Landlords Forum

On Wednesday 28th March 2012 at The Darwin Room, Tickfield Centre, Tickfield Avenue, Southend-on-Sea, SS2 6LL

2:00 pm: Registration & Refreshments
An opportunity to network and visit stands provided by:

- Citizens Advice Bureau
- SMAART & Essex Police
- Family Mosaic
- Eastern Landlords Association
- SBC Planning & Building Control
- SBC Homeless & Housing Options & Advice
- SBC Recycling & Waste/Cory Environmental
- SBC Benefits/Council Tax & the Housing Benefit Investigation Team

3:40 pm
Welcome & Introduction
David Colwill, Landlord Forum Coordinator

3:50 – 4:20 pm
Funded Services helping Vulnerable Adults Maintain Tenancies
Lee White, Lead Officer – Supporting People, Adult & Community Services

4:20 – 4:40 pm
A Multi-Agency Approach to Tackling ASB
Anita McGinley (ASB Partnership Manager) & Sgt Ashley Holland (Essex Police)

4:40 – 5:00 pm
Benefits of Membership to the National Landlords Association
Barbara Carr, National Landlords Representative for East of England

5:00 – 5:30 pm
Changes in Benefit Legislation
Tracey Nicola, Senior Project, Policy & Training Officer

5:30 – 5:45 pm
Attendee Suggestions, Ideas & Support for Future Forums
Alison Nicholls (Group Manager, Community Housing), Lorraine Edmondson (Team Leader Private Sector Housing) & David Colwill

5:45 – 6:30 pm
Further networking & informal discussions with speakers

6:30 pm - Close

Welcome to Southend Borough Council’s Newsletter

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 all our partners.
Selective Licensing Update

Articles in previous newsletters outlined that the Council is considering a designation for Selective Licensing in three specific areas of the Borough, which fall mainly within Milton and Kursaal Wards, and a small section within Chalkwell Ward. A great quantity of information from landlords, managing agents, residents and other groups was received and has made for very interesting reading!

Whilst formal consultation has ended, Council is re-examining its data in conjunction with consultation responses and is researching several key criticisms and concerns made in consultation responses. Once further research is complete and all information has been collated and fully assessed, a recommendation will be put forward to the Cabinet aiming at this stage for the middle of the year.

For anyone who has not yet seen the information, all documentation is still available on the website www.southend.gov.uk/selectivelicensing whilst general queries can be made to council@southend.gov.uk
Housing Benefit and Universal Credit

The Web

Over the next few years there will be a number of changes to the current Welfare Benefit system. To keep you informed of all the changes that could affect you and your tenants, we will be creating a dedicated area on the Council’s website. We will also be creating information strands on Facebook and Twitter.

There will be more information about this as it is developed.

Universal Credit

Universal Credit is a replacement benefit for the following means tested benefits:
- Working Tax Credit
- Child Tax Credit
- Housing Benefit
- Income Support
- Income Based Jobseekers Allowance
- Income Related Employment and Support Allowance

It will be paid to households of working age people. It is proposed to be paid as a monthly payment.

Its aims are to:
- Simplify the system, making it easier for people to understand, and easier and cheaper for staff to administer
- Improve work incentives
- Smooth the transitions into and out of work
- Reduce in-work poverty
- Reduce fraud and error

Eligible working age claimants will get help with rent through Universal Credit, rather than Housing Benefit on the below timescale:

- New claims for Housing Benefit from customers who are working will move to Universal Credit from April 2014
- Existing claimants will move from Housing Benefit to Universal Credit on a phased basis from October 2013 to October 2017

Pensioners

Customers over the qualifying age for Pension Credit will, as a result of the introduction of Universal Credit, get help with eligible rent through a new element of Pension Credit called Housing Credit, rather than claim Housing Benefit. The current timescale is as below (but may be liable to change):

- New customers over Pension Credit qualifying age will have to claim Pension Credit to access help with eligible rent from October 2014
- Existing Housing Benefit customers over Pension Credit qualifying age (with or without Pension Credit) will be transferred to modified Pension Credit, including Housing Credit, between October 2014 and October 2017
- New claims to Housing Benefit from people over Pension Credit qualifying age received up to October 2014 will be dealt with as now

For queries or further information, contact the Revenue & Benefits Team: Tracey Nicola (01702) 215439 traceynicola@southend.gov.uk or Sian Hines (01702) 212350 sianhines@southend.gov.uk
There has been recent coverage in national media regarding the up-coming launch of the UK:LAP supported Tenants Accreditation Scheme or UK:TAS as it is known. This coverage has led to some informative discussions with local landlords.

