

## Appendix Seven

### Frequently Asked Questions

#### What is it?

The Housing Act 2004 permits the council to introduce a scheme to licence landlords of private rented homes within designated areas of the borough where the area has:

- Low housing demand and/or
- A significant and persistent problem caused by anti-social behaviour.

The aim of the licensing scheme is to improve the management of these properties to ensure that they have a positive impact on the area.

#### Why is the council considering this?

The council feels that the introduction of such a licensing scheme in key areas will have an impact to:

- Address the significant and persistent problems of anti-social behaviour.
- To support the councils wider work around Housing, Homelessness, enviro-crime and dealing with housing management.
- To enable the council to target bad landlords and support good ones.
- Encourage landlords to deal with irresponsible tenants.
- For tenants to easily identify who is responsible for their home.

Research data shows that approximately one third of all the borough's property is in the private rented sector.

#### How would it work?

All private landlords with residential property within the proposed areas would need to apply for a licence for each property they let in the designated areas. The licence would come with certain conditions that would require the landlord to meet certain standards before they can legally rent out the property. In order to become a licence holder, they must pass a fit and proper persons test.

#### Current mandatory licensing scheme for houses in multiple occupation

All Houses in Multiple Occupation, in the borough, of three or more storeys in height and having five or more persons within at least two households must be licensed under the mandatory licensing requirement brought in by the Housing Act 2004.

Premises exempt from this mandatory licensing scheme includes those converted into self-contained flats where the requirements of Building Regulations 1991 have been met.

The proposed 'selective' licensing scheme will bring all privately rented properties into a licensing scheme within the designated areas.

## The benefits

The council can introduce a selective licensing scheme where it can demonstrate a link between the private rented sector and anti-social behