Welcome to Southend-on-Sea Borough Council’s Landlords’ Forum Newsletter brought to you by the

Private Sector Housing Team

This newsletter is to share useful information and articles so that we can work together to improve Southend’s Private Rental Sector and work more closely with our partners

LANDLORDS FORUM on
Thursday 15th October 2015 in the Darwin Room at the Tickfield Centre

1:45pm – 2:15pm
Registration, refreshments and an opportunity to network and visit stands provided by Council teams and partner organisations.

2:15 pm
Commencement
David Colwill - Team Leader
Private Sector Housing

2:15 – 2:30 pm
S.21 Legislative Update
Phil Warren, SBC Community Housing Manager

2:30 – 3:00 pm
Legionnaires Disease & Gas Safety Certificates
Sue Matthews, HSE

3:00 – 3:20 pm
NLA News & Legislative Update
Joanne Dron, National Landlords Assoc

3:20 – 3:45 pm
Get Ahead With Landlord Immigration Checks
Derek Edwards, Citizens Advice Bureau

3:45 – 4:15 pm
SEAL Community Website Update & Bin Store Presentation
Judith Codarin, SEAL

4:15 – 4:40 pm
The Changing Face of the Fire Service
Lin Kettley, Essex Fire & Rescue

4:40 – 5:00 pm
Housing and Public Health
Nevada Shaw, SBC Public Health

Additional presentation time or further opportunity to network & speak informally with presenters

5:25pm – Close
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Would you like to write or suggest a future topic for an article?
Do you have some interesting stories or information to share with the Forum?
If so, then please email: landlordsforum@southend.gov.uk
And we will consider it for a future edition.
EXTRA PROTECTION FOR TENANTS

Southend’s Letting Agents and property managers now belong to a national scheme to help customers if they feel they are being treated unfairly. New rules mean Letting Agents and property managers must by law join a Government-approved Ombudsman redress scheme.

Southend-on-Sea Borough Council has recently enforced these requirements to make extra sure they are all signed up.

Customers with issues about their letting agents or property managers should first use the agent’s own complaints procedure. However, if that fails, they can now take the matter to the redress ombudsman. This gives people a straightforward, impartial and effective way to hold their agents to account. If the ombudsman upholds their complaint, they could be given compensation of up to £25,000 to pay back unfair costs or losses incurred.

Under the new national rules, letting agents and property managers had to join one of the three approved schemes within a set time limit. After this deadline had elapsed the Council’s Private Sector Housing Team then undertook detailed checks of more than 100 people and companies in the borough to ensure they had joined an ombudsman scheme. Whilst the vast majority had done so, seven companies were found still to be operating without the appropriate membership. These were warned about penalties of up to £5,000 for non-membership, and all seven subsequently joined a scheme within the warning period given, thereby escaping fines.

Executive Councillor for Housing, Planning and Regulatory Services, Councillor David Norman, said: “Most tenants and landlords are happy with the service they receive from their letting agent or property manager. However, where people have complaints these should be addressed quickly and effectively. The Ombudsman schemes give an impartial means of doing so if letting agents or property managers fail to respond adequately to concerns raised. I’m pleased to see that there is a good take up from Letting Agents to this scheme and that those who weren’t members have quickly joined.

“The private rented sector is an important part of the local housing market and the Council is keen to work closely with good landlords and Agents, but if we do find companies in breach of these new regulations then we will take action against them.”

If you have an issue with your letting agent or property manager, you should first pursue this via the Agent’s own complaints procedure.

However if there is no response or you are unhappy with the outcome, a complaint can then be made under Redress.

Visit the three Government-approved schemes at:
- The Property Ombudsman  www.tpos.co.uk
- Ombudsman Services Property http://www.ombudsman-services.org/property.html
- The Property Redress Scheme www.theprs.co.uk

CHARITY AWARDED £35K TO IMPROVE LIVES OF VULNERABLE PEOPLE

Disability charity Papworth Trust has been given £35,000 by the Foundations Independent Living Trust (FILT) to deliver an exciting new project improving the homes of vulnerable people.

The ‘Warm at Home’ programme aims to make a real difference to vulnerable and older people who face the challenges of living in cold homes, such as worsening health, risk of injury and social isolation.