The press release however contained an error incorrectly stating that the project was conducted by Southend’s Private Sector Housing Team. Whilst a PSH officer assisted in a voluntary capacity, UK:LAP devised and approved the content.

Tenant Accreditation is designed to fill a gap that exists in terms of improving the relationship between tenants and landlords. This follows feedback through UK:LAP as well as comments made in the two previous Southend Landlord Forums that some form of training for tenants should be considered.

The UK:TAS scheme is aimed at those seeking to improve their skills as a tenant. At present there is no comparable form of training in the private sector or provided by the voluntary sector. It is not designed to be an induction exercise or to aid those exiting sheltered accommodation. To that end the tenant is expected to make a contribution to the training costs.

Training will consist of a 2 ½ hour course covering the responsibilities of being a tenant with the emphasis on tackling any financial problems before they become acute and the consequences of failing to do so. Tenants will also receive advice on where to obtain further guidance.

At the end of the training there will be a multiple choice test with a pass mark of 75%. This will then be given a unique reference number and that information will be hosted on a dedicated page of the UK:LAP website which Accredited Landlords can access for free.

Accreditation for tenants who pass the test will last for three years and they are required to sign a commitment towards their conduct whilst being a tenant. Should there be a breach of that code of conduct and UK:TAS become aware, the tenant will be given a chance to respond. A decision would then be made by UK:TAS whether to remove them from the listing or not.

For more information about this upcoming scheme, visit the website at www.londonlandlords.org.uk
A Guide for Landlords: Rent Deposits and Loans

What is the Rent and Deposit Loan Scheme?
A scheme set up by Southend-on-Sea Borough Council (SBC) to assist those who are homeless or at risk of homelessness. It is aimed at those who need to rent in the private sector but are unable to raise the funds needed to cover advance rent & deposits normally required. SBC’s loan is interest free and is paid back by affordable monthly repayments which we agree with each individual.

Who can apply?
Anyone homeless or at risk of homelessness who can show that they would not be able to secure a rented home without financial help and are found eligible for assistance by the Council’s Housing Options Team. The loans relate to Assured Shorthold Tenancies of at least twelve months. In cases where single applicants are under the age of 25, we may consider applications involving renting from a resident landlord (lodgings), but this will be done on a case by case basis.

How does it work for Landlords?
A Private Sector Tenancy Officer will visit your property and carry out a simple inspection including taking photographs. The following process would then occur:

• Rental potential, monthly rental and payment options discussed.
• Tenants put forward to the landlord for consideration.
• Once a suitable tenant has been found, the landlord should advise the Council of their decision.
• The Council will agree the loan with the tenant with a cheque made payable to the landlord drawn up, representing one month rental and an additional month deposit.
• Upon receipt of the cheque the landlord grants a 12 month tenancy.

Key Points:
• All properties should be unfurnished but be carpeted & have suitable floor coverings.
• We suggest that the landlord supplies either a gas or electric cooker fitted by a recognised engineer thus ensuring that safety regulations have been adhered to.
• A current Gas Safety Certificate is required and must be updated annually.
• A visual pre-tenancy electrical safety inspection is required and a full electrical test commissioned where necessary (it is recommended to carry out a periodic electrical test every 5 years).
• The property must have suitably sited smoke detector(s) on each floor.
• If more convenient, we suggest that the landlord take out a basic service contract with a service company such as British Gas, thus ensuring that inspections, services and call-outs are automatically covered.
• A valid Energy Performance Certificate (EPC) is required.
• The landlord is responsible for building insurance whilst the tenant is responsible for contents insurance.
• Prior to the tenant moving in, the landlord should take meter readings & advise utilities of change of name. For ease of transition, a list should be provided giving names, addresses & contact numbers of those utility companies. If key meters are fitted, keys must be available on move-in day.
• Unless otherwise indicated on the Tenancy Agreement, the tenant is responsible for all utility bills including Council Tax, water rates, TV licence and so on.

For further details, please contact the Private Sector Tenancy Officer: Chris Horsley (01702) 215002 ext 4319 or e-mail chrishorsley@southend.gov.uk
Articles in both the Spring and Autumn 2011 editions of the Forum Newsletter covered the importance of Energy Performance Certificates (EPCs) and how they can be used to assist a landlord in improving the energy efficiency of their property. In doing so, potential hazards under the Housing Health and Safety Rating System are also reduced. In particular, improving energy efficiency often leads to warmer homes, reduced heating bills and a more comfortable living environment.

