping to minimise worries over arrears. Many more tenants, as well as landlords, are coming under financial pressure. You need to ensure your agent gets the right tenants for a given property, it is beneficial if the referencing is conducted 'in house', they can then find out exactly what potential tenants circumstances are by using a thorough application process which requires full ID and proof of previous address.

It is also useful to make it a requirement of all tenants, whether they are students or professionals, to have a UK homeowner guarantor. If not, rent for the term of the tenancy is payable in advance. This goes a long way in making sure the agent can collect all of the rent for the properties under their management.

FLOMP currently has rent arrears for all of their managed properties standing at 0.025% of rent collected, impressive results in this tough climate.

FLOMP has a hands-on management and accounts team working daily to make sure rent is collected on time. FLOMP strives to provide a professional yet personal service under the regulation of RICS. For more details about how FLOMP can help you with property management or lettings.

FLOMP

For letting of managed property

www.flomp.co.uk

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152 Westbury Road

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(0117) 962 1408  RICS

House in Multiple Occupation – Do you need to Licence?

House in Multiple Occupation (HMO) licensing has now been in operation since 6 April 2006, with Licences issued in Bristol for up to a period of 5 years. As a result, from April 2011, many landlords will need to reapply for a new HMO licence.

There are currently over 1300 properties in the city that require a Licence, these are properties that are three or more storeys and have five or more occupiers.

Landlords who comply to the requirements of licensing will be rewarded by having a lower fee, whilst those that do not come forward and operate an unlicensed HMO will be penalised and will be charged the full cost of a licence. They could also be prosecuted, with fines of up to £20,000.

The Housing Minister, Grant Shapps has urged councils to use the wide range of powers they already have at their disposal to tackle the minority of rogue landlords that blight some communities, provide a poor service to tenants and damage the reputation of the private rented sector.

Bristol City Council has taken this on board and will be using its full powers where landlords are disregarding their duties or if there are serious breaches of legislation. Examples include:

- **Operating an unlicensed HMO**
- **Breach of licence conditions**
- **Failure to comply with the Management of Houses in Multiple Occupation Regulations**
- **Not complying with the requirements of an Improvement Notice**

Rewards – General principle of rewarding landlords;

- Who apply for a licence when the law requires
- £50 reward – where the property is accredited or accreditation applied for and granted in the licence period
- £100 reward for a valid application
- 20% Compliance reward for landlords who are compliant with HMO licensing and Housing related legislation

No additional fees for:

- Fit and Proper Person checks
- Variations
- Revocations
- A new application made within 6 months of death of a licence holder for the remaining period of the current licence

Summary of HMO licensing fees

For licences dated 6 April 2011 – 31 March 2012

	Unlicensed HMO	New Licence	Reapplication
Full cost for application 5 or less households		£1,200	£1,000
	£1,500		
Compliance Reward 1 - "Correct Fee and Form"	N/A	£100	£100
Fee after Reward	£1,500	£1,100	£900
Compliance Reward 2 - "Compliance with Licensing and Legislation Reward"	N/A	£240	£200
Fee after Reward	£1,500	£860	£700
Reward 3 - "Accreditation Reward"	N/A	£50	£50
Fee after all rewards	£1,500	£810	£650
% Reward available	£0	33%	35%
Cost per household (over 5)	£50	£50	£50

What do you need to do?

If your HMO is already licensed – do nothing, we will contact you when your next licence is due for renewal.

Further information?

Information regarding licensing including HMO licensing process, application form and the fee levels can be found on the Bristol City Council website

www.bristol.gov.uk/privatelandlords

Unlicensed HMO?

If you are operating an unlicensed HMO – contact us immediately and apply for a licence.

Telephone 0117 353 3884 or email private.housing@bristol.gov.uk