Papworth Trust will use the money to fund works which will make people’s homes easier to keep warm and more energy efficient. This could include simple measures such as draught-proofing through to replacing boilers and improving heating efficiency.

The charity has a centre in The Seedbed Centre, Shoebury, and supports local people of all ages to live safely and independently in their own homes.

Southend-on-Sea Borough Council’s Executive Councillor for Housing, Planning and Regulatory Services, Councillor David Norman said: “This most welcome grant will make a huge difference in helping our most vulnerable residents. The money will fund improvements which offer ongoing benefits to help older and disabled people keep warm each successive winter, thereby cutting down the serious health risks and other issues associated with living in cold homes.”
Damond Farguson, Senior Operations Manager at Papworth Trust said: “Thank you to FILT for their generous grant. We believe that through the Warm at Home programme we will be able to make a real difference to people who might otherwise have nowhere to turn. Vulnerable people are often more at risk of living in cold and unsuitable homes, which can lead to poor health, risk of injury and social isolation.

“This funding will make sure that help reaches the people who need it the most.”

The Warm at Home programme aims to benefit vulnerable homeowners, defined as:

- People aged over 60
- People who receive income-related benefits
- People who have a disability or long-term illness.

To find out more or to see if you or one of your tenants may be eligible for the funding, please contact Papworth Trust on 0300 333 6544 or email customersupport@papworthtrust.org.uk

BRITAIN’S RENTAL SYSTEM AT ODDS WITH EUROPE

Europeans enjoy more rights and more stable rents than people in the UK, who experience the uniquely British phenomenon of amateur landlords.

When Berlin announced its new rent cap this summer, Renters Rights London looked at six other European countries to see just how renters fare abroad. In France, Germany, Holland, Spain, Sweden and Denmark tenancies are long-term or indefinite – meaning tenants are protected from no-fault eviction and can choose when to leave without being obliged to stay until the end of a long tenancy agreement. The system is built to recognise that human housing needs are not the same as landlords’ profit needs.

Five of those six countries have some form of rent stabilisation, meaning ordinary people with ordinary jobs can afford to live there, and families are protected from sudden rent hikes. All tenants in Denmark, Holland and Sweden have stable rents, while in France it applies in 38 cities and, in Germany, in any area judged to be under “high housing pressure”. And in all six countries, if your home has a serious problem you can pay a reduced rent, or sometimes none at all, until it is fixed, with no fear of eviction. In France, you can’t be evicted in winter.

Of course, countries are different. Sweden has a higher proportion of housing cooperatives, for example, and in Germany almost half the nation rents privately. Spain has a 79% home ownership rate compared to the UK’s 65%. In Holland the only distinction between private renting and social renting is the cost – not who owns the property.

The real difference is the landlords. Private landlords in Europe are, more often, companies with large portfolios. In Holland, Denmark and Sweden, for example, less than half of private landlords are individuals – and while the proportion is higher in France and Spain, the individuals who do let homes do it on a bigger scale. It’s far more common for private landlords to be accountable institutions, or individuals with large portfolios running a proper business.

The small-time amateur landlord is a uniquely British phenomenon: 70% of the UK’s private landlords let just one home. This is why regulation, even if it’s light, is resisted so fiercely. It feels to landlords as though the state is interfering with their personal incomes – rather than regulating what is actually a two-way business with customers that deserve protection.
CROYDON TO LICENCE ALL LANDLORDS IN OCTOBER

Following the High Court ruling backing the Council’s proposals, Croydon Council is set to become the fifth council nationally to introduce a borough-wide compulsory landlord-licensing scheme, going live on 1 October this year. The authority faced a legal challenge from a group of local landlords – the Croydon Property Forum (CPF) – which applied for a judicial review into the council’s plans. The group claimed the council had not taken property developers and some landlords into account when conducting a consultation. But in a ruling on 13 August, Judge Sir Stephen Silber refused CPF’s application and said he was “quite satisfied that the council complied with its duty to take “reasonable steps to consult people who are likely to be affected by the designation” and this included developers and landlords”. He said that the ‘comprehensive publicity’ over the scheme meant it was ‘highly likely’ that interested landlords and developers would be made aware.

