



Stafford  
BOROUGH COUNCIL

# New Legislation and Initiatives

Landlords Forum 25 August 2015

# Contents

- New legislation
  - Deregulation Act 2015 – Protection Against Retaliatory Eviction
  - Smoke and Carbon Monoxide Alarm (England) Regulations 2015
- Consultation: Tackling Rogue Landlords
- New initiatives: Housing and Health Project

# Deregulation Act 2015

## S21 Notices

- Comes into force 1 October 2015
- Initially applies to ASTs granted after that date
- Extended to all ASTs after 3 years
- Restricts ability to serve S21 notice for 6 months following the service of a relevant notice **or**
- Where tenant complains to landlord in writing about property condition

## S21 Notices (2)

Written complaints:

- The tenant must makes complaint **in writing\*** before the S21 notice was served, **and**
- The landlord did not provide an adequate response within **14 days, or**
- Served a S21 notice in response to the complaint, **and**
- The tenant makes a complaint to the Council who subsequently serve a relevant notice

\* Unless tenant does not have landlord's address or email

## S21 Notices (3)

- Relevant notice includes Improvement notice/  
Emergency Remedial Action under the Housing Act  
2004
- Does not apply to:
  - Condition due to un-tenant-like behaviour
  - Property is genuinely on the market for sale
  - Social landlords
  - Mortgage repossession

## Tenancy Deposits

- Clarifies position with Tenancy Deposit Schemes
- All deposits should be protected and the prescribed information served on the tenant in order to serve a valid S21 notice irrespective of when the tenancy commenced
- No need to repeat TDS procedure for ASTs moving to periodic tenancies



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<http://www.legislation.gov.uk/ukpga/2015/20/contents/enacted>



# Smoke and Carbon Monoxide Alarm (England) Regulations 2015

## Smoke and Carbon Monoxide Alarm (England) Regulations 2015

- Due to come into force 1<sup>st</sup> October 2015
- Must provide a smoke detector on each storey used as living accommodation, and
- A CO detector in any room with a solid fuel appliance
- Check detectors are working at start of new tenancy

## Breach of Regulations

- If detectors not provided, Council **must** serve a remedial notice within 21 days
- Works to be commenced within 28 days of service
- Representations against the notice within 28 days
- If notice not complied with the Council **must** arrange for the works to be carried out
- Council may impose penalty charge of up £5K if notice not complied with
- Only defence is tenant refuses works

## Implementation

- Report to Cabinet 8 October 2015
- Housing Team to enforce
- Penalty Charge:
  - £1,000 for 1<sup>st</sup> offence
  - £5,000 for each subsequent offence
- Remedial works carried out by Fire Service
- Fire Service currently offering FREE smoke alarms



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<http://www.legislation.gov.uk/ukdsi/2015/978011133439/contents>



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# **Tackling rogue landlords and improving the private rented sector: A technical discussion paper**

## Tackling rogue landlords

- Issued 3 August 2015
- Response by 20 August (email)/ 27 August (online)
- Measures are proposed to support good landlords and drive rogue landlords out of business
- Separate discussion paper to follow about proposed extension of mandatory licensing for HMOs

## The proposals

- Minimum fines for repeat offenders
- Stronger action for offences by companies
- A specific list of “housing offences”
- Sharing TDS data to make it easier for Councils to identify rented properties
- Blacklisting persistent rogue landlords and letting agents, banning them from operating & seizing their properties



## The proposals (2)

- Reviewing the fit and proper person test for licensing
- Extending Rent Repayment Orders
- Introducing Civil Penalties
- Making it easier for landlords to reclaim abandoned properties



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[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/450862/Discussion\\_paper\\_FINAL.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/450862/Discussion_paper_FINAL.pdf)

