Barking & Dagenham

ENFORCEMENT

London Borough of Barking and Dagenham Landlord and Property Agent Newsletter

July 2023

London Landlords Accreditation Scheme Training

Many Barking and Dagenham Landlords are becoming accredited through the London Landlords Accreditation Scheme training. If you are interested in becoming accredited, throughout this year we are holding a series of face-to-face training courses in the borough. They are all held in Barking Town Hall with lunch provided.

The course covers everything you need to know to be a good and knowledgeable landlord, and the accreditation lasts for either 2 or 5 years. If you would like more information, please click here.

Barking and Dagenham 2023 Course Dates:

1. Monday 24th July 2023
2. Friday 22nd September 2023
3. Wednesday 22nd November 2023

National Residential Landlords Association

The National Residential Landlords Association (NRLA - https://www.nrla.org.uk/) is the UK's largest membership organisation for private residential landlords in England and Wales, supporting and representing over 100,000 members. Providing all-round support, the NRLA are here to help you stay compliant, save time and stress, and save money, and help see your rental business thrive.

Are you up to date and confident you're compliant with the latest legislation?

Do you know where you can go for quick, easy, and accessible support?

As you are no doubt aware, the sector has gone through a host of legislative changes in recent years and is set for yet more changes in the months and years to come. To this end, and in order to support you, the London Borough of Barking and Dagenham Council has negotiated an offer with the National Residential Landlords Association (NRLA) to help ensure you're up to date with the latest legislation and access exclusive Barking and Dagenham Council discounts and benefits for Accredited Landlords.

Join the NRLA and get the Landlord Fundamentals eLearning Course for FREE

When you join the NRLA (from just £85* per year), you'll receive their Landlord Fundamentals eLearning course free of charge, making you eligible to become a

fully accredited member of the NRLA and take advantage of the many benefits this brings.

PLUS, by becoming an NRLA member, you also get access to a FREE confidential advice line, a FREE online hub with unlimited resources, model AST's and guides, and not forgetting exclusive finance and trade discounts including 15% off at Carpetright and 10% off at B&Q. To see full member benefits, follow this link: NRLA Member Benefits

To take advantage of this offer, simply go to NRLA Join Us Page, complete your details and enter the promotion code **LBBD623** at checkout**. On doing so you will be automatically enrolled on the Landlord Fundamentals eLearning course.

On completion of the course and assessment, you'll also be eligible for full NRLA Accreditation by simply completing the accreditation registration process, bringing additional benefits to your NRLA membership.

*For landlord membership when you pay by direct debit.

**Cannot be used in conjunction with any other offer. Offer ends 31/03/2025.

Smoke and Carbon Monoxide Alarm Regulations

The Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022 came into effect on the 1st October 2022.

Officers from London Borough of Barking and Dagenham will be checking that you have smoke detectors and carbon monoxide detectors when we inspect your properties.

It is a requirement to have a smoke alarm on every floor of your rented property. It is also a requirement to have a carbon monoxide alarm in any room which is used wholly, or partly, as living accommodation (which includes bathrooms), and contains a fixed combustion appliance (except gas cookers).

Landlords must test the alarms provided at the start of any new tenancy and keep a record of when alarms are tested. Landlords also have repairing and "replacement" responsibilities for smoke and carbon monoxide alarms from the point of being notified of a fault.

Alarms carry an expiry / replacement date; in most cases this is 10 years from the date of manufacture for mains and battery powered alarms, but please check the dates stated by the manufacturer.

Full details of the amended regulations can be found at: https://www.gov.uk/government/publications/smoke-and-carbon-monoxide-alarms-explanatory-booklet-for-landlords/the-smoke-and-carbon-monoxide-alarm-england-regulations-2015-qa-booklet-for-the-private-rented-sector-landlords-and-tenants

4 Simple Steps to Controlling Rodents

Extraction:

Encourage your tenants to have good housekeeping:

- No open and easy-to-access food sources. Food should be stored in hard to reach and airtight containers.
- Keep a clutter-free home.
- Remove overgrown vegetation and keep front and back gardens clean and well maintained.

Restriction:

Pest-proof any visible gaps. Restrict access to rodents by using strong materials such as metal plates, quick dry cement, and wire wool. DO NOT USE EXPANDING FOAM as the material is easily gnawed away and will be used as nesting material by rodents.

Destruction:

Employ a qualified technician with Level 2 Award Pest Management to help capture and remove unwanted rodents and help identify root cause and entry points.

Monitor:

Maintain, manage, monitor Extraction and Restriction.

How to Find a Good Managing Agent

Redress Scheme

Letting and managing agents are required to be a member of a redress scheme. The purpose of these schemes is to deal with complaints made by tenants and landlords about agents. Essentially, these are Ombudsman Schemes.

This gives both landlords and tenants the right to independent redress if their agent cannot resolve a complaint to their satisfaction.