Councillors opted to introduce selective licensing after a significant increase in the private rental sector having been linked to increasing rates of anti-social behaviour. A door step survey revealed that one-in-ten residents claim to have been affected by anti-social behaviour in their area related to private rented sector while 41 per cent of private rental sector tenants that returned a survey said they had been affected by or witnessed anti-social behaviour in their local area.

Under the new scheme, set to be rolled out to the boroughs 30,000 rented properties, officers inspecting premises will use powers under the Antisocial Behaviour Crime and Policing Act 2014. Under the new legislation councils have the power to apply to a magistrate for a closure notice to close a property whose occupiers are causing anti-social behaviour.

Under the Housing Act 2004 a council is allowed to designate the borough a selective licensing area if it is experiencing a significant and persistent problem with anti-social behaviour and when landlords are failing to take action.

‘The existing measures are reliant on reactive complaints, where invariably those tenants living in the worst properties or have unscrupulous landlords do not complain for fear of harassment or retaliatory eviction,’ said a spokesperson. ‘To tackle those landlords a more proactive approach is necessary so that properties can be inspected without the need for complaint. The scheme is designed to financially penalise those who neglect their responsibilities as a landlord, provide protection for tenants and be able to engage with landlords to resolve issues quickly and efficiently.’

Croydon announced plans to introduce selective licensing before the government introduced changes to the general approval for selective licensing. Since 1 April all councils need approval from the Secretary of State to introduce selective licensing where it covers more than 20 per cent of their geographical area if it impacts more than 20 per cent of privately rented homes.

Croydon’s consultation ran from 1 September 2014 to 2 March 2015, and took in private sector landlords, managing agents and associations supporting private landlords. It then ran a wide media campaign asking for views, conducted a public meeting and undertook a face-to-face survey with more than 1,000 households across the borough.

Under the Croydon scheme any landlords that apply for the licence before its launch will receive an ‘early bird discount’ and be charged £350 for the next five years. Otherwise the cost will be £750 for five years. In cases where landlords require council help to comply they will be charged more, related to the amount of assistance needed rising to a license fee of £750 a year in worst cases. Landlords renting out a property without a licence would face fines of up to £20,000, while anyone breaking licence conditions could be prosecuted and fined up to £5,000.

Croydon has now received more than 5,000 online applications from landlords, of which 4,000 have been approved.

Other boroughs that have adopted selective licensing for landlords include Newham, Waltham Forest, Barking and Dagenham and Liverpool City Council. Enfield and Redbridge councils have announced plans to introduce new schemes.

LIVERPOOL SELECTIVE LICENSING GOES LIVE
Liverpool council registered over 32,000 properties and 7,000 landlords in 3 weeks following the implementation of the UK’s only city-wide compulsory licensing scheme launched in April 2015. Liverpool is the only major city to introduce selective licensing for its estimated 50,000 rental properties in a bid to drive up standards in its private sector rental market.

Landlords are now required to pay a £400 licence fee per property while landlords with more than one property have to pay £350 for each additional property. Each licence lasts five years.

Landlords who have joined accredited landlord schemes approved by the council such as CLASS are only required to pay £200 per property in recognition of them already being a good landlord.

To help landlords raise the licence fee, payments have been staggered. Landlords had to register by 1 April, pay £100 within the first weeks and will be required to pay the remaining licence fee by the end of the year. Any landlords who failed to start their application by 1 April face prosecution or an additional administration fee. All the additional information linked to the application has to be completed by year-end.

As part of the licensing condition landlords are required to ensure all gas and electricity appliances are safe, smoke alarms are fitted, all furniture conforms to current fire safety legislation and that the property is kept in good repair.

To be a fit and proper person to hold a licence, landlords must have no criminal records relating to violence, fraud, drugs or sexual offences. They must also have not committed any housing offences. Licensed landlords must also include anti-social behaviour clauses in all new tenancy agreements.

The original criteria for selective licensing of low housing demand and antisocial behaviour, has been broadened out to include: poor property conditions, large amounts of inward migration, a high level of deprivation and a high level of crime. Councils have to show one of these criteria before introducing licensing.

