

**MINUTES OF THE PRIVATE SECTOR HOUSING FORUM HELD ON  
25 January 2017**

**PRESENT:** The following members signed the attendance record for the meeting.

Leslie Green	Landlord
Robert Reading	Landlord
Neil Turner	Landlord
Drew Elkins	Hilton Properties
Grahame Middle	Landlord
K Bennett	Landlord
Sam Jackson	NLCE
D Swords	Landlord
S Swords	Landlord
K.W Blay	Landlord
David Heal	Landlord
Howard Evans	NSC
Andy Mackenzie	Landlord
A.Dishkin	Plaister Properties
K Harrison	NLCE
Jason Orme	NLCE
Jane Barrow	NLCE
Margaret Keeshan	NLCE
Sharon Laws	NLCE
Di Saunders	Landlord
Christopher Dunn	
Alze Fulco	NLCE
Ami Patel	NLCE
Penny Ashby	Ashby Properties
C. Woodbury	Landlord
H.Manion	NSC
Amanda Searle	
R Southcombe	Alliance
Sadie Wells	Alabare
M.D.Murphy	
K Neilson	Firststep Housing
Noella Morris	Landlord
Maria Reeve	NSC
Martin Wride	Landlord
Maggie Lyons	Key Steps
Debbie Sharkey	Time for Paperwork

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*CHAIR*

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Sharon Routledge	Cadogan House
R.Urch	
Mike Reading	NLCE
K.M.Huxtable	NLCE
Karam Badhen	NLCE
James Morrissey	
Roger Crouch	
Tony Mason	
Darren Geoff	
Monica Hitchings	
Jackie Strachan	
Gerry Laws	NLCE
Richard Osborne	NLCE
Clair Weber	NSC

1. Apologies – Harriet Stephens, Terry Gilbert, Dan Kilpatrick
2. Minutes from previous meeting – deemed to be correct
3. Matters arising - none
4. Presentation: Sam Jackson –National Landlords Code of Excellence (NLCE)

NLCE currently have 57 shareholders, all of whom are local landlords. NLCE have been working closely with NSC with regard to the development of the scheme.

Sam often gets asked “why should I join NLCE if you can’t promise to stop any future discretionary licensing schemes the council may implement” Sam’s response was that “no one can promise to stop a Local Authority implementing a discretionary licensing scheme however, we can have a stronger voice together the next time the Local Authority propose to implement a licensing scheme. The alternative is to do nothing and get licensed anyway, it is better to be on the inside than outside.”

Another frequently asked question is “why should I join if my property is already licensed?” Sam states that “the accreditation day in its own right is worth joining the scheme, after attending the training day one landlord said “after 17 years of being a landlord I thought I realised what was needed” The training day is a great opportunity to network and learn how to save thousands of pounds. The course is ran by a professional trainer who also trains landlords for the National Landlords Association.

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Membership of the scheme lasts for 5 years there is no annual fee, there will be an opportunity to gain CPD points which is a requirement of the scheme. Members will benefit from access to the NLCE website including maintenance tracking, use of the reporting system and the Landlord Referencing Scheme portal, there are now 31 accredited landlords.

**Question:** Do you have an assurance that North Somerset Council will support NLCE?

**Answer:** NLCE are currently working with the council on a weekly basis.

#### **NLCE stats**

- 50 people have joined NLCE (44 landlords and 6 estate agents)
- Currently 57 shareholders
- Over 200 followers on Facebook

If you would like any further information about the accreditation scheme please contact the NLCE on 0800 9994 994 (Option 6) or [enquiries@nlceuk.co.uk](mailto:enquiries@nlceuk.co.uk) alternatively you can visit the website: <http://www.landlordreferencing.co.uk/nlceuk/>

#### 5. Lisa Osborn – Proposed extension to mandatory licensing of HMOs

Lisa discussed the definition of a house in multiple occupation, which types of properties are required to license, HMO and other residential property reforms consultation paper and the consultation paper on proposed banning order offences under the Housing and Planning Act 2016.

The notes for Lisa's presentation are attached at the end of the minutes.

6. Paul Routledge - Would you take benefit tenants if I could guarantee your rent and eviction costs? Introducing The Ark Passport; a proactive way to stop homelessness in North Somerset.

The Ark Passport is a tool to encourage landlords and housing providers to house benefit tenants with an aim to reducing homelessness. Currently many landlords are reluctant to house benefit tenants due to the minority of those tenants who do not pay their rent on time or at all, leaving good benefit tenants finding it extremely difficult to find property in the private rented sector.