This means that anyone who feels they get a poor deal from their letting agent will be able to take their complaint to a redress scheme.

Anyone required to be, must be a member of one of two schemes:

1. The Property Ombudsman
2. Property Redress Scheme

Client Money Protection Scheme

A letting or property managing agent in the private rented sector in England must be a member of a client money protection scheme. The list of approved client money protection schemes can be found here: Protecting clients' money if you're a property agent - GOV.UK (www.gov.uk)

They must:

- Provide evidence of their client money protection scheme to anyone who asks.
- Display their certificate in any office where they deal with the public.
- Display their certificate on their website.

Rent Deposit Scheme

The letting agent must protect the tenants‘ deposit through a government-backed tenancy deposit scheme.

Agents Fees

All agents have to display their fees at their premises and on their website.

Regulation of Agents

There is currently no overarching statutory regulation of private sector letting or managing agents in England, although they are subject to consumer protection law and specific provisions in relation to the charging of fees and membership of redress schemes. Agents can voluntarily become members of The Association of Residential Letting Agents (ARLA Propertymark). These agents have committed to Propertymark’s professional standards rules and disciplines. You can find a The Association of Residential Letting Agents registered agent via this link: https://www.propertymark.co.uk/find-an-expert.html.

Advice on Putting Rent Up – How to do it Legally.

Although you may be within your rights to increase the rent requested, it has to be highlighted within the tenancy agreement that this may happen, and you have to give a minimum of one month’s notice.

If it is not explicit within the tenancy agreement, a new tenancy agreement will have to be given to the tenant with this clause included.

For a periodic tenancy (rolling on a week-by-week or month-by-month basis), you can usually only increase the rent once a year.

In line with the Housing Acts 1988 and 1998, a rent increase will have to be requested on **Tenancy form 4: landlords’ notice proposing a new rent under an assured periodic tenancy of premises situated in England**. Failure to serve the correct form may invalidate the action that is being proposed.

If the tenant feels as though the rental increase is not fair, they have the right to refer the proposed rental increase to a tribunal who will decide what the fair amount should be.

Get Ready for Winter

We know summer is only just starting, but this is the time to start planning for the winter months and improving the thermal efficiency of your property. Your EPC will give advice on what work you can do to improve the energy efficiency of your property. You can view your EPC here https://find-energy-certificate.service.gov.uk/find-a-certificate/search-by-postcode?lang=en&property_type=domestic

The Government have proposed that by December 2028, all existing privately rented properties will need an EPC rating of "C" or above and that all new tenancies will need an EPC rating of "C" by as early as December 2025 (they currently must have a rating of "E" or above).

This is a useful link to find energy improvements you can carry out to your property: https://www.gov.uk/improve-energy-efficiency

We recommend consulting with a qualified installer to confirm what changes you can make to your property. RetrofitWorks is a not-for-profit cooperative who can help find local contractors. You can get help finding a qualified installer of heat pumps or solar panels in your area by visiting the mcs website: https://mcscertified.com/. For all other changes to your property, get help finding a qualified installer in your area by visiting the TrustMark website.

If you'd like to do more to improve the energy efficiency of your property, consider the following:

- Encourage your tenants to visit the Help for Households website for tips to save energy and reduce bills.
- When buying new appliances, upgrade to an energy efficient one - Learn about energy labels
- Install a heat pump - Check if your home may be suitable

Now is the time to improve the insulation and ventilation to prevent damp and mould. For advice and leaflets on steps you can take in the home to improve energy efficiency and how to deal with damp and condensation, visit https://www.nea.org.uk/get-help/resources/

We recommend the installation of humidistat extractor fans in kitchens and bathrooms to reduce the likelihood of moisture laden air spreading around the property and condensing on cold surfaces. Make sure your tenants receive advice on what they can do to reduce condensation in their home Dealing with damp and condensation - National Energy Action leaflet - National Energy Action (NEA)

Tenant Housekeeping Guide

Please remind your tenants how to occupy your properties in a tenant-like manner. We have produced a tenant housekeeping guide (next page) to reduce the chances of problems occurring due to mould growth, rodent infestations, overgrown gardens, fly-tipping, and disrepair.

Tenants Housekeeping Responsibilities

As a tenant, it is your home for the length of the tenancy and therefore, you are responsible for…

Proper disposal of rubbish in the appropriate bins.

Do not flytip or leave refuse on the ground or the council will fine you £400.

Inform your landlord promptly if there are issues of disrepair.

But you are responsible for minor maintenance such as changing light bulbs.

Maintain your garden and keep it tidy.

Failure to maintain your garden can cause disputes with neighbours.

Do not leave food and rubbish out and keep the floors and surfaces clean.

Failure to do so will encourage mice, rats, and other pests.

Open your bedroom windows every day, all year round, for 10 minutes. Use a bathroom extractor fan or keep bathroom windows open after a shower or bath for at least 15 minutes.

Adequate ventilation is essential to prevent mould growth.