Under the new conditions it is unlikely that boroughs will try to implement borough-wide schemes while smaller area-based schemes will be easier to justify.

There are statutory exemptions to selective licensing including properties controlled by certain public bodies, holiday homes and occupants living with resident landlords.

**ROGUE LANDLORDS COULD BE FORCED TO REPAY BENEFITS**

Landlords could have to re-pay 12 months’ worth of housing benefit if they illegally evict tenants or fail to maintain their properties, under government plans.

A government discussion paper published in August said, “An effective enforcement regime is essential to drive up housing standards in the private rented sector. The document says ministers are ‘exploring the scope’ for extending ‘rent repayment orders’ – a tool in which a court can order a landlord to repay up to 12 months of rent after an application from a council or tenant.

The cash can be retained by the local authority and used for housing purposes where the rent has been paid through housing benefit.

Currently, rent repayment orders can only be applied where a landlord has failed to obtain a licence for a licensable property. The government is considering extending the orders to where landlords let out dangerous or substandard accommodation and receive a statutory notice such as an Improvement Notice from the local authority. The orders could also be extended to instances where a landlord is guilty of illegally evicting a tenant.

Ministers are also considering introducing civil penalties for letting properties that are overcrowded, have poor sanitation, electrical faults or damp. The penalties would be used where there had been a “relatively minor” breach, the document says.

Local authorities would retain the income from civil penalties and use them for housing enforcement purposes. Views were being sought from the Housing Sector until the end of August.

**CONVICTED LANDLORD DATA NOW AVAILABLE**

Environmental Health News (EHN online) has published a database of landlords convicted under the Housing Act 2004 between 2006 and 2014. The Guardian newspaper published the data at the same time.

This followed a tribunal ruling in favour of EHN, forcing the Ministry of Justice to name the criminal
landlords. The tribunal said it was ‘satisfied that not only is the disclosure of this information in the substantial public interest, but also any reasonably informed data controller with knowledge of the social needs and the impact of such disclosure would so conclude.’

The Information Commissioner had initially backed a decision by the MoJ to withhold the data on the grounds that disclosure would cause ‘harm and distress’ to those named. It had also claimed that housing offences were at ‘the lower end of seriousness’ as ‘only one is indictable and even that is not imprisonable’.

But the tribunal unanimously agreed with EHN digital editor, Tom Wall, that the public interest outweighed other concerns. It stated in its decision that it found ‘the arguments of Mr Wall with respect to substantive public interest clear, cogent and persuasive.’ The data, it concluded, would help councils with licensing schemes exclude rogue landlords and empower tenants.

‘The publication of information about convictions under the Housing Act would be of considerable value to local authorities in the discharge of their functions and assist prospective tenants and those assisting them in avoiding landlords with a history of breaches of the Housing Act.’

It also agreed with Mr Wall that poor housing conditions had a significant impact on the health of tenants despite the low level of fines.

‘The sanctions under the Housing Act are comparatively small and the opprobrium of a conviction may well not rank with other forms of criminal misbehaviour, however the potential for harm to others from such activity is very great, the potential for financial benefit from the misbehaviour is also substantial,’ it stated.

The database, which is compiled by courts across England and Wales for the Ministry of Justice (MoJ), contains hundreds of names of individuals and companies. It is likely to attract national and local media attention as it gives the public the opportunity to search for particular landlords and may lead to tenants or prospective tenants making calls to environmental health departments. It may also help councils identify landlords with past convictions for housing offences.

To coincide with the publication of the database containing the names of convicted private landlords, Graham Jukes OBE, Chief Executive of the Chartered Institute of Environmental Health (CIEH), said:

“The publication of the convicted private landlord’s database by EHN and the Guardian, has provided us with an opportunity to draw attention to poor housing conditions in rented accommodation. This is a serious public health issue as poor housing and overcrowding has significant detrimental impacts on health and wellbeing, especially for vulnerable people and families who increasingly have to find accommodation from private landlords. Not all landlords are bad but those on the database of prosecutions are just the tip of a very large problem and other landlords maybe putting their tenants at risk”.

“The ‘rogue’ landlord database is an innovative and practical tool to help members of the public and local authorities identify landlords who have been prosecuted for having failed to maintain their properties to the right standards. It will be particularly helpful to the parents of young adults who may be renting accommodation for the first time as students. If you live in poor rented accommodation you can get help by contacting your local council’s environmental health or private sector housing team and if you live in property owned by landlords on this database you can find out more about why they have been prosecuted by contacting your local council or examining court records or local media reports.”

Maurice Frankel, director of the Campaign for Freedom of Information, described it as a ‘landmark case’.

‘Details of someone’s criminal convictions are not normally available under the FOI Act, where the privacy interests of the offender usually trump the public’s right to know. This tribunal ruling acknowledges the vital role that the press can play in exposing law-breaking. It recognises that there is a substantial public interest in helping to prevent vulnerable tenants from being housed in dangerous premises by landlords who have broken the law,’ he said.
THOUSANDS OF RENTERS ‘HARASSED’

A survey of renters indicates that more than 125,000 have experienced harassment, threats or assault from rogue landlords in the last year. A poll by YouGov found that 1.53 per cent of tenants said a landlord or letting agent had abused them or another tenant. This equates to approximately 126,846 private renters based on the number of private households from the 2013-14 English Housing Survey and the number of private renters from the 2011 Census.

Housing group Shelter, which commissioned the poll, said a minority of rogue landlords were causing ‘havoc and misery’ for renters. Shelter’s director of services, Alison Mohammed said: ‘The only way to fix the problem long-term is to make renting fit for purpose for the millions of ordinary families searching for a safe and stable home.’

The research by Shelter and polling organisation YouGov showed the number of renters affected by law-breaking landlords could be far higher, with one in 10 saying their landlord had carried out an act that could have resulted in legal action. Alongside abusive behaviour, renters reported rogue landlords cutting off utilities, entering homes without permission, and not protecting renters’ deposits. In just the last year, almost 17,000 people have called the Shelter helpline about problems with their landlord.

Bob Mayho, CIEH principal policy officer, said the poll confirmed the experiences of EHPs. ‘Shelter’s survey provides more detail behind what many of our members working in the private rented sector tell us, that many tenants have to endure a dreadful relationship with their landlords. A minority of landlords either are unaware or ignore their legal responsibility to provide a safe and decent place to live,’ he said.

He urged the government to include robust measures in the forthcoming housing bill. ‘The Government is planning a series of measures in their forthcoming housing bill to tackle rogue landlords; these measures have to be robust and need to reinforce the hand of local authorities in improving standards in the private rented sector.’
A landlord who has consistently refused to carry out vital works on his rental property has prosecuted and fined for the second time at Southend Magistrates Court.

The case came after he ignored another Improvement Notice to fix the roof of a property he rents out to ensure it is water-tight, meets building regulations and prevents against penetrating damp in the property.

Mr Victor Robbins, of Rayleigh Road, Leigh on Sea and owner of a first floor flat in Burdett Avenue, Westcliff on Sea was found guilty in his absence and fined £3,500, along with a £120 victim surcharge and £460 in costs. The maximum fine is £3,500.

The Council was also granted a compensation order of £1,604 for previous works that were carried out in default. This followed a hearing in November 2014 when Mr Robbins was fined £2,500, along with a £120 victim surcharge and £670 in costs.

The Council’s Private Sector Housing Team led the case after receiving complaints from the property in February 2014, about damp and a lack of action by Mr Robbins. A PSH Enforcement Officer inspected the property in March which confirmed the property was suffering severe penetrating damp and excess cold due to a lack of provision of fixed controllable heating. The internal and external stairs were hazardous and the gas boiler had not been serviced for a number of years. The case was also forwarded to the HSE, who have their own prosecution case against Mr Robbins.

A landlord who failed to licence 2 of his properties has been fined nearly £5,000.

Dean Collinson, of Camper Road, Southend failed to attend Southend Magistrates Court on 17th June and was found guilty in his absence of failing to licence 2 houses of multiple occupation at 21 Ramuz Drive, Westcliff and 16 Edith Road, Southend and for 2 counts of breaching the HMO Management Regulations.

