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 Wednesday 27th November in the Darwin Room at the Tickfield Centre

2:30pm – 3:00pm
Registration, refreshments and an opportunity to network and visit stands provided by Council teams and partner organisations.

3:00 pm
Commencement
David Colwill - Team Leader
Private Sector Housing

3:05 – 3:15 pm
Sanctuary Schemes
Gabbi Millar, Housing Options
Southend Council

3:15 – 3:45 pm
SEAL (South East Alliance of Landlords, Agents & Residents): Improving the private rented sector in Southend – Progress update
Martin Ransom (Spokesperson)

3:45 – 4:15pm
Southend and Sustainability
Stuart Burrell
Strategy & Planning Manager
Private Sector housing

4:15 – 4:45 pm
Energy Performance Certificates
Climate Energy Solutions

4:45 – 5:15 pm:
Public Liability Insurance & Landlords
Jane Guaschi, Direct Line Insurance

5:15 – 5:30pm
Additional presentation time or further opportunity to network & speak informally with presenters

5:30pm - Close
## Contents

### News Articles

**Page 3**
- Section 21 – good or bad?
- Tenancy Deposits – Superstrike

**Page 4**
- Boston Borough Council to move ahead with licensing of all privately rented properties
- Council cuts may lead to surge in pest problems

**Page 5**
- The food crisis on Southend’s doorstep
- Southend affordable housing plans rejected

**Page 6**
- Southend Council: We’ll take over empty homes
- Two thirds of private tenants in conflict with their landlord
- Fire Service urges homeowners to fit sprinklers

**Page 7**
- Labour pledge crackdown on ‘rip-off letting agents’

**Page 8**
- Pickles announces ‘better regulation’ in private sector

**Page 9**
- Benefit fraudsters face up to ten years in jail
- Derby City Council supporting Shelter’s rogue landlord campaign
- Landlord immigration plans blocked by Lib Dems

**Page 10**
- Hastings Borough Council re-housing London Borough tenants

**Page 11**
- Minister fails to back call for crackdown on ‘rabbit hutch’ homes
- £400m investment opportunity offered in private rental market

**Page 12**
- Southampton City Council fends off legal challenge to HMO licensing scheme

### Court Judgements, Tribunals and Enforcement

*In this section of the newsletter, the Council highlights a number of relevant enforcement cases that have been reported locally and nationally*

**Page 13**
- Colchester Worker in Court Over Illegal Gas Work
- Anti-social tenant jailed for offences in Fulham

**Page 14**
- Massive fine for Hounslow Letting Agent
- Newham prosecutes 67 landlords

**Page 15**
- Norwich Council prosecutes rogue landlord
- Troublesome tenant evicted from Ipswich home

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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.
SECTION 21 – GOOD OR BAD?

It is nearly 25 years since the 1988 Housing Act came into force – January 1989. This was also the year that the Eastern Landlords Association was founded, initially by a group of landlords in the Norwich area. Since her first election win in 1979, Margaret Thatcher wanted to ‘fix’ the private rented market. In effect this act did just this, with the birth of the Assured Shorthold Tenancy, a new type of tenancy agreement.

Before this law change, the private landlord had to be extremely careful, as there was a real danger that they may never get the tenant out from the property. The strong security of tenure for tenants meant that fewer were prepared to invest in rental property. The availability dropped considerably, and with less short term accommodation available, there was an adverse affect on those who needed such housing.

Under Section 21 of this new act, landlords were given the right to recover their property by following the correct legal procedure. The recovery of a property using this method is relatively simple, fairly quick, and certain.

This huge change, along with the advent of buy to let mortgages that developed in the 1990’s did mean that it was again economically viable to invest in property for rental. There is also no doubt that this change was linked to the Right to Buy policy that resulted in there being less social housing, as thousands of previous council tenants bought their homes, and these were not replaced, reducing the stock available.

The UK now has plenty of short term rental property, and it is so much easier for tenants to move. As has been discussed by many politicians of late, the downside of the present situation is that long term security is now more difficult for tenants. Whilst many tenants are happy with a short term AST, others are not. It is the case that private renting is more prevalent amongst the younger households, many of whom prefer to have the option and flexibility to move after a few months. However for families with children, and for the older tenant who is not comfortable with the risk of being asked to leave their home, there will be roots in the local community.

From a landlord’s perspective, they do have the comfort factor that once the fixed term has finished, and the agreement is a Statutory Periodic, only a two month notice is required. This should of course be balanced with the fact that the tenant is only required to give one month’s notice to leave.

Most landlords clearly prefer long term tenants, with a regular income and no voids, but with some flexibility to change tenant, or in some instances to sell their asset. Also there could the scenario where work is required on the property. Any legislative changes must also consider the actions of lenders, who generally prohibit longer term tenancies.

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TENANCY DEPOSITS – SUPERSTRIKE

In April 2007 Deposit Legislation affecting private landlords became law. This meant that if a landlord took a refundable deposit from a tenant, and this was shown on the tenancy agreement, then that deposit had to be protected in one of the government approved schemes. Failure to protect a deposit could result in penalties up to three times the deposit amount, and also would prohibit the landlord from issuing a Section 21 Notice. The legislation was amended in April 2011, and now the deposit must be protected within 30 days.