# Health and Housing Project

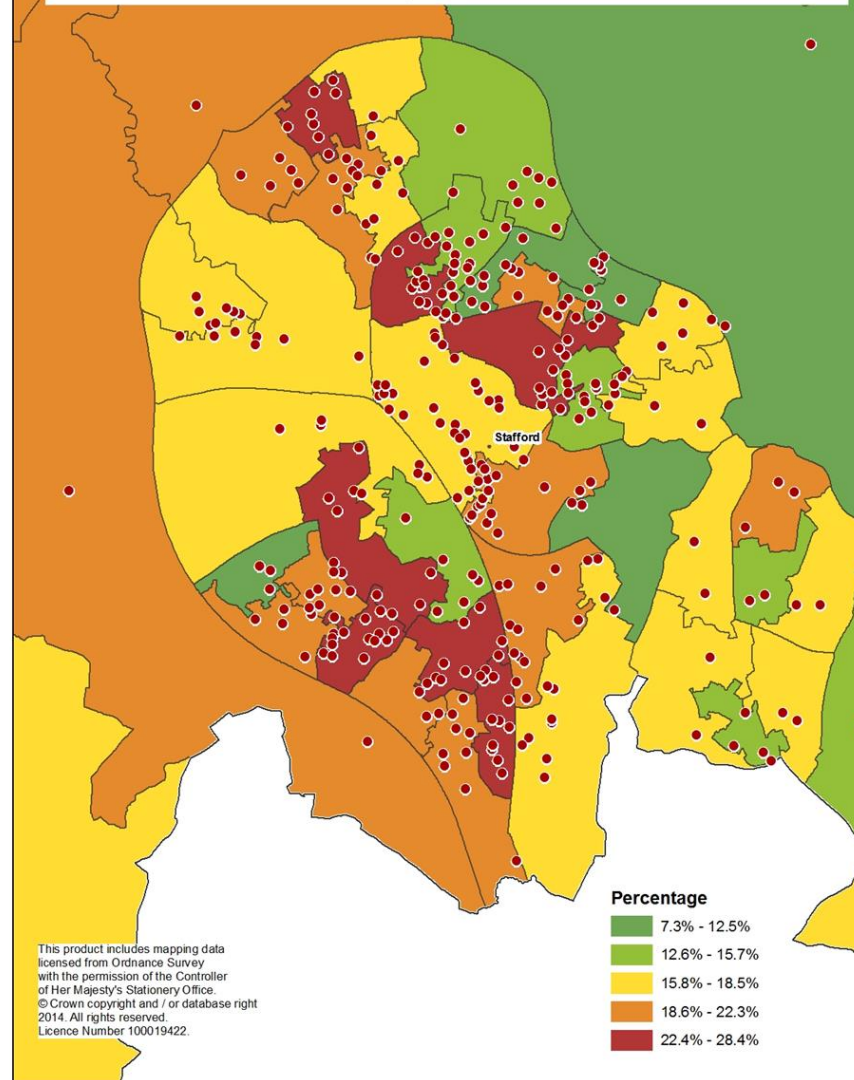
## Health and Housing

- Poor housing in the Stafford costs the NHS £34M as a result of properties with category 1 hazards alone
- In 2012/13 there were 46,174 visits to A&E in the Mid Staffordshire Trust area, costing an estimated £5.2M
- Nationally 37% of these visits resulted in guidance and advice only and 13% in no action
- It is estimated there will be approximately 665,000 visits to GPs in Stafford each year costing approximately £23.5M.

## Approach

- Targeted interventions at areas where data analysis indicates there is an overlap of housing and health issues;
- Healthy lifestyle interventions (smoking cessation, diet, exercise etc) promoted as part of an integrated housing and health assessment;
- Assessment of patients' health and wellbeing using agreed measures before and after outcomes have been delivered.

Complaints of disrepair in Stafford Town, 2008 to 2013, and percentage with limiting long term illness (Census 2011) by LSOA



## The Offer

- Free health and housing survey
- Access to interest free loans
- Liaison with landlords/ enforcement on disrepair in PRS
- Energy efficiency advice/ funding
- Referral to health and wellbeing services through Let's Work Together

## Timetable

- Letters/ flyers/ promotion – July 2015
- Visits commence – August to September 2015
- Referrals/ interventions – August to October 2015
- Health and Wellbeing Self Assessments – August to November 2015
- Evaluation – December 2015



# Energy Efficiency

- Green Deal Closed 23 July 2015
- Free loft and cavity wall insulation still available\*
- Additional funding secured for replacing obsolete boilers\*\*
- **Contact Warmer Homes Stafford on 0800 677 1785**

\* Subject to survey

\*\* Contribution may be required

# Other Issues

- HMO surveys 2015
- Landlord and Tenant Liaison Officer
- University Relocation
- Accreditation

# Thank you and Questions

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