

Hello to you all from the Private Sector Housing team

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On 22 November 2010, Harrogate Borough Council held its third Landlords Trade Fair at Conyngnam Hall, Knaresborough. Over 20 exhibitors attended the event.

Presentations took place throughout the day by the Gas Safe Register, Sempa Tap - a firm of damp and mould growth consultants, and a local company, Energicert, which gave advice on energy performance certificates.

During the day over 45 landlords visited the event and it was nice to see some new and old faces; we were a little disappointed with the turnout but thank you to those who came to support us.

Feedback from those landlords attending was very positive. It was encouraging to hear from landlords that the Trade Fair is still something that they consider worthwhile and that they were pleased with the wealth of information available.

In 2011 we will be holding a combined Craven District Council/ Harrogate Borough Council Trade Fair, so we will keep you updated about this and send your invitation nearer the time. The provisional date for the event is 16 August 2011.



Changes to Housing Benefit

A significant number of changes to the Housing Benefit scheme have been announced that will come into effect during 2011. The changes that will have the most significant impact on the local area are:

From April 2011

- Local Housing Allowance (LHA) levels will be restricted to a maximum of the four-bedroom rate value applicable at the time of the claim.
- The £15 weekly 'excess' provision for LHA cases will be removed.
- The size criteria will be adjusted to provide for an additional bedroom for a non-resident carer where a disabled claimant has an established need for overnight care.
- The non-dependant deductions made from a customer's entitlement will increase above inflation.
- The LHA rate will be set at the 30th percentile of rents in each 'Broad Rental Market Area' (BRMA), rather than the current median (or 50th percentile/mid-point). There will be a transitional period of protection for some existing claims:
 - Existing claims will transfer to the 30th percentile calculation on the anniversary date of their claim but have protection at the previous LHA rate for nine months unless there is a change in the household



affecting the room requirement. If this is the case the claim will be considered based on the appropriate 30th percentile rate from when the change occurs.

- New claims made after April 2011 will be calculated using the 30th percentile figure from the outset of the claim.
- There is additional legislation, which allows payment to landlords in cases where it is considered that it will assist securing or retaining a tenancy. The Department of Work and Pensions have advised this measure is appropriate where a landlord reduces rent to a level that is affordable for customers.

Harrogate Borough Council's Benefits service will provide more detailed information on these changes over the coming weeks and this will include writing to people affected by the changes, publicity in local offices and on the website. Further information can also be obtained from the Department for Work and Pensions at www.dwp.gov.uk/housingbenefit

Source: Gary Layzell, Harrogate Borough Council, Benefits Services Manager



The Energy Partnership continues to run the Hotspots scheme, which provides assistance to stop properties becoming cold and damp, and to reduce the risk of fire.

Landlords may have tenants in their property/properties for whom it would be advantageous to receive free energy efficiency advice, maybe leading to grants for free insulation and heating systems, a free benefit check to maximise income or free home fire safety check to help reduce the risk of fire. If you think that your property and tenants could benefit from this scheme call the Energy Saving Trust on freephone 0800 512 012.

Hotspots is an effective referral scheme coordinating a network of partner organisations, which includes the NHS, the North Yorkshire Fire and Rescue Service, the Energy Saving Trust advice centre, the Pension Service and the Council.

Changes to HMO Planning Rules

On 6 April 2010 changes to the Use Classes Order came into force. What does this mean for landlords? The new powers require landlords to apply for planning permission in order to establish a new HMO with a change of use i.e. when a property is altered from a family home to a shared house with three or more unrelated tenants.

Existing HMOs will be unaffected as they will have an 'established use'; and movement from the new HMO Use Class back to a C3 (dwelling house) will not require permission.

Licensing Reminder Houses in Multiple Occupation (HMOs)

License renewal will begin in April for all landlords who have Houses in Multiple Occupation that were licensed by us from April 2006. There will be an increase in charges to take account of inflation over the last five years, but the intention remains to offer a discounted rate based on the licence fee applying at the time. Please be aware that any discount will be given only to those landlords supplying the correct information with the new completed licence application form, such as the relevant certificates (gas safety certificate, fire alarm/emergency lighting etc.) and that you may incur additional charges for an incomplete application.

For landlords who have any works outstanding, such as additional amenities, that were agreed with Environmental Health Officers at the time of the licence being issued, then these must have been carried out prior to licence renewal or you may be breaching licence conditions. If you have any concerns about this please contact the Officer who issued the licence: Angela Darlington (01423) 556893 or Brian Garside (01423) 556894.

Landlords' Fines

Recent Cases

Although most landlords are decent and law abiding, there are still some who are intent on giving others a bad name - here are some recent cases locally and nationally of those landlords who are not so honest.

York City Council - fined a landlord £1000 for failing to license a House in Multiple Occupation, £500 for failing to maintain a safe and effective fire alarm system, £500 for breach of a Prohibition Order, £1000 towards council costs and £15 victim surcharge.

Leeds City Council - A landlord was fined £1220 for non-compliance with an Improvement Notice and £1021.53 costs.

Leeds City Council - fined a 'House of Horrors', which left a landlord facing a bill of more than £21,000 for failing to manage a House In Multiple Occupation. When Council officers visited the property they found that it had no heating, a defective fire alarm system, seriously damaged fire doors, broken windows, exposed electrical wiring and damaged kitchen units.

Birmingham City Council - fined a landlord £2500 for failing to manage a House in Multiple Occupation and £2000 costs.

A Word of Warning to Landlords

Due to the extreme weather conditions we experienced in November and December last year we had many more complaints coming in to the team than we would normally have in these months. Most of the complaints we received were to do with boiler breakdowns, damp and mould in properties and burst pipes.

We noticed a common theme to some of these complaints - in many of the cases where the tenants deal directly with the self-managing landlords, they had no emergency contact numbers provided by the landlords, which we find alarming. Many of the landlords could not be contacted as they lived abroad or were away on holiday out of the UK.

Unfortunately for one unlucky landlord, by not providing his tenant with the most basic of information, we had no option but to take Emergency Remedial Action for the first time under the Housing Act 2004. As a result, not only will he be billed for the services of a heating engineer but also for the time spent by the Environmental Health Officers dealing with the case.

So if you are self-managing landlords then please make sure you are providing emergency numbers for tenants at all times especially if you are moving abroad or just going on holiday.

Landlords' Forum Webpage

Don't forget to check out the webpage for updates and health alerts at

www.harrogate.gov.uk