In May 2013 an Court of Appeal case, Superstrike vs Rodrigues has changed the procedure for landlords. In this cases a deposit had been taken prior to April 2007 on a 12 month AST. The landlord understood that the deposit did not have to be protected, and the tenancy "rolled" to a Statutory Periodic. However when the landlord issued a Section 21 Notice the case, having the Court of Appeal, has been ruled that such a notice cannot be served, and the landlord is not entitled to possession.

The advice being given by the legal profession, and by the Eastern Landlords Association, when the tenancy moves into periodic, is to re-serve the Prescribed Information to the tenant, and to issue a letter to the tenant. The ELA have a copy of the template letter on their web-site, and have also updated their AST.

For more information, please contact the ELA on 01603 767101, or email to sales@easternlandlords.org.uk.
Plans for a groundbreaking scheme to licence all privately-rented properties in Boston have moved ahead with approval for consultation to be held on the proposal. The Borough Council’s Cabinet agreed on 9th October that stakeholders and all interested parties should be consulted about a five-year licensing scheme covering all privately-rented accommodation in the borough. Consultation will take place from November through to January before a decision is made on whether to implement a licensing scheme.

More control of houses in multiple occupation (HMOs) was a cornerstone recommendation of the impact of population change report. The council proposes extending the proposals for a local licensing scheme for HMOs to all properties in the privately-rented sector to help reduce the impact of anti-social behaviour.

Cabinet heard that the current definition from central Government for a mandatory licensable HMO is so focused that only three are registered in the borough when the reality is that there are around 600 properties that people would consider to be HMOs. Licensing all the borough’s estimated 4,700 privately-rented properties would cost £2.468 million over five years. The scheme would have to be self-financing and landlords of HMOs would have to pay £800 and non-HMOs would have to pay £490 for a five-year licence per property. The aim would be to launch the scheme early in 2015.

Councillors heard the scheme would address anti-social behaviour and improve management standards and the condition of properties across the whole sector. It would also require fit and proper people as landlords, improve the Council’s knowledge about landlords and call for higher accountability from landlords. Tenants would benefit from greater stability and there would be better links to other initiatives tackling issues such as homelessness.

The licensing system would also facilitate enhanced input from agencies such as fire and rescue, police, UK Border Agency and the Gangmasters Licensing Authority.

The private rented sector represents 18 per cent of the residential housing stock in the borough having doubled in size over the past ten years. Multi occupancy and extended family living has resulted in anti-social behaviour, noise nuisance and accumulations of refuse - three key examples which have been linked to the failure of some private landlords to manage their properties in an effective way. Licensing should go a long way to improving the impact that the private rented sector in Boston is having on the community. Licensing the entire sector will provide a mechanism to counter significant anti-social behaviour, improve housing conditions and address the difficulty caused by the strict legal definition of HMOs.

Council Cuts may lead to surge in pest problem

Funding cuts could lead to an increase in pest infestations, a new survey is warning. The annual survey by the British Pest Control Association found that nearly 20 per cent of councils have stopped providing a pest control service in the past year due to budget cuts. English Councils have been most adversely affected, with a 47.5 per cent decrease in pest control staffing.

In 2012, Birmingham, South Staffordshire, South Tyneside and Sunderland were called out the most to deal with pests including rats and cockroaches.

The survey predicts that this figure will grow considerably in the near future with most Councils charging for pest control services. Rats were the most common complaint dealt with by Local Authorities, equating to 42% of all pest services in the UK. Local authorities were also out tackling mice (nearly 20% of the time) and wasps (representing 23% of call-outs).

There has also been an increase in the number of bed bugs being reported, with London boroughs suffering the most from infestations.
The food crisis on Southend’s doorstep

A new food bank was announced last week for the Southchurch area of Southend. It’s hard to believe that in modern Britain, ordinary people – even those in work – need help feeding themselves and their families. But that is the stark reality facing growing numbers of families relying on food banks across South Essex.

National charity the Trussell Trust helps local churches operate two food banks in South Essex already in Thurrock and Pitsea, with the Southchurch project coming next. Several other similar schemes are also operated – usually by churches – including Share in Shoebury and the Storehouse in Southend town centre. The Storehouse, in Coleman Street, extended its hours earlier this year amid a huge rise in people coming through its doors.

As well as providing people with food, the centre also puts on playgroup sessions for children and gives advice to help people back on their feet. Sarah-Jane added: “They offer you help with the things you wouldn’t usually think of approaching someone about, such as housing charges, and you get the chance to speak to a professional.”

A regular at the Southend Vineyard Church, which runs the Storehouse, who got involved in volunteering at the project after turning to it for help said: “They really helped me through financial problems in the past – I was in a horrible situation. I kept to myself most of the time because my confidence had been knocked, but they helped me build that back up over time.” She added: “The food bags do really make a difference to your shopping, because benefits and help from the Government only go so far. “I spoke to a homeless man last weekend and he said after he lost his wife, if it wasn’t for the Storehouse he’d be in a really bad place.”