Paul asked the forum "how many of you take on benefit tenants" roughly half of the forum raised their hands. Paul then explained the details of the Ark Passport to the group.

The Ark Passport offers landlords a rent guarantee and a Legal Expenses Policy as one policy. This policy will cover landlords for loss of rent and the cost of the legal expenses

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involved in the event of needing to evict a tenant. Tenants who are involved with the Ark Passport will have a "Change Account", the account is a banking tool which allows tenants to separate and prioritise rent and other important payments ensuring rent is paid on time.

Paul asked the group again "how many of you would house benefits tenants who were involved with the Ark Passport" More people raised their hands this time than to the previous question. Paul explained that this scheme could provide properties to Local Authorities and private tenants which would not otherwise be available.

If you would like any further information about the Ark Passport please visit <http://arkpassport.co.uk/> or call 0800 999 4 275.

## 7. Update

A question did arise about the repayment of council tax, one landlord asked how far back the Council can chase a Council Tax payment?, the landlord is being chased for a bill from 2007.

Liberata have confirmed "As long as the Landlord was billed at the time and a liability order obtained within 6 years of the bill being sent then the Council can seek the amount owed without a time limit.

If there are any queries regarding Council Tax please contact the revenues team on 01934 888 144.

**Date of next meeting is Wednesday 26 April  
Old Council Chamber  
6:30 pm**

**Please make your way in for the meeting through the main Town Hall entrance, a member of staff will come and collect you.**

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## Notes from Lisa's Presentation

### Definition of a House in Multiple Occupation

Housing Act 2004

<http://www.legislation.gov.uk/ukpga/2004/34/part/7/crossheading/meaning-of-house-in-multiple-occupation>

It will be an HMO if it is one of the following:

- A shared house lived in by people who belong to more than one family\* and who share one or more facilities\*\*
- A converted building where not all of the units are self-contained
- An individual flat lived in by people who belong to more than one family\* and who share one or more facilities\*\*
- A building of self-contained flats that do not meet 1991 Building Regulation standards

#### **Exemptions:**

- If it is occupied by only two people
- If it is occupied by the owner (and their family if any) and one or two lodgers
- If it is occupied by a religious community
- If the occupiers have their main residence elsewhere\*\*\*
- If none of the occupiers are required to pay rent or give other consideration in respect of the living accommodation
- If the owner or manager is a public body
- If the owner or manager is an educational institution
- A building of self-contained flats if two thirds or more of the flats are owner-occupied

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- If the property is part of a guest house or hotel (unless an 'HMO Declaration' is made)

\*Family - husband, wife, co-habitee, child, step-child, foster-child, grandchild, parent, step-parent, foster-parent, grandparent, brother, half-brother, sister, half-sister, aunt, uncle, niece, nephew, cousin.

\*\*Facilities - basic amenities: wc; wash hand basin, shower, bath; cooking facilities.

\*\*\*Accommodation used by full-time students while they are studying is taken to be their main residence.

Four HMO definition flow charts available here:

<http://www.privatehousinginformation.co.uk/site/86.asp>

### **What types of properties need to licence?**

#### **Mandatory Licensing of HMOs**

- is rented to five or more unrelated people
- 2 or more households
- is at least three storeys high
- tenants share toilet, bathroom or kitchen facilities

#### **Additional Licensing of HMOs**

Vary locally, council decides if to introduce a scheme, evidence base and legislative process to follow.

In North Somerset – we have 1 scheme in part of central WSM – applies to **ALL** HMOs in that area. Follow link for more information: <http://www.n-somerset.gov.uk/my-services/housing/private-landlords/hmo-licences/houses-in-multiple-occupation-licence/>

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## Selective Licensing Schemes

Applies to all rented properties in a defined area, scheme vary across the council, council decides if to introduce a scheme, evidence base and legislative process to follow.

### **HMO and other residential property reforms – consultation paper**

Closing date for responses 13/12/16 – implementation expected October 2017

<https://www.gov.uk/government/consultations/houses-in-multiple-occupation-and-residential-property-licensing-reforms>

Proposals to:

- remove 'storey' rule from mandatory licensing requirements
- include flats which are occupied by five persons or more, in households of two or more, if the flat: is in a converted building; or in certain circumstances is in a building where part of the building is used for commercial or other non-residential purposes.
- Minimum room sizes in licensed HMOs - 6.52 sq. m for one person, 10.23 sq. m for two persons

### **Consultation paper – Proposed banning order offences under the Housing and Planning Act 2016**

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/576799/161212\\_consultation\\_on\\_banning\\_order\\_offences.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/576799/161212_consultation_on_banning_order_offences.pdf)

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