

2021

LANDLORD INFORMATION PACK



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Sandwell MBC

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COVID -19 & Support for Landlords and Tenants:

Guidance for landlords and tenants



[Non-statutory guidance for landlords and tenants in the private and social rented sectors on:](#)

- Measures relating to notices seeking possession as amended by the Coronavirus Act 2020
- Health and safety obligations, repairs and inspections in the context of coronavirus (COVID-19)

This guidance is advisory and informs you about recent changes to the law. All guidance is subject to frequent updates and should be checked regularly for currency.

We urge all landlords and tenants to abide by the latest government [guidance on COVID-19](#).

The mortgage holiday has been extended, with applications open to 31 March 2021. Borrowers, including those with a Buy to Let mortgage, who have been impacted by Coronavirus and have not yet had a mortgage payment holiday will be entitled to a 6-month holiday, and those that have already started a mortgage payment holiday will be able to top up to 6 months without this being recorded on their credit file.

If a landlord is concerned about their financial situation they should discuss this with their lender.

Further information on mortgages and the support available during the coronavirus outbreak is available from the [Money Advice Service](#) and [UK Finance](#).

[Understanding the possession action process: guidance for landlords](#).

Notice periods given to tenants from 29 August 2020 to at least 31 March 2021 must be at least 6 months for most grounds (including Section 21 notices). This applies in all local tiers. There are certain cases where a shorter notice period may be provided. These include those in relation to anti-social behaviour (including rioting), false statement and where a tenant has accrued rent arrears to the value of at least 6 months' rent.

You can also read [Sandwell Landlords blog article regarding changes in eviction process](#).

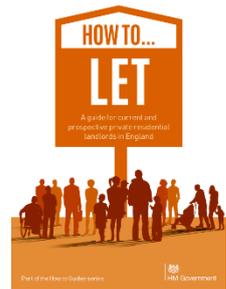
1. BASICS:

- **HOW TO LET:**

This guide will help you to understand what responsibilities you have as a landlord, which will help you create a positive relationship with your tenant.

For more information's please read link below:

<https://www.gov.uk/government/publications/how-to-let>

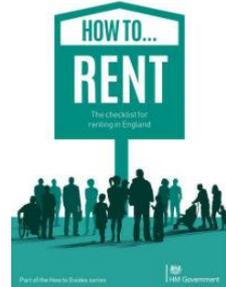


- **HOW TO RENT:**

This guide is for tenants and landlords in the private rented sector to help them understand their rights and responsibilities. It provides a checklist and more detailed information on each stage of the process. It is a legal requirement that a copy of this booklet is handed to tenant on the day of signing the tenancy agreement, before the tenancy begins.

For more information's please read link below:

<https://www.gov.uk/government/publications/how-to-rent>



- **RIGHT TO RENT:**

Guidance for landlords and tenants on how right to rent checks should be carried out and which documents are acceptable. This is a legal requirement and must be carried out at the start of each new tenancy, and documentation must be seen.

<https://www.gov.uk/government/collections/landlords-immigration-right-to-rent-checks>



- **DPA (Data Protection Act) and GDPR (General Data Protection Regulation)**

Landlord who hold the following personal data, about tenants, such as: Names, address, phone numbers, email addresses, age, bank details, credit/employment/personal references etc. Will be classified as 'data controller' which means that Landlords are responsible for how personal information is collected, used, and stored. Landlords are legally required to comply with [Data Protection Act 2018](#) and [General Data Protection Regulation](#).

- **Tenant Fees Act 2019:** The Tenant Fees Act sets out the government's approach to banning letting fees paid by tenants in the private rented sector and capping tenancy deposits in England. A breach of the legislation will usually be a civil offence with a financial penalty of up to £5,000, but if a further breach is committed within 5 years of the imposition of a financial penalty or conviction for a previous breach this will be a criminal offence.

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/819634/TFA_Landlord_and_Agent_Guidance_190722.pdf

Tenant Fees Act 2019:
Guidance for landlords
and agents

- **Homes (Fitness for Human Habitation) Act 2018:**

The Act came into force on 20 March 2019. It is designed to ensure that all rented accommodation is fit for human habitation and to strengthen tenants' means of redress against the minority of landlords who do not fulfil their legal obligations to keep their properties safe. This applies to all rented properties, social and private.

Read [Guide for landlords: Homes \(Fitness for Human Habitation\) Act 2018](#).