The centre is open to the public on Monday, Wednesday and Friday, between 11.30am and 2pm.

As well as food bags, Storehouse offers a variety of services, from family days to art groups, furniture restoration projects and NHS counsellors and drugs agencies. Sam Vincett, senior pastor of Southend Vineyard, said: “If people come here in need, we can connect them with someone who can help straight away. “When someone is in crisis and they’re told to wait three weeks, it’s not helpful. “Here, we can put a name to the agency they need and it helps.

Southend affordable housing plans rejected

A derelict industrial site looks unlikely to be redeveloped after Southend Council threw out a second set of plans for social housing.

Southend Council has refused plans to build 23 flats and three houses on the southern half of the former Albany Laundry site, situated in Eastwood Boulevard, Westcliff.

Housing association, the Guinness Partnership, was waiting in the wings to build the homes, all of which would be social housing, with Government money – but work would have to finish by March 2015.

Land Charter Southend, a firm set up by site owner Mike Burton to manage the redevelopment, has warned a new plan is unlikely to be in place in time.

The authority already threw out plans for 48 flats –a third of which would be affordable homes – on the northern half of the site last month as the development had too few parking spaces.

The northern half of the site is also unlikely to be developed with so many affordable homes as cash from the Government’s Get Britain Building fund was only available if construction started this month.

Speaking at a development control committee meeting, Sally Carr, the Conservative councillor for St Luke’s, said: “It’s a site that we want developed, because we are desperately in need of affordable housing. I would have thought it was in everybody’s interest to come to some sort of agreement so we can have a development here, but I understand there are problems with design and parking.”
Southend Council leader: We'll take over empty homes

Empty homes could soon be seized by Southend Council after just six months to ease the authority’s housing waiting list.

Council leader Nigel Holdcroft is keen to push through the change in policy, which he believes will solve the problem of 2,600 empty properties across the borough and clear the 1,200-strong waiting list.

He said: “It does seem rather ridiculous that Council policy means we have to wait ten years to introduce a compulsory purchase order (CPO). It is just unnecessary that we have placed this restriction on ourselves which wasn’t set by Government. It is particularly important in a built-up, urban area like Southend, where there’s a constant need for housing. It’s very frustrating for there to be so many empty properties, we want to doing everything we can to bring them back into use.”

Compulsory purchase orders can be issued even when the owner of a property cannot be found. Councils can use the powers to take over homes and keep the money in trust which any owner can recover later.

This gives them an advantage over Empty Dwelling Management Orders (EDMOS), which can be served if properties are left empty for two years, but only if the owner can be found to serve it on.

Southend Council has taken over about 20 homes through this method in the past five years. The borough has the second highest proportion of empty homes in Essex, with only Tendring, in north Essex, having more.

Two thirds of private tenants in conflict with their landlord

Two thirds of tenants in London have had bad experiences with a landlord and more than half parted ways while in dispute over deposits, a survey has revealed.

At least a third say they would not rent another property from the same landlord and more than a third say letting agents were poor at keeping the property in good order, reports the Evening Standard.

More than half of tenants polled said they find living in rented accommodation harder than it was two to three years ago.

The survey, conducted by The Tenants’ Voice — a website for renters — also found a third of London tenants said letting agents were poor or very poor at responding to issues or emergencies, while just under two-thirds rated letting agents as average or poor in terms of being easy to contact. Only 52 per cent said their tenancies ended amicably.

William Palmer-Reeves, 26, spent seven months in a “nightmare” property in which the landlady refused to fix the boiler. She eventually called in an engineer. He said: “The engineer said the boiler was too old and only half the size it needed to be. Our landlady said she’d consider replacing the boiler the following March when it was cheaper. It was October and the house was so cold we could see our breath.” Mr Palmer-Reeves and his housemates eventually moved out mid-contract.

FIRE SERVICE URGES HOMEOWNERS TO FIT SPRINKLERS

The fire service is encouraging more people to fit sprinklers in their homes with a new video that aims to show how much damage can be averted by the safety devices.
Filming has taken place for a video which Bucks Fire & Rescue Service will be using as part of its continuing drive to promote the installation of sprinklers in homes.

Following weeks of planning, and under carefully controlled conditions, fires were started in four bungalows that will shortly be making way for a new development on a site off Rickmansworth Lane in Chalfont St Peter. Three were fitted with different types of suppression system. Cameras installed inside the rooms that were set on fire will show how effectively they controlled the fires. They will also show how the fire developed in the bungalow that was not fitted with sprinklers, and the extent of the damage.

Jason Thelwell, Bucks Fire & Rescue Service's Chief Operating Officer, said: "Domestic sprinklers save lives and reduce repair costs, and these demonstrations have shown how effective they are. They are also easier and cheaper to fit than many people think. In the absence of legislation, it is our responsibility to prove the case for sprinklers."