The total fine was £3,600 along with the Council’s court costs of £1,245.71 and a victim surcharge of £120, totalling £4,965.71.

The Council’s Private Sector Housing team became aware of the properties in March 2014 in response to complaints from neighbours. Mr Collinson failed to licence the properties despite repeated warnings and no organised management of the buildings as he spends most of his time in south East Asia.

Cllr David Norman, Executive Councillor for Housing said: 'The cases were the culmination of 12 months hard work with the Council even having to force entry to the properties under the authorisation of a Magistrates warrant, as Mr Collinson failed to provide access and the tenants would not let the Council in voluntarily. Thanks to our involvement and prosecution, Mr Collinson has put forward an alternative person to be both licence holder and manager of the properties. This has avoided the Council needing to take an Interim Management Order against the properties.'

A Watford landlord has been fined £7,500 and ordered to pay £5,673 in costs after he put tenants at serious risk following a fire in his property.

Hertfordshire Fire and Rescue Service were called out to the premises of Khalil Ur-Rehman on the Lea Road in Watford in December 2014 after a fire broke out in one of the bedrooms.

The property was being rented out as an HMO at the time with seven tenants resident. On arrival at the scene fire officers found the fire had spread beyond the bedroom due to a lack of any fire door to contain the blaze.

Fire offices raised concerns about the state of the property with local EHOs who launched an investigation. EHOs found no fire doors fitted, while the landlord had only installed one battery-powered smoke detector in the hallway on the ground floor for the entire property.
EHOs also found no emergency lighting and locks that could not be opened from the inside without a key, ensuring no escape route in the event of a fire.

Watford Borough Council EHO Sam Richards, who led the investigation, said: ‘This property was a potential death-trap and such reckless negligence by landlords will not be tolerated. It was lucky that this time no one was injured but it could have been a very different story. We want to prevent situations like this and we can offer advice and support to landlords to help improve their properties.’

EHOs also found that despite it being mid-winter the central heating for the property was in a locked cupboard that only the landlord had access to. The heating only came on for one hour each day forcing tenants to use unsafe portable heaters.

Mr Ur Rehman pleaded guilty to four offences under the Management of Houses in Multiple Occupation (England) Regulations 2006. He was ordered to pay £120 surcharge. His insurance was also declared void as it did not cover an HMO.

**MANSLAUGHTER LANDLORD BACK IN COURT**

A landlord with a previous manslaughter conviction following the death of two teenagers from carbon monoxide poisoning has been fined £15,900 for running a potentially fatal unlicensed HMO.

Stanley John Rodgers, aged 73, of Market Road Place, Great Yarmouth was sentenced to five years in prison in April 2004 following the 2 deaths.

Since his release Mr Rodgers continued being a landlord and is thought to own up to 13 properties in the Great Yarmouth area. EHOs from Great Yarmouth Borough Council were first alerted to a potential problem with one of his HMOs after a tenant complained of a lack of heating. Investigating EHOs immediately realised that Mr Rodgers was running an unlicensed HMO with an unsecured front door, no heating, no communal lighting, no emergency lighting and defective fire alarms with a locked rear escape.

On further investigation EHPs found an electrical distribution board by the front door with a 60amp supply diverted through a 20amp rated junction box. ‘The box was physically warm to touch and once you open up the junction box and the copper wires within the electric cable were barely touching each other so it was a disaster waiting to happen and was a fire risk with five people living in the property at the time,’ said case officer Aidan Bailey-Lewis.

EHPs served a remedial action notice to make safe the electrical distribution board and an emergency prohibition order to force the closure of the premises.

On 25 August Mr Rodgers pleaded guilty to operating a licensable HMO without a licence and five other charges relating to breaches of the HMO Management Regulations. He was fined £13,333 and told to pay costs of £2,427 plus a £120 victim surcharge.

Magistrates chose to prosecute the six breaches as one offence with a maximum £20,000 fine reduced by one third for a guilty plea.

‘Mr Rodgers is well known to environmental health,’ said Mr Bailey-Lewis. ‘Mr Rodgers is a portfolio landlord with some of the worst properties that I have encountered as an EHO and as such a number of his other properties have also been dealt with by the service of enforcement notices and orders. Mr Rodgers was also convicted of manslaughter in 2004 following the death two of his former tenants from carbon monoxide poisoning. He is beyond doubt a rogue landlord.’