It is important to note that since 1st of October 2008, it is a legal requirement for a landlord to have an Energy Performance Certificate for their property where the property is self contained. This means that any landlord seeking to rent out a property which is a self contained flat or house in single occupation must have the EPC available for any potential tenant to view. It is not required when a tenant rents a room and shares facilities, nor where a tenant has a separate contract with the landlord. Councils have powers to issue Fixed Penalty Notices of £200 if an EPC is not provided on request for the following:

- To a prospective tenant;
- At the start of the tenancy; or
- To an officer of the Council on request.

Should the Energy Performance Certificate show that the property falls into F or G bands, there is a strong probability that the property will have an issue with excess cold.

The banding of F and G has now taken on a greater significance with the introduction of the Energy Bill which was given Royal Assent on the 5th October 2011 and carries the following requirements:

- From 2016, a landlord cannot reasonably refuse a request from either the tenant or the Local Authority to improve the efficiency of their property; and
- From 2018, a landlord will not be able to rent out a property with an Energy Efficiency Banding less than E (that is Bands F and G).

Thirty Organisations, including Consumer Focus, have called for the Government to bring forward the 2018 requirements to coincide with the planned 2016 ‘reasonable request’ proposals.
Installing Energy Efficiency Measures: Financial Assistance Currently Available

There are a number of organisations operating in or near Southend-on-Sea that are willing to undertake works at low or zero cost to the consumer.

With the forthcoming introduction of the Green Deal the existing funding schemes come to an end, this includes CERT (Carbon Emissions Reduction Target) and CESP (Community Energy Saving Programme). There is therefore a drive for organisations to complete works prior to the end of 2012.

As a result, there are a number of organisations offering free installation, subject to criteria, regardless of the financial means of the tenants. Those conditions include the fact that there needs to be less than 2.5 inches of insulation already present, access to the loft space and the reports of a survey carried out prior to installation.

Two companies which have recently contacted the Council in relation to the Scheme are.
- Aran Services on 0800 587 7795
- Castle Point Insulation 0844 888 7010

However other schemes are also available and free impartial advice can be obtained from the Energy Saving Trust on 0800 512 012.

In addition, schemes such as Warm Front www.direct.gov.uk and Warm and Healthy Homes www.healthywarmhome.org.uk are able to assist.

Once the above funds are exhausted there will be no additional funds prior to the introduction of the “Green Deal”.

“Whilst these dates may seem a long way in the future there are many groups, including the Association of Residential Letting Agents, that feel that landlords should consider making improvements to their properties prior to the introduction of the 2016 regulations”
Under the Housing Act 1988, a landlord who has issued an Assured Shorthold Tenancy (AST) has the legal right to repossess the property at the end of the tenancy. A Section 21 notice is divided into subsections with different rules applying to notice served during the fixed term of a tenancy and notice for possession that is served during a periodic tenancy.

If a landlord renewed or issued the tenancy agreement after the 6th April 2007 any tenancy deposit taken must have been protected under one of the approved tenancy deposit schemes and the tenant notified where the deposit was held prior to the Section 21 Notice being served.

A landlord can serve the Section 21 Notice at any time during the tenancy. As such, a tenant could be requested to sign the Section 21 Notice at the commencement of a tenancy, the advantage of this giving the landlord an automatic right of possession at the end of the fixed term tenancy, should you want to regain possession or change tenant. Alternatively, if you are satisfied with existing tenants the Section 21 Notice need not be implemented and either a new fixed term tenancy can be created or the tenancy allowed to carry on where it becomes a statutory periodic tenancy.

Section 21 of the Housing Act 1988 requires that the landlord provides tenants an AST with a minimum of two months notice in writing that he/she wants possession of the property. Three additional days should be added to the notice period if it is to be sent by post as the two month period commences when the tenant receives the notice, not when it is sent. The notice must be served before possession action can commence. Possession under this Section 21 cannot take place during the initial six months of the original tenancy.

There are 2 types of Section 21 Notices. The first is a Fixed Term Notice or Section 21 (1) (b) which can be served at any time during a fixed term tenancy. The second type is the Section 21 (4) (a) which applies to tenancies which are periodic. This is important to note as it is easy to serve this incorrectly thereby resulting in a landlord needing to re-serve the Section 21 Notice.