When completed, the video will be distributed as part of Bucks Fire & Rescue Service's campaign to influence people involved in the design, specification and approval process for new and refurbished buildings.

The fire suppression systems were provided by Domestic Sprinklers PLC from Weymouth, who fitted sprinklers into one of the bungalows, and Ultra Surefire from High Wycombe, who fitted one bungalow with a low-pressure water mist system and another with a portable water mist system. The filming was carried out by the Health & Safety Laboratory using high-resolution CCD cameras protected by fire-retardant and heat-resistant materials.

**Labour pledge crackdown on ‘rip-off letting agents’**

Labour has pledged to tackle “rip-off letting agents” after its survey found that new tenants face up-front fees averaging almost £1,000 – before they even start to pay rent. A Labour analysis of 91 letting agencies in England found that tenants have to pay an average of £902 in up-front charges, including deposits, administration fees and the cost of checks on references and creditworthiness. In London, new tenants have to find more than £1,700. When rent is included, the average up-front charges imposed on tenants increases to £1,626.

Labour has also complained that three-quarters of the agents were "not transparent about fees on their websites" – and fewer than half agreed to reveal their fees via email.

Jack Dromey, the shadow housing minister, said the figures "expose the level of rip-off fees and the lack of transparency for consumers.' “Labour has called for effective regulation of letting agents, to force them to be transparent on their fees, and we're assessing the size and level of fees that can be charged. Tenants need proper protection against being ripped off."

The demand for tougher controls is the latest phase of the party's blueprint for shaking up the private rental sector, and freeing it from "rogue landlords". The housing charity Shelter has complained that letting agents across Britain are "out of control" and forcing millions into debt. The Office of Fair Trading (OFT) estimates that nearly a third of complaints made by tenants and landlords about the lettings market relate to fees and charges.

But landlords say that the entire sector should not be hammered because of the actions of a few rogue operators. "It is unfair to include things like deposits in the total because these are bonds which are generally paid back," said Alan Ward, chairman of the Residential Landlords Association. "I fully support the case for regulation to keep the cowboys out. But the agents I use charge modest fees and they do very valuable work in setting up tenancies."

The Labour survey found that the average size of up-front fees and deposits confronting new tenants starts at £642 in the North-east. Administration fees varied between £40 and £300. Where check-in fees are levied – when an agent makes an additional charge once a tenant moves into the property – the rate ranged from £60 to £150.

More than a quarter of letting agents charge extra fees for each additional adult, and six out of 10 did not mention the mandatory tenancy deposit protection scheme either on their website or in their correspondence.

Labour is in negotiations with agents over further
The Government has announced plans to better regulate the private rented housing sector, including a requirement that all letting agents join a new compulsory redress scheme.

The redress scheme, requiring new legislation, would allow complaints about poor service or hidden fees to be independently examined, and where a complaint is upheld, receive compensation. At present, 3,000 letting agents, 40% of the entire industry are yet to join a voluntary redress scheme.

Communities Secretary Eric Pickles has published a new tenant's charter as well as set out details of a new code of practice setting standards for the management of property in the private rented sector, with a view to making it statutory. The plans stop short of a full register of private sector landlords as proposed by Labour, but shows the extent to which ministers have recognised that an unregulated private rented sector is hitting the cost of living, and exaggerating problems in the housing market.

The private rented sector now represents 17% of housing stock and involves over 8.5 million people, including many under 35. It is predicted to rise to 22% of housing stock by 2025 as owner occupation remains outside the reach of many young people. Tenants in the private rented sector are paying as much as pay 30% of their disposable income on rent.

"This government is on the side of hardworking people and the last thing we want to do is hurt tenants and kill investment by increasing costs and strangling the sector with red tape. But tenants deserve better value for money, and dodgy landlords should be under no illusion they can provide a shoddy service with impunity."

The National Landlords Association (NLA) welcomed publication of the ‘Tenants’ Charter’ along with efforts to increase both landlords and tenants understanding of their rights and responsibilities. Richard Lambert, NLA Chief Executive Officer said: “The Government is right to focus on developing a renting culture, rather than introducing further regulation. The Secretary of State’s recognition that additional red tape could ‘kill off investment’ will be warmly welcomed by the landlord community. “The NLA has long argued that private renting can be far more flexible than commonly perceived, and we need to tap into this potential to meet the changing needs and expectations of those who rent. We look forward to working with government to make a success of these proposals. However, we believe that the Government has missed an opportunity to require greater professionalism of letting agents. While the requirement to belong to an approved redress scheme is a step in the right direction, it does little to protect the financial interest of landlords and tenants working with unregulated agents.”

Peter Bolton King, RICS Global Residential Director added: “The announcement is a definite step in the right direction, albeit long overdue. The lettings sector has for far too long been the Wild West of the property industry, with many tenants having absolutely nowhere to go should they wish to complain about shoddy service. The introduction of a code of practice specifically covering those managing rented property should certainly improve standards. Through compulsory redress, tenants will now have access to official channels should they wish to complain, and we will now work with the government and the industry on the proposed code of practice. However, the government needs to go one step further. Consumers still cannot be sure that the agent they’re dealing with is suitably qualified or knowledgeable to operate. As part of our consumer research last year, almost ninety percent of people questioned felt that agents should be forced to register with an independent regulatory body before trading. We will continue to
call for a consistent national regulation scheme for lettings agents which protects the public where the risks are greatest.”

**Benefit fraudsters face up to ten years in jail**

Benefit cheats in England and Wales will face increased jail terms of up to ten years in a crackdown on those who "flout the system", prosecutors have warned. Last year, the CPS saw more than 8,600 prosecutions in benefit and tax credit cases, along with 4,000 in the first five months of this year. The current conviction rate is 89.7%.

Under new guidelines for the Crown Prosecution Service, middle-class and "professional" cheats will be targeted as the crime is brought into line with offences such as money laundering and banking fraud. The move is part of a broader strategy to pursue tougher sentences for benefit fraud by sending suspects straight to Crown Court, Keir Starmer, the Director of Public Prosecutions said.

He said: “It is a myth that ‘getting one over on the system’ is a victimless crime. The truth is that we all pay the price. I am determined to see a clampdown on those who flout the system. It’s not only taxpayers that suffer. Benefits exist to protect and support the most vulnerable people in our society and, whenever the system is defrauded, it’s also taking money away from those with a genuine need.”

He added: “The £1.9 billion annual cost to the nation incurred by benefit fraud should be at the forefront of lawyers’ minds when considering whether a prosecution is in the public interest. The loss of money has a significant impact on communities up and down the country.”

**Landlord Forum Newsletter**

Derby City Council is adding its support to housing and homelessness charity Shelter’s national campaign to tackle rogue landlords. By signing up to the campaign, the Council says it is committing to crack down on landlords who are ignoring their responsibilities and causing misery to local families.

The Council has said it routinely responds to tenant’s complaints regarding unhealthy and dangerous living conditions, but for some months now their Housing Standards Officers have been inspecting properties owned by some of the worst landlords in the city without waiting for complaints. Now it will be stepping up pre-emptive inspections of properties owned by some of the worst landlords in the city in an effort to bring the most regular offenders to book.

Councillor Asaf Afzal, Cabinet Member for Planning, Environment and Public Protection, said: “While we have many good landlords in our area, we also know that there is a small but dangerous minority of landlords who trap people in homes which cause misery and, in some cases, put lives at risk. We must stamp out rogue landlords in Derby, and by joining Shelter’s Evict Rogue Landlords campaign, we are committing to take tough action against the worst offenders.”

Campbell Robb, Shelter’s chief executive, said: “We are pleased to hear that Derby City Council is committing to firm action against rogue landlords operating in their area. Every day at Shelter we see the devastating impact rogue landlords have on people’s lives, and we’ve been campaigning to urge government and Councils to crack down on this small but highly dangerous minority who make people’s lives a misery.

“We urge other Councils to follow Derby’s lead and do everything in their power to crack down on the worst offenders in their area and stamp out rogue landlords for good.”

**Landlord immigration plans blocked by Lib Dems**

Plans to force landlords to carry out immigration checks on private tenants will be piloted in one area before any decision over national implementation after the Liberal Democrats blocked a key element of the scheme.
a "hostile environment for illegal immigrants", were checked following warnings that compulsory immigration checks on private tenants could lead to homelessness and strengthen the hand of unscrupulous landlords, according to The Guardian.

Deputy Prime Minister and Lib Dem leader Nick Clegg has forced May to drop plans for any national rollout of the checks this side of the general election. Instead the scheme, under which landlords could face fines of up to £3,000 if they fail to comply, is to be piloted in a single area before any decision is taken to go ahead with its wider implementation.

The Liberal Democrats say they have serious practical reservations with the scheme including concerns that it will increase homelessness and drive illegal migrants underground and into the hands of unscrupulous landlords. It will also place an unrealistic regulatory burden on millions of private landlords, most of whom let out a single property or even just a room.

The detailed bill documents show that the scheme will apply not just to landlords who rent out standalone accommodation but also to families or individuals who take in lodgers or sub-tenants into their own home, although they will face lower fines for failing to comply. They also confirm the government’s intention to introduce a health levy on temporary migrants to be paid when they apply for a visa.

The Home Office says more than 85% of new migrants live in privately rented accommodation. The home secretary said a helpline would be set up to help landlords make the checks, including offering advice on how to question potential tenants.

Gavin Smart, director of policy and practice at the Chartered Institute of Housing, the Immigration Bill may lead to discrimination and eventually homelessness for renters who don’t look British. He said: “This proposed change will make it much harder for non-British people to access housing even when they have a legal right to live in the UK. Checking immigration status is complicated so landlords may shy away from letting to anyone who appears not to be British. Discrimination laws will not protect these people.

At least two London boroughs have re-housed council tenants in private rented accommodation in Hastings in recent months due to lack of affordable accommodation in the capital. Newham Council has found 23 families accommodation in the town since February, and Croydon Council has two households currently accommodated in Hastings.