- **THE 29 HAZARDS [GUIDE](#):**

The housing health and safety rating system (HHSRS) is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. It was introduced under the Housing Act 2004 and applies to residential properties in England and Wales. The HHSRS assesses 29 categories of housing hazard. Each hazard has a weighting which will help determine whether the property is rated as having category 1 (serious) or category 2 (other). The Housing Act 2004 requires property owners to ensure that properties are free from the 29 hazards or face prosecution.



- **The Gas Safety:**

As a landlord, you are responsible for the safety of your tenants. The Gas Safety (Installation and Use) Regulations 1998 deals with landlords' duties to make sure gas appliances, fittings and flues provided for tenants are safe. <http://www.hse.gov.uk/pubns/indg285.pdf>



- **The Smoke and Carbon Monoxide Alarm (England) Regulations 2015**

require private rented sector landlords, from 1 October 2015, to have:

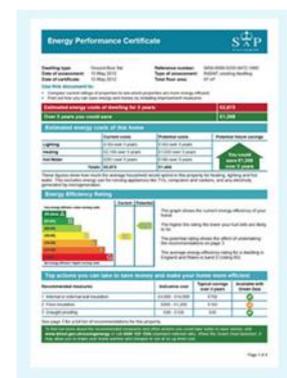
- at least one smoke alarm installed on every storey of their rental property which is used as living accommodation, and
- a carbon monoxide alarm in any room used as living accommodation where solid fuel is used - after that, the landlord must make sure the alarms are in working order at the start of each new tenancy.

[Please read more in Q&A booklet.](#)

- **Energy Performance Certificate (EPC):**

from 1 April 2018, landlords of privately rented property in England or Wales must ensure that their properties reach at least an Energy Performance Certificate (EPC) rating of E before granting a new tenancy to new or existing tenants. The tenants must have sight of this before they take up the tenancy so they are able to compare it with other properties.

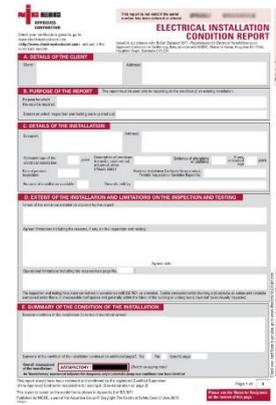
Read [Domestic private rented property: minimum energy efficiency standard - landlord guidance](#).



- **Deposit Protection Scheme:** You must place your tenants' deposit in a tenancy deposit protection (TDP) scheme if you rent out your home on an assured shorthold tenancy that started after 6 April 2007
- **The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020:**

The regulations came into force on 1 June 2020, they apply to new tenancies from 1 July 2020 and existing tenancies from 1 April 2021. The relevant date for determining when the new requirements apply is the date on which the tenancy is granted. A new tenancy is one that was granted on or after 1 June 2020.

Please read [Guide for landlords: electrical safety standards in the private rented sector](#).



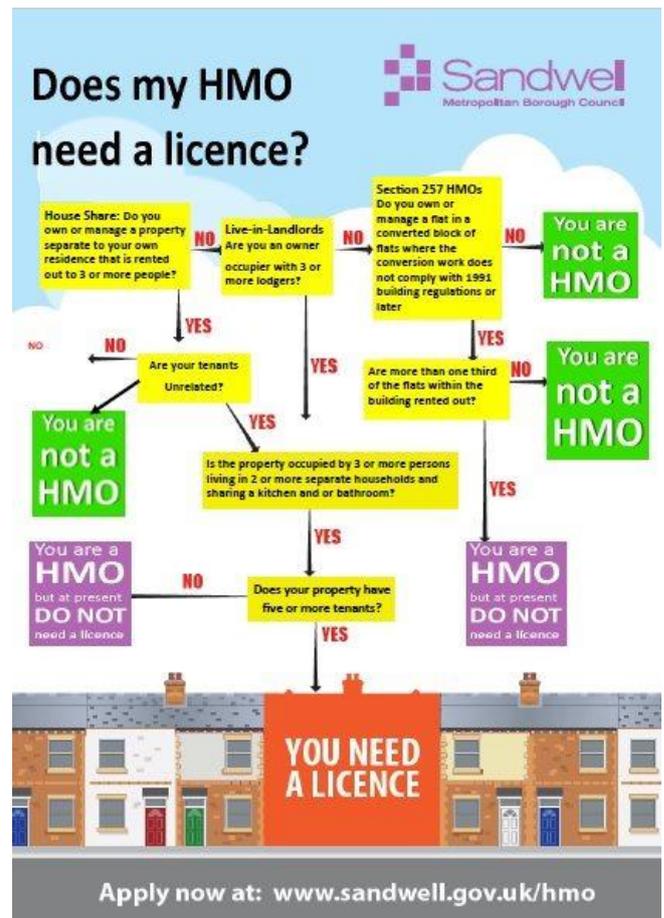
2. Houses in Multiple Occupation (HMOs):

HMOs are usually properties in which unrelated people share facilities such as the kitchen or bathroom. **Some HMOs must be licensed.** Please note from 1 October 2018 the criteria for a HMO licence will be 5 or more people, in 2 or more households, sharing an amenity. This will now apply to ALL HMOs regardless of the number of floors. From this date there will also be a legal minimum requirement to have a floor area no-smaller than 6.51 square metres. Check do you require licence on our **HMO website** below. Landlords of licensed HMOs / houses must by law give tenants a statement of the terms on which they live in the property. You can check with your Local Authority is the property a Licensed HMO. Visit our **HMO website** for more information's.

Tenants who are living / lived in unlicensed HMO might be entitle **up to 12 months** of **RRO** - Rent Repayment Order. Landlords who have failed to apply for a Licence will be at risk of prosecution which may result in an unlimited fine or a civil penalty up to £30,000.

Failure to comply with any of HMO Standards could result in an unlimited fine or a Civil Penalty of £1000 per offence.

All HMO's, whether they are Licensable or not, will have to make sure that they are abiding by the **HMO Management Regulations**. If the Landlord does not abide by these Regulations, they could face a Civil Penalty up to £1000 per offence.



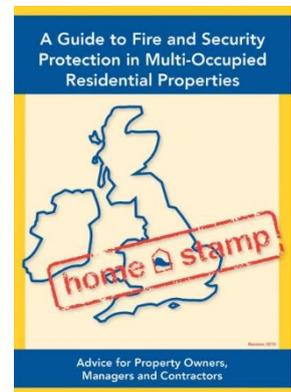
- **HOME STAMP GUIDE:**

A Guide to Fire and Security Protection in Multi-Occupied Residential Properties (HMO's). This document also includes more extensive information on bedsit accommodation. This guide also gives details of how to undertake a fire risk assessment on your premises.

For more information please follow link below:

<https://homestamp.com/>

Guidance has also been introduced by [LACROS](#) offering advice for residential building to ensure they are safe from fire.



- **HMO Management Regulations:** Regulation 10 imposes duties on occupiers of an HMO for the purpose of ensuring that the person managing it can effectively carry out the duties imposed on him [by these Regulations](#). A person who fails to comply with these Regulations commits an offence under section 234(3) of the Housing Act 2004, punishable on summary conviction with a fine not exceeding level 5 on the standard scale of up to £1000 for each breach.

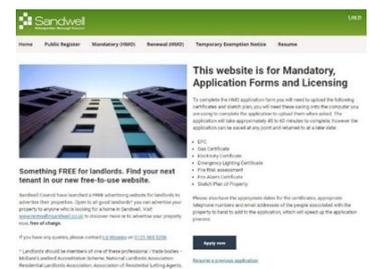
http://www.legislation.gov.uk/ukxi/2006/372/pdfs/ukxi_20060372_en.pdf



- **HMO LICENCE ONLINE APPLICATION:**

To complete the HMO application form you will need to upload the following up to date certificates (EPC/Gas Certificate/Electricity Certificate/Emergency Lighting Certificate/Fire Risk assessment/Fire Alarm Certificate and Sketch plan). The application will take approximately 45 to 60 minutes to complete, however the application can be saved at any point and returned to at a later date.

<https://landlordlicensing.sandwell.gov.uk/>



- **HMO Licence fees from 1 April 2021 - 31 March 2022 :**

http://www.sandwell.gov.uk/info/200223/housing/4319/housing_in_multiple_occupation_hmo/2

Housing in Multiple Occupation (HMO)

HMO Licence Fees*

HMO Licence fees from 1 April 2021 - 31 March 2022

First application for an HMO licence	£250.00
Renewal of an existing Licence made before the current Licence expires	£215.00
Renewal of an existing Licence made after the current Licence expires	£250.00

- **BIN PROVISION FOR HMOs** are essential as it is a licence condition.

For 5 or 6 bedrooms : 1 x 1100 litre domestic residual waste container
 up to 12 bedrooms : 2 x 1100 litre domestic residual waste container
 up to 18 bedrooms : 3 x 1100 litre domestic residual waste container

- **Planning department**

http://www.sandwell.gov.uk/info/200275/planning_and_buildings/2266/planning_applications



3. HELP AND SUPPORT:

- **SANDWELL Private landlord advice:**

If you are a private landlord or letting agent, we can offer advice on issues concerning landlord/tenant responsibility or information about the physical condition of your property.

For more information's please visit our [Private landlord advice website](#).
If you are looking for advice regarding COVID 19 please visit [Covid - 19 and Landlords website](#).

- **LEAP –Local Energy Advice Partnership:**

LEAP is a free of charge support service offered to fuel poor and vulnerable households. It is holistic and led by Local Authorities or Housing Associations, provides a wide range of services to vulnerable residents. Eligibility is broad as possible so as many people can be reached. Services available:

Home Energy Advisors (HEAs) provide Telephone Advice and install simple energy efficiency measures that make an immediate impact in a home.

Green Homes Grant & ECO: Primary Measure – Insulation, Low Carbon Heat & Secondary Measure - Windows and doors, Heating controls and insulation. You cannot claim a Green Homes Grant voucher towards the cost of a measure which has also had funding under the Energy Company Obligation (ECO). You can claim both ECO and Green Homes Grant as long as they are each for different measures - for example loft insulation and cavity wall insulation.

HEART is a free of charge support service replacing old, inefficient appliances with modern, efficient alternatives.

Warmer Homes is a project that provides free gas connections and first time central heating.

www.applyforleap.org.uk

- **Warmer Homes West Midlands**

WHWM -works with households in the Walsall, Wolverhampton, Dudley, Sandwell, Birmingham, Solihull and Coventry area who are struggling with household heating costs. Offer personalised energy advice service to households who are currently struggling to heat their home. Our focus is to enable you to reduce your energy bills and make informed home energy efficiency choices. Choices that are right for you and right for the environment.

Call us for free on 0808 1968298

If you are household living in Walsall, Wolverhampton, Dudley or Sandwell, you can contact our locality team by email at

warmerhomeswm@mea.org.uk



 FREEPHONE 0800 060 7567

 support@applyforleap.org.uk



- **SANDWELL LANDLORDS BLOG:**

This blog is set up by Sandwell Council to provide advice and information to landlords in Sandwell. Stay up to date with latest benefit, council tax, regulations and legislations changes & what it means for you as a Landlord. Benefit from our **FREE forum's & event's**. Signe up to receive notifications of new posts by email. Follow link below or send email to:

megan_sieprawska@sandwell.gov.uk

<https://sandwelllandlords.wordpress.com/>

Sandwell Landlords Blog



4. CALL BEFORE YOU SERVE:

This is an option for landlords to contact us before serving an eviction notice – this is to enhance prevention and to focus on support to the landlord. Support will include:

- A personalised support plan agreed with the tenant
 - Support and advice if tenant has rent arrears looking at all areas of help that might be available
 - A financial assessment of tenants to maximise income
 - Referrals and signposting to specialist services for more long-term support should the need be identified
 - A mediation service between landlords, tenants and support
- Support to ensure evictions are carried out legally

Email us on cb4ys@sandwell.gov.uk

Call us on the dedicated line – 07586 622202



5. SECURE & SUSTAIN MODEL:

Secure and Sustain Model is attractive scheme for PRS landlords:

We will work with you to make sure the right tenant is placed in a property that is affordable and suitable.

This goes beyond your traditional credit checks and references and will be based on a comprehensive income and expenditure analysis.

The affordability checks will contain much more detail than the current process through letting agents

We will support the benefits application process (where relevant) to make sure benefits are in payment quickly

We will carry out a risk assessment for the household as part of our homelessness assessment and will develop a support plan based on these findings

This offer includes many benefits like dedicated officers to provide support and advice, dedicated landlord line and email, free smoke detectors, window restrictors, Landlord insurance and many more.

Email us on Property_Offer@sandwell.gov.uk

Call us on the dedicated line - 07741 338843



- **MLAS**

The Midland Landlord Accreditation Scheme:

MLAS is managed by the Homestamp Consortium with the primary focus of accrediting landlords. MLAS Accreditation is for a 5 year period, during which time, Accredited Members must undertake Continual Professional Development (CPD). This enables them to keep up-to-date with the latest legislation, advice and guidance on renting and letting property.

For more information's please read link below:

<https://mlas.org.uk>



- **NRLA**

National Residential Landlords Association:

NRLA provide the expertise, support and resources needed for a rental sector that works for all. Represent members and actively recognise the contribution landlords make to the rental sector and the wider society, in the provision of safe, legal and secure homes.

<https://www.nrla.org.uk/>



- **Law Centres Network** - offer legal advice, casework and representation to individuals and groups. Specialising in social welfare law, they have an in-depth knowledge of the issues communities face. They use this knowledge to help people save their homes, keep their jobs and protect their families.

[Birmingham Community Law Centre](#)

Address: 97 Walford Road, Sparkbrook, Birmingham, B11 1NP

Telephone: 0121 227 6540 / Email:

enquiries@centralenglandlc.org.uk

Legal aid can help pay for legal advice, [check are you entitle here.](#)

[Information about legal aid providers by category of law.](#)

- **Support Through Court –**

Service offered is an independent charity that supports people going through the court process without legal representation. Our volunteers can provide practical and procedural guidance, i.e help filling out forms and explaining court procedures, as well as emotional support and can accompany clients into court hearings. They cannot provide legal advice or representation, nor can they speak on behalf of a client in court.

Email: birmassistant@supportthroughcourt.org

Phone: 0121 250 6354

The Personal Support Unit, 3rd Floor, Birmingham Civil Justice Centre, 33 Bull Street, Birmingham, B4 6DS

<https://www.supportthroughcourt.org/>

6. RENT IN ARREARS – HOW TO REPORT AND WHERE:

- If tenant is still on legacy benefits (Housing Benefits paid by council) landlord can report rent in arrears and request direct payment. Please visit [our portal](#).
- If tenant is on Universal Credit, please [use this link](#).

7. COUNCIL TAX AND LANDLORDS:

It's always in a landlord's best interests to make sure that the council has correct information about who is occupying their properties.

If tenancies change in properties that you own or manage, it's important you tell us as soon as possible so we can send bills for Council Tax. You can do this via our online form available here:

https://www.sandwell.gov.uk/info/200154/housing_benefit/3927/tenancy_changes_for_landlords

Please note; you should not contact us more than 14 days in advance to notify us of a tenancy change. Once we have all of the details, we will send out new Council Tax bills within seven working days. You should only complete this form if you are a landlord or letting agent who is reporting changes to a property that you own or manage. You can use this form to tell us about tenants moving into or out of your properties as well as any period where the property remains empty. Please note that if you are filling the form in as an agent you must provide us with the details of the owner of the property.

Where a property is empty, you will be asked to confirm if the property is unfurnished, part furnished or furnished. If your property is furnished to the extent that it could be lived in but remains empty you should select the furnished option. In any other instance please select the unfurnished option.

For general enquiries to our Revenues and Benefits serviced about either Council Tax or Housing Benefit – you should use our 'My Sandwell' online facility. Before using MySandwell you must set up a user account at <https://my.sandwell.gov.uk/>

If you are using MySandwell for work purposes on your employer's behalf (for example if you are a member of staff in a letting agent or similar) – you should only provide your work details on the MySandwell form (e.g. office address, work email account, office phone number etc) rather than your personal details. To make an enquiry once you have set up your user account, you should use the 'My Services' tab on My Sandwell – here you will find an alphabetic list of options – please go to 'contact us about Revenues and Benefits' under 'C.'

8. HOW AND WHERE REPORT (ASB) ANTI SOCIAL BEHAVIOUR:

West Midlands Police can be contacted by:

Ringling 101 to report non-emergency crimes.

Ringling 999 to report crime as it is happening should there be a risk to life or there is another emergency situation.

Visit [website](#) and click on the Livechat link to communicate immediately with an officer who can create a live log while you are online.



WM NOW: If you live, work or have an interest in the West Midlands, please register now to become a recipient of messages of information, crime alerts and witness appeals local to you.

<https://www.wmnow.co.uk/>



Crimestoppers can be contacted by:

Ringling 0800 555 111.

Visit the website to report online – <https://crimestoppers-uk.org>

ALL REPORTS TO CRIMESTOPPERS ARE 100% ANONYMOUS

CrimeStoppers.
Speak up. Stay safe.

Sandwell MBC Anti-Social Behaviour

Report Anti-Social Behaviour via [Online form](#).

You can also use [ASB incident diary](#).

[A Community Trigger](#) gives victims and communities the right to demand action on problems with anti-social behaviour (ASB) they have reported in the past.



Safer Sandwell Partnership

[The Safer Sandwell Partnership](#) brings together the council, police, fire service, health and probation services and many others to tackle crime and improve community safety.

ASB Help: Help and advice, Interactive Guide to help you report anti-social behaviour to the right agency in the right way. <https://asbhelp.co.uk/>

Find us on:



[Private Landlord Advice](#)



[@privatehousing](#)



[@sandwell_privatehousing](#)



[@PrivateHousing](#)

Sandwell Landlords Blog