When it comes to Notices, “month” refers to Calendar Month in tenancy agreements. Tenancy agreements run from a specific date in one month to the day (date) before in another month. For example, a six month tenancy signed on the 5th March would end on the 4th day of September, AFTER which day a landlord would seek possession. Provided the correct procedure has been followed by the landlord issuing the Section 21 Notice, the court will have no choice but to grant the possession order.

For any enquiries relating to ASTs and the correct serving of S21 notices, please contact the Housing Options Team on (01702) 215567.
It’s now been over three years since Southend-on-Sea Borough Council and their waste contractor Cory Environmental introduced a weekly food waste collection service, with more and more people realising the benefits of this scheme. Last year, over 3,100 tonnes of food waste from Southend-on-Sea was turned into compost. Recycling your food waste not only helps the environment but once it is obvious how much food waste is being generated, changing purchasing habits can save money. Wasting food costs the average family £680 a year, much of which can be avoided.

We are keen to give everyone the opportunity to use this service and are receiving calls from people living in low and high rise blocks as well as multi-occupancy units wanting to find out how they can start recycling. We’ve already been working with South Essex Homes & Estuary Housing and we’ll shortly be rolling out the scheme to the Woodgrange Estate. If you are aware of any properties or tenants of yours who may benefit from the food waste collection service please contact us.

Recycling in Southend is now the norm, with 48% of household waste being recycled. Our aim is to raise this to 60% by 2015 but to achieve this we all need to work together to get the whole community engaged. We want to make recycling services not only available to all but used by all. Our newly appointed Community Recycling Advisors are there to offer support and motivation to residents to help raise awareness of the schemes offered in Southend.

For those residents already recycling, we have further improved the types of materials that can be recycled through the pink recycling sack scheme by accepting empty aerosols. Many residents are truly committed to the cause and are making great strides in recycling everything they can and even trying to reduce the amount of waste they create overall. We are continually building on the excellent effort residents have put in to get to achieve a 48% recycling rate. We will shortly be spreading the recycling messages to schools and community groups. It is vital that everyone has access to this service so that these messages can develop into positive actions.

From experience with other projects, we know the complexities around providing these services to flats and multi-occupancy housing, but we want to work with you to help provide the best service possible for your tenants. If there are not recycling services available for your tenants, please do contact us, as it’s often very easy to give them access to this service and the feedback we get is very positive.

Alternatively, if the service is already in place but you would like further advice, please get in touch as we would be delighted to help. Please email southendrecycling@coryenvironmental.co.uk or call (01702) 617766 ext 211.
TGSE Empty Homes Scheme

Do you have a property that has been empty for some time? Would you assistance having it repaired, renovated and let?

Southend-on-Sea, Basildon, Castle Point, Rochford and Thurrock Councils are collaborating as part of the TGSE (Thames Gateway South Essex) Empty Homes Scheme in conjunction with Genesis Housing Association to help bring empty homes back into use.

The scheme is designed to assist owners in bringing empty properties back into use with a combined grant and loan available for a maximum of £35,000. Southend Council (SBC) is particularly interested bringing 2 to 3 bedroom properties back into use.

The scheme is a partnership between you (the owner), SBC and Genesis which will manage and maintain your home. As a condition we will only accept properties that the owner is prepared to let at no more than the weekly local housing allowance level.

If you or a colleague is interested in the scheme, please contact SBC at the address at the end of this article. Genesis will inspect the property and advise you and SBC how much the property would cost to renovate. Following approval, SBC then funds the costs of renovation based on the work undertaken by Genesis.

A lease would be for a five-year period with Genesis negotiating the lease agreement with you. SBC would confirm the rent level that is acceptable. Once a lease is signed between all parties work would commence.

When ready to let, SBC would refer a tenant to occupy the property. No interest is charged on the loan whilst up to half of the funding can be made as a direct grant.

Genesis act as the landlord and charge a management and maintenance fee as part of the rent. At the end of the lease, the property is returned to you - ready to let, sell or occupy yourself!

If you would like more information on the scheme please contact SBC at emptyprop@southend.gov.uk, 01702 215002 or write to Private Sector Housing, Southend on Sea Borough Council, Civic Centre, Victoria Avenue, Southend on Sea, Essex, SS2 6ER.