Local authorities only have a duty to inform Hastings Borough Council (HBC) this is happening if the tenants are homeless, meaning it is difficult to obtain the precise number of people placed in Hastings.

He added: “There has been an increase in recent months of tenants being placed in Hastings by London boroughs, with the local landlords being paid a premium to accept these tenants. This is something that Hastings Borough Council is very much aware of and concerned about. We are in contact with the London boroughs and are meeting them shortly to discuss these issues. We are also talking to other local authorities and are helping to organise a national seminar on the subject in November.”

Council leader Jeremy Birch said: “We are concerned, naturally, about what is happening. It is not a massive number of people, but it is exactly what I thought would happen because the Government benefit changes are having a particular effect in high rent areas.

He added that an influx from London could potentially put pressure on school places and adult social services.

As well as a premium, believed to be £2,000 in some cases, the London councils are also paying rent directly to the private landlords.
Minister fails to back call for crackdown on 'rabbit hutch' homes

Communities minister Don Foster on Tuesday failed to back calls for a crackdown on "rabbit hutch" house building which has seen the size of new homes shrink by almost half since the 1920s.

In a much-anticipated consultation paper, Foster said he would seek views from industry and others, but dashed campaigners’ hopes that the government would come out in favour of new minimum space standards for new homes.

"The degree to which space standards should be developed or mandated is hotly contested and views for and against are very polarised," the paper said. "The government does not have a preferred approach on space standards at this time."

The wording was in sharp contrast to outspoken remarks from Foster's departmental boss, communities secretary Eric Pickles, who in March blamed aspects of the previous Labour government's housing policy – which have since been ditched – for condemning families to be "trapped in rabbit hutch homes too small for their needs".

In 1920, the average semi-detached new-build had four bedrooms and measured 1,647 sq ft, according to the Royal Institute of British Architects (RIBA). Today's equivalent has three bedrooms and is 925 sq ft. Typical new terrace houses have shrunk from 1,020 sq ft and three bedrooms, to 645 sq ft and two bedrooms.

Other studies have suggested England has some of the smallest housing in Europe, and that shrinking space is limiting people's routine activities at home, including socialising, home study or work and storing personal belongings.

News that ministers are far from persuaded that they should impose prescriptive criteria is yet another piece of good news from Westminster for a house-building industry which is already experiencing a dramatic boost to business from George Osborne's controversial taxpayer-backed "help to buy" shared-equity initiative.

According to government estimates, builders that add more space are only able to recover 70% of the additional cost through higher sales values.

Jeff Fairburn, chief executive of Persimmon, which accounts for about 10% of the new homes market, claimed the reduction in house sizes reflected modern preferences and lifestyles. "We have house types to maximise efficiency. Today you have living and cooking spaces at the back of houses and less formal dining space. I don't recognise claims that houses are too small. That is not the feedback we are getting." He also warned that bigger houses take more land and would lead to higher costs to buyers.

The consultation made clear ministers were now listening closely to messages from the industry. "It is clear that in many respects the market is performing well in the absence of national space standards. The government's preferred approach would be for market led, voluntary mechanisms such as space labelling [i.e. clearly advertised dimensions], in order to meet consumer needs rather than mandatory application of space standards."

Harry Rich, chief executive of RIBA, said: "Our public research has repeatedly revealed that space in new homes is a major concern."

£400m investment opportunity offered in private rental market

Housing Minister Mark Prisk has invited bids for a share of at least £400 million to build homes specifically for private rent.

The funding is part of the £1 billion Build to Rent fund, which for the first time offers support for developers and investors looking to branch into the private rental market.

Mr Prisk said this new scheme, alongside up to £10 billion in government housing guarantees, will encourage people to invest in this "untapped" private rental market - offering greater choice and quality of homes for prospective tenants.

One scheme has already been given the green light, with work already started on that site.
In July, the first Build to Rent deal was signed, which will lead to hundreds of new homes being built specifically for rent as part of Southampton’s Centenary Quay development.

Mr Prisk said the government wanted to offer more choice and flexibility to private sector tenants, and the best bids for the Build to Rent fund should support longer-term tenancies as part of the mix of accommodation being provided under the scheme.

Housing Minister Mark Prisk said: "The housing market is turning the corner, with starts up a third compared to last year, and over 25,000 households helped into home ownership since 2010. But I want to go further, which is why I’m inviting bids for a share of up to half a billion pounds to help build a bigger, better private rented sector. This funding, combined with up to £10 billion in our housing guarantees schemes, will help build on existing successes to offer greater choice and quality for tenants across the country.

"By releasing land and working with institutional investors we are working hard to accelerate delivery in the purpose built private rented sector.

"I welcome this fund which will not only provide more homes for working Londoners, but also deliver much needed construction jobs and will underpin this city’s future economic growth.

Chairman of the Private Rented Sector taskforce Andrew Stanford said: "There is considerable momentum building in the new Private Rented Sector. The second round of Build To Rent funding will be a further significant boost to kick-starting the sector. The taskforce is here to help bring partners together throughout this phase of funding. Do get in touch if we can help."

