

**MINUTES OF THE PRIVATE SECTOR HOUSING FORUM HELD ON  
11 April 2018**

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

P Ashby – Ashby Properties  
S Whiter – NLA  
S Yorkas –NLA  
D Elliott – NLA  
C Jones – Landlord  
A Mason – Landlord  
R Crouch – NLCE  
Sharon Laws – NLCE  
David Seaton – NLCE  
Sean Hitchings – Landlord  
A Dishkin – Plaister Properties  
K Blay – NLCE  
Kim Huxtable – NLCE  
Drew Elkins – NLCE  
Graham Middle – NLCE  
Ami Patel – NLCE  
Gary Langdale – A1 Home Inspectors  
Richard Buckner – A1 Home Inspectors  
Howard Evans – NSC  
Anthony Smith – Ivy House Lettings  
Fran Miller – Bristol City Council  
Chacque Goldberg-Elliott – Landlord  
H Blyth  
J Barron - NLCE  
N Turner – Landlord  
Patricia McCalla – Landlord  
K Smith – Saxons  
M Hitchings – Alabare  
Maureen Gathoni  
Zac Nicolaides – NLCE  
Sam Jackson – NLCE  
S Boyd-Price – NLCE  
Michael Paphitis – NLCE  
Rachael Southcombe – NLCE  
Tony Agar – Landlord  
Carla Howard – NSC  
Michaela Holloway – NSC  
Karam Badhen – NLCE

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Lisa Osborn – NSC

1. Apologies – Wahid Lodhi
2. Minutes from previous meeting – Deemed to be correct
3. Matters arising – None
4. **Howard Evans – Energy Update & Minimum Energy Efficiency Standards**

The Government published a consultation on steps to make the domestic *Energy Efficiency (Private Rented Property) Regulations* more effective. This consultation paper is available [here](#)

The consultation proposal involves the removal of the ‘no cost to the landlord’ principle, and the introduction of a ‘landlord funding contribution component which would take effect where a landlord is unable to obtain suitable third-party funding. To protect landlords from excessive costs, the consultation proposes the introduction of a cost cap: a limit on the amount any landlord would need to invest in an individual property. This consultation closed on 13 March 2018 and Government is currently analysing the responses. A consultation response will be published in the due course.

The minimum level of energy efficiency provisions is designed to ensure that, unless an exemption applies, a domestic private rented property in England or Wales must **not** be let on a new tenancy after 1 April 2018 where its energy performance indicator is below the set minimum level of energy efficiency (unless an exemption applies). The minimum level of energy efficiency, or minimum standard, allowed by the Regulations is an Energy Performance Certificate (EPC) rating of E. From 1 April 2020, landlords must not **continue to let** a sub-standard domestic property, even to existing tenants.

5 **Lisa Osborn – Update on consultation on Review of Housing Conditions and next steps. Extension to mandatory HMO licensing other consultations closing soon.**

The consultation closed on the Review of the Housing Conditions at the end of January 2018. Thank you for responding and here is an overview of some of the responses and comments:

There was a total of 59 responses which is pleasing. Of those responses 23 were landlord or agents, 14 Private rented tenants, 8 North Somerset residents, 2 were support agencies/workers and 2 were from a landlord association. The consultation asked where people lived or owned/managed properties to find out who was interested in

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the action area. There were 13 landlords/agents who owned/managed properties in the Action Area and 9 with properties elsewhere in the North Somerset Area. Many of the questions were “open text” which respondents took advantage of and the comments were very useful. Tenants called for more licensing and regulating landlords. Suggestions from tenants were for landlords to lodge a deposit, carry out repairs in a timely manner, they have concerns about retaliatory evictions and would like to be assisted with reporting poor housing conditions.

The landlords did not say the same and had differing views from different landlords. It was suggested there was a role for the council as a 3<sup>rd</sup> party mediator between landlord and tenant disputes.

The consultation response is available online. To view please [click here](#).

The Executive Member Decision regarding the review is available to view online on the North Somerset Council website – [click here](#).

All landlords in the Action Area will be contacted soon. We aim to send letters out this July to advise the property should be free from Category 1 hazards.

**Q – How do we know if an accredited property is of a decent standard.**

A – This will be the responsibility of the accreditation provider to monitor and to raise concerns to North Somerset Council if the property falls below decent standards.

**Q – Would a star system for tenants to rate rogue landlords work?**

A – It could help. There is a similar system currently in place for tenants to review their agents – [All Agents](#).

**Q – How did you identify the action area and the properties in the housing review and can you be sure that the rogue landlords and problem properties won't go unnoticed.**

A – We have access to various data and information including EPC data, support services, other departments within North Somerset Council, Deposit Protection Schemes and we work closely with Avon and Somerset Police. If there are any anomalies with our data regarding any address we will personally attend that property.

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**Q – What date do we have to be accredited by?**

A- We will write to landlords in July and provide them with a checklist regarding what would be considered a Category 1 hazard. We will then start to inspect properties from 2 January 2019. Therefore, a landlord has from July – January to apply and become accredited.

**Q – What is the cost of an inspection?**

A – There is no charge to inspect a property under the Housing Act. However, if a Category 1 hazard is found at the property on inspection formal notice may be served of which a charge of £300 - £600 is typical. If you wish to become accredited the cost to join the [NLCE](#) is £150.00 for 5 years plus the accreditation courses.

**Q – Is there only one accreditation scheme?**

A – We are not limiting anyone to just one accreditation scheme at this stage. However, the accreditation scheme must have an online reporting tool for tenants. This helps the tenant, landlord and if applicable NSC with evidence of a complaint. The accreditation scheme will then be triggered into action and deal with the tenants' report.