The property has remained closed and is now on the market.

**LANDLORD FINE FOR HOUSE POSING HEALTH RISK**

A Harrogate landlord who did not comply with an improvement notice has been fined £2,700 and ordered to pay £1,445 costs after failing to improve a house that had fallen into serious disrepair.

Harrogate EHOs inspected the property in Plumpton, near Knaresborough, following a complaint by tenants that the house lacked adequate heating or insulation and that the house suffered from damp.
Inspecting the property in November 2013 EHOs found no heating other than coal fires downstairs, poor loft insulation, no cavity wall insulation and severe damp that had rotted timbers. EHOs also found a series of other serious defects including draughty and broken doors and windows, kitchen cupboards and worktops in a dilapidated state, faulty electrical wiring and overflowing drains.

On 25 March 2015, the owner of the property John Alton of St Leonards Rd, Harrogate was found guilty at Harrogate magistrates of failing to comply with an improvement notice contrary to section 30 of the Housing Act 2004.

Following unsuccessful negotiations, Mr Alton had been served the notice giving him until the 1 December 2014 to complete the work. After failing to comply with the original notice and two further extensions, Harrogate Council took legal action against Mr Alton who was also ordered to pay a £120 victim surcharge bringing the total fine up to £4,265.

"It is unacceptable that tenants should live in such conditions. Private landlords have a duty to ensure that their properties are kept in an acceptable condition. In this instance this was clearly not the case," said Madeleine Bell, head of housing for Harrogate Council. "The issues discovered by Harrogate Borough Council could have had a serious impact on the health of the tenants, and despite being served with an Improvement Notice, the owner failed to make the required repairs. As such we had no alternative but to prosecute Mr Alton."

She added that the previous £5,000 fine cap for such offences has recently been removed, meaning that those found guilty can face an unlimited maximum fine.

**LANDLORD FINED FOR UNLICENSED FIRE RISK HMO**

A Newport landlord has been prosecuted for failing to licence a multiple occupied house with obstructed fire escapes and poor lightening.

Kaneeza Abid, of Alexandra Road, pleaded guilty by letter to failing to license the property in Alma Street, Newport, and was fined £10,000. She also admitted 10 offences of failing to comply with the 2006 Management Regulations and was fined £1,000 on each offence.

Ms Abid was ordered to pay council costs of £1,229 and a victim surcharge of £120.

Environmental health officers inspected the property in January and found that it needed a license and that fire escapes were not clear of obstructions and had poor lighting.

The council said in a statement that: ‘this put tenants at risk of severe injury or death had a fire occurred in the property.’

Bob Poole, Newport’s cabinet member for regulatory functions, said HMOs are licensed and regulated for a reason.

‘This is about safety. Tenants are entitled to live in accommodation that is safe. Landlords have that responsibility and the council will not hesitate to take action against those who put tenants at risk.’

**LETTING COMPANY FINED FOR UNLICENSED HMOs**

A firm has been fined £8,000 for letting out a string of unlicensed and unsafe houses in multiple occupation in Birmingham.

Ultrabarn Plc of Chester Road, Birmingham, failed to apply for licences for three properties at Church Road and Chester Road in Erdington and Rectory Road in Sutton Coldfield. The company failed to ensure the means of escape from fire was maintained at the HMO on Rectory Road. There were holes in the ceiling around service pipes. They also failed to ensure fire-fighting equipment and fire alarms were in good working order. They also failed to provide means of escape from fire at the HMO at Chester Road. There was no fire blanket in the communal kitchen, no smoke detectors where required in communal areas, and insanitary conditions and inadequate provision for the disposal of rubbish.

The company was fined £1,500 for each of the three offences, plus £500 each for seven breaches of HMO management regulations. They were also ordered to pay full costs of £2,631 and a victim surcharge of £120.

The cabinet member for neighbourhood management and homes, said ‘I want to assure tenants across the city that we will prosecute landlords who break the law. I would also urge landlords who are unsure about licensing standards to contact the council immediately.’