Chief Executive of the Homes and Communities Agency, Andy Rose, said: "The private rented sector has a key role to play in increasing the supply of new homes. There was strong appetite the first time round and we are looking forward to seeing an even higher level of interest and quality of proposition this time.”

Southampton City Council fends off legal challenge to HMO licensing scheme

A city council has successfully fended off legal action over its licensing regime for houses in multiple occupation (HMOs).

The Southern Landlord Association had applied for judicial review of Southampton's scheme, which was launched on 1 July 2013 and covers around 4,500 HMOs in the Bargate, Bevois, Portswood and Swaythling areas of the city.

Southampton will consider extending the scheme to all 7,000 HMOs in the city if the current arrangements are successful and need is demonstrated.

A judge last week dismissed the SLA’s application for a judicial review. The council said it would be seeking to recoup “as much of its legal costs from the legal challenge as possible”.

Southampton decided to implement the scheme in July, despite the threat of legal action, after receiving independent legal advice that the new regime was sound.

Cllr Warwick Payne, Southampton City Council’s Cabinet Member for Housing and Sustainability, said: “It was disappointing that the SLA launched a legal challenge when everything was done to take account of landlords’ concerns. It has proved to be a waste of time and money for everyone involved. I’m delighted that the council’s HMO scheme has been vindicated and this is far more a victory for tenants’ safety and the residents who have called for action on HMOs than it is for the council.”

Cllr Payne added: “If the HMO licensing scheme saves just one life through improved fire safety, then it will have been worth it, and licensing should provide a host of other benefits besides.”

Southampton warned landlords in the affected area that they should apply for a licence to avoid possible prosecution and payment of a penalty fee after 1 January 2014. The council said it had already received 1,000 applications.
Colchester Worker in Court over Illegal Gas Work

A Colchester-based worker has been ordered to carry out 240 hours of community service and been given a suspended prison sentence for illegally fitting two gas fires and servicing a boiler at homes in the town despite not being registered to work with gas.

Colchester Magistrates Court was told that Mark Bond had installed a gas fire in October 2011 and, believing that he had done a good job, the householder recommended his services to her daughter. During this second installation, the fire manufacturer asked for Mr Bond’s Gas Safe registration details and he provided someone else’s ID number.

Mr Bond attempted to argue that he and the other man worked together but, when the householder contacted the Gas Safe Register, they confirmed that he was not registered with them and was therefore working illegally, putting the householders at potential risk.

An investigation by the Health and Safety Executive (HSE) found that Mr Bond had previously been registered to carry out gas work between August 2003 and April 2007, and was therefore well aware of the need to be registered on the Gas Safe Register before carrying out any work on gas appliances or pipework.

Mark Bond, trading as Bond Technical Services, of Granary Court, Hythe Quay, Colchester, was sentenced to six months imprisonment, suspended for 12 months. He was also ordered to carry out 240 hours of community service, and to pay £1,965.50 in prosecution costs after pleading guilty to two breaches of the Gas Safety (Installation and Use) Regulations 1998 and one breach of the Health and Safety at Work Act etc 1974.

Anti-social tenant jailed for offences in Fulham

Salim Ackbarally, a ‘neighbour from hell’ will spend the next six months behind bars after committing a catalogue of offences in Fulham.

He plagued residents living close to his home on De Morgan Road, Fulham with a whole host of misdemeanours. He had a particular penchant for using intimidating and threatening behaviour, including making threats to kill and also blasted out loud music from his council home.

Hammersmith & Fulham (H&F) Council obtained an antisocial behaviour injunction with a power of arrest in December 2012 at the same time as applying for possession of his property.

In June 2013 he breached the injunction order by using aggressive behaviour towards another resident. He was arrested and excluded from his property, following a court hearing for the breach.

On Thursday, September 5, at West London County Court, Ackbarally failed to attend the committal hearing and was found guilty of breaching his injunction and sentenced to 26 weeks in prison.

H&F Council Deputy Leader, Cllr Greg Smith said: “Ackbarally made life a living nightmare for people who had the misfortune to live near him. Residents have the right to live in peace and quiet but this man thought that he was above the law and could do as he pleased. This council takes a zero tolerance approach to crime and antisocial behaviour and will clamp down firmly on those who show a similar lack of consideration for others.” The council obtained a Possession Order for Ackbarally’s property in August and is currently waiting for a bailiff’s warrant to carry out the eviction.
Massive fine for Hounslow letting agent that committed 15 offences

A Hounslow letting agent found guilty of 15 housing offences has been hit with £47,540 in costs. Key Property (UK) Ltd of Bell Road was successfully fined by Hounslow Council after renting out a damp, dangerous and dilapidated property. The offences related to a property on Cromwell Street which the council investigated following complaints from tenants last year.

Officers inspecting the property found seven tenants living in five separate bedrooms, which included the front and rear living rooms. They discovered a significant number of defects relating to excess cold, damp and mould, electrical hazards, problems with sanitation and drainage, security, fire safety, structural hazards and hygiene.