If you would more information on Genesis then please contact Laura Ringsell, Business Development Manager, Genesis Housing Association on 020 8900 4897 or laura.ringsell@genesisha.org.uk

Did you know?

Over 85% of all the properties in Southend on Sea that have been empty for more than six months are owned by Private Citizens or Private Companies?
Landlords, are your tenants aware of the services the Southend-on-Sea Citizens Advice Bureau (CAB) offers?

The CAB is a registered charity and offers free, confidential, impartial and independent advice on anything from financial problems, faulty goods, benefit checks, housing queries, immigration issues, employment or relationship concerns and more.

Access to most services at Southend CAB is through a gateway assessment, a short face-to-face or phone interview to find out what the problem(s) are. Sometimes it will be possible to deal fully with the problem(s) in that interview; sometimes an appointment will be made to see a General Adviser or Specialist Adviser at the CAB at another time, or, a referral will be made to another agency who can deal with the problem(s) more appropriately than we can.

Our offices are at 1 Church Road, Southend-on-Sea, SS1 2AL (near the bus station) and we are open from 10am to 4pm, Monday to Friday. Gateway assessments are undertaken from 10am to 2.30pm, Monday to Friday, or by phone 0844 477 0808. At other times, this telephone number will give automated information. Appointments are offered between 10am and 3pm, Monday to Friday and on Saturday mornings, for people who work full time or are full time carers. Alternatively, the Citizens Advice website ‘Adviceguide’ covers many subjects and can be accessed at www.adviceguide.org.uk

Essex Savers, the Credit Union for Southend, also operates from our offices. Essex Savers are available from 9am to 1pm on Tuesdays and Thursdays, from 10am to 12.30pm on Wednesdays and from 10am to 1pm on Saturdays.

For some services, such as changes of name, statutory declarations, making an appointment to make a simple will, or if a leaflet, telephone number, directions to somewhere in the area is needed, our Receptionist can usually deal with such queries immediately during our weekday opening hours.

Our advisers, most of whom are trained volunteers can:

- Access the regularly updated electronic information database for up to the minute information.
- Help people negotiate with companies or service providers such as creditors or to appeal against decisions, for example, welfare benefit claims.
- Write letters or phone companies and service providers.
- Help people prioritise their problems, for example, to sort out which debts are most important.
- Help people with filling out forms for example Disability Living Allowance.
- Refer people to CAB specialist caseworkers for complex problems or to other agencies when appropriate.

Because of the demand for our services, people may have to wait when they come in, and sometimes we have to put a hold on the number of assessments where people are asked to come back later or the following working day and some people may find it hard to get through on the phone but please bear with us.

If you are interested in becoming a volunteer with us at Southend CAB, please complete the form on our website www.southendcab.org.uk – Becoming a Volunteer.
Housing Options Questions Answered

In the November 2011 forum, Housing Needs Manager Phil Warren advised he would come back with answers to questions needing further clarification.

Q - When a tenant asks about their rights regarding a S21 Notice can the Council explain the consequences with the emphasis on the risks involved?

A - The Council will advise the caller on their rights as well as their responsibilities. Clients are advised that remaining in the property will likely lead to court action against them from the landlord, and that they would be liable for the cost of this if successful.

Question from Councillor Robin - Can we investigate the wording of the response re Notices with legal?

A - The Council has an obligation to advise a tenant on their rights. It was queries whether the Council could give people the minimum information about their rights to remain. This has been checked with the Senior Reviews & Monitoring Officer who advised that the Local Authority has a statutory duty to ensure clients are provided with all necessary advice and information around their housing issue. It would be potentially unlawful for us to knowingly omit information. However, we have revamped the information available on our website which includes links to third party Tenants & Landlords guides published by Communities & Local Government.

Q - What about debt issues - could a dialogue be created between the relevant organisations to establish a swifter referral system and can we have feedback on that development?

A - The Citizens Advice Bureau is now a stakeholder on the Homeless Prevention Strategy Action Plan and has a more active involvement with the Council’s goal to reduce homelessness.

Q - Can Landlords and the Council get together on the issue of S21 Notices and Debts and work together?

A - Yes. Currently there is the Newsletter which is a way of advising Landlords and there is an article on this topic in this newsletter but there are also plans for information sessions to keep landlords aware of developments. If you have any queries or issues relating to S21, you are welcome to contact my team on 01702 215002.

Would you like to write or suggest a future topic for an article?

Do you have some interesting stories or information to share?

If so then please email: landlordsforum@southend.gov.uk