**Q – Why do we have to be accredited if we are already licensed?**

A – You don't have to be accredited if you have a license for a HMO, however accreditation shows ongoing professional development.

**Q – Do you have any other areas planned?**

A – This is a pilot scheme will be fully monitored for twelve months to see the impact of the improvements. If it is successful it will likely be rolled out across North Somerset.

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## **Extension to Mandatory Licensing**

[The Government will extend the scope of mandatory HMO licensing](#) on the 1 October 2018 to cover all relevant HMOs **regardless of the number of storeys**. Currently mandatory licensing is for three or more storeys with five or more people from two different households and they share facilities. Some of the other requirements are to regulate the size and use of rooms as sleeping accommodation in licensed HMOs and refuse disposal and storage facilities in licensed HMOs - the license holder must comply with their local authority scheme for the provision of facilities for the proper disposal and storage of domestic refuse.

A licence can be applied for **before** the 1 October 2018 however the licence will not be issued until **after**. It is a criminal offence if an application is not submitted before the 1 October 2018.

For example, five unrelated people live in a large flat with only one storey and share facilities. This would have to be licensed under the extension to mandatory licensing. The number of occupants will be the trigger not the number of storeys.

### **Q – Will Bed & Breakfast accommodation be included in the new mandatory licensing?**

A – This depends firstly on the planning use. If the property has planning to be used as holiday accommodation no it wouldn't have to be licensed under the mandatory scheme. However, if residents live at the property full time and it is their sole residence this would be considered a HMO and will need to be licensed.

### **Q – What about live in lodgers – would I need to licence?**

A - As a live-in landlord, you are allowed two 'non- family' lodgers before your property can be classed as an HMO. So, if you take in three non-family lodgers your property will probably be an HMO, but licensable unless there were five occupants in total.

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## Consultations closing soon

[Electrical safety in the private rented sector](#). The Government has recommended that landlords should be required by law to arrange safety checks of the electrical installation in private rented sector residential properties every five years. This consultation will last for 8 weeks from 17 February 2018 until 16 April 2018.

### **Q – Isn't electrical testing already in place for testing appliances?**

A – Appliances are PAT tested - Portable Electrical Appliances (PAT) test which differs to the electrical safety report. An Electrical Inspection Condition Report (EICR) is not currently mandatory unless you manage a HMO, however as a landlord, it is your legal duty to ensure all electrical equipment in your property is safe and maintained throughout the whole tenancy.

[Strengthening consumer redress in housing](#) - This consultation seeks views on redress for consumers of housing. It covers the following issues: the current complaints and redress landscape, how it is working and if more can be done to improve it, what standards and services should be expected of a redress scheme/an ombudsman, how to fill the existing gaps between current services, whether a single ombudsman service is needed to simplify access to redress across housing, and if so, what form that should take and what its remit should be.

[English Private Landlord Survey](#) - The English Private Landlord Survey is a national survey commissioned by the Ministry of Housing, Communities and Local Government. The survey randomly samples landlords and agents who are protecting a deposit in one of the three government approved tenancy deposit schemes. If you are selected to participate, the tenancy deposit scheme with which you are registered will send you either a letter or email asking you to take part in an online survey. The correspondence will include the MHCLG branding, along with that of our contractor, NatCen Social Research.

Fran Miller - Landlord Liaison Officer at Bristol City Council attended to promote the [West of England Landlord Expo 2018](#) which will be held on the 13 June 2018 from 11am – 6pm. There will be [seminars](#) and there are currently 45 [exhibitors](#) attending. If you would like to attend please register your interest on the website by clicking [here](#).

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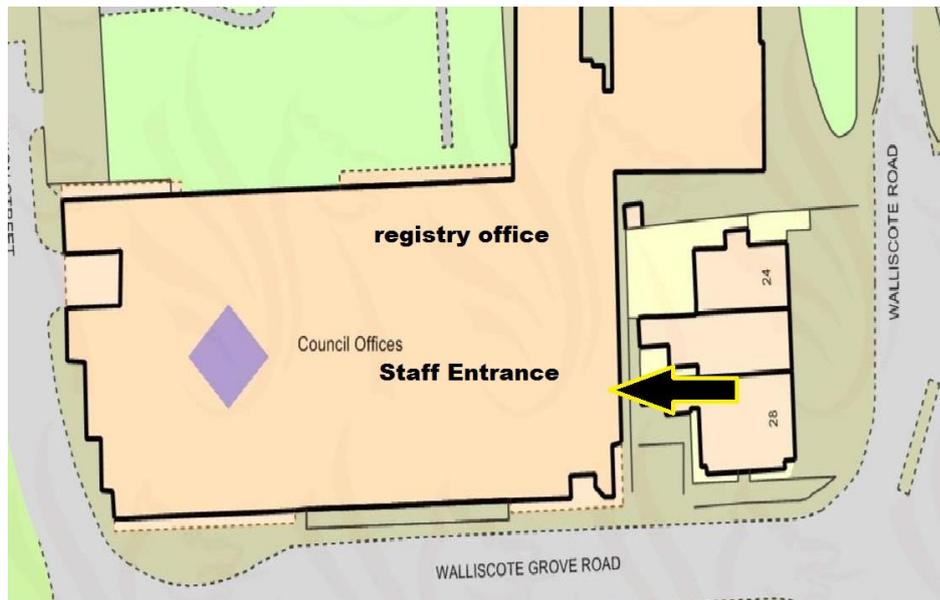
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**The next meeting will be held on Wednesday 11 July 2018 at 18:30  
in the Old Council Chamber.**

**Please make your way in for the meeting through the Town Hall staff  
entrance (next to the registry office entrance), a member of staff will  
come and collect you.**



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