A boiler that had been turned off by the manufacturer due to its unsafe installation had been switched back on. It was also discovered that the property was a house in multiple occupation (HMO) and required a licence to be let out to tenants.

Cllr Steve Curran, cabinet member for housing, planning and regeneration, said: “The fact the fine for failing to have an HMO licence is one of the largest in the country shows the seriousness of the offences.

“I’m pleased magistrates have thrown the book at this criminal letting agent, as the conditions the tenants were living in - no fire alarms, dangerous gas and electrics, and some of the worst damp and mould our officers have ever seen - were, frankly, appalling.

“They took more than £24,000 in rent from these tenants and left them to live in squalor.

“They tried to avoid their legal responsibilities, but thanks to the hard work of our housing team, we were able to successfully prosecute them.”

Newham prosecutes 67 landlords as licensing scheme gains traction

The London Borough of Newham is currently bringing 67 prosecutions against landlords for failure to license and house in multiple occupation (HMO) offences, it has been revealed.

Statistics published by the council at the end of August show that – since becoming the first local authority in the country to introduce a mandatory scheme to license all private rented properties – Newham has also issued 43 cautions and £300 enforcement charges for lower level failure-to-license offences.

The council has sent warning letters to 2,320 properties. Half of those properties were licensed after receipt of the first letter.

Newham said it had received more than 30,000 applications since the scheme came into force on 1 January 2013. The council has issued more than 22,000 licences.

Private landlords who have failed to apply for a licence are committing an offence, for which they can be fined up to £20,000.

Newham reported that 63 multi-agency operations had been undertaken to tackle multiple unlicensed and poor property management since the start of the year. It claims that one in five unlicensed properties in the borough had been found to harbour suspected criminals. The council said at least 110 arrests had been made by police.

Newham Mayor Sir Robin Wales said: “This scheme shows that Newham is leading the country when it comes to tackling bad landlords who flout the law. We want to ensure that private sector rented properties are well managed and meet a good standard. We also want to deal with the crime and anti-social behaviour that is sometimes associated with bad private sector rented housing.”
Norwich Council prosecutes rogue landlord

Norwich City Council successfully prosecuted a rogue landlord at Norwich Magistrates’ Court for putting tenants at risk.

Landlord Edward Thomas Webster pleaded guilty to seven offences under the Housing Act 2004 on 12 September relating to one property. He received fines totalling £12,000 and was ordered to pay a further £4,115.97 in costs and victim surcharge. The council brought the case against him following two inspections in early 2013 of a property he owns in Norwich which revealed the five-bedroom house had been operating as a House in Multiple Occupation (HMO) without the necessary licence, and tenants were living with a number of hazards.

A private sector housing officer found that 39 Pembroke Road, made up of five bedsits, had amongst other issues no fire doors or appropriate fire detection system and the property was not licensed as a HMO. Some of the windows at the property were broken, a ceiling was cracked, contained loose plaster and had gaps in it therefore compromising its integrity and ability to resist fire and smoke, and the landlord was unable to provide a certificate of testing of the fixed electrical installations within the property to the council within seven days of receiving a request in writing. All of these failures put the tenants at further risk.

In delivering the verdict the bench commented: “You showed disregard for regulations which involve people’s safety, particularly fire safety. We think the offences were made more serious particularly the fire safety, bearing in mind that we consider you to be a professional landlord and you are in the building business. You should have known better”.

Portfolio holder for private sector housing, Councillor Mike Stonard said: “We are pleased with this result, which sends a clear message that tenants can expect to be safe in their own homes. Norwich City Council is committed to taking action wherever landlords let unsafe accommodation. We have recently given our support to Shelter’s campaign to stamp out rogue landlords, and will continue to do all that we can to improve conditions in Norwich’s growing private rented sector.”

Troublesome tenant evicted from Ipswich home

A troublesome tenant who repeatedly subjected his neighbours to harassment, noise and anti-social behaviour has been evicted from his flat in Ipswich.

Karl Tyrell has been forced to leave the property in Wherstead Road after Ipswich County Court granted Suffolk Housing an outright possession order on the grounds of nuisance.

Suffolk Housing took the action after receiving a string of complaints from 63-year-old Mr Tyrell’s neighbours, who were regularly disturbed by noise and subjected to harassment and anti-social behaviour. Evidence collected by Suffolk Housing, along with witness statements put together by the police, were used to secure the court order, which was granted on 25 June.

“As a responsible landlord, we have a duty of care towards our tenants and will take action wherever necessary to help safeguard their quality of life,” said Ian Winslet, chief executive of Suffolk Housing. It is always unfortunate when we are forced to remove tenants from our properties. However, this sort of anti-social behaviour can make life intolerable for other people. As such, we are not afraid to take hard-line action when all other methods of resolving the situation have failed.

“Making sure our tenants can enjoy their homes without being subjected to harassment or disturbance from their neighbours is one of our key priorities. We will always investigate complaints fully and take action wherever necessary.”

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

Do you have some interesting stories or information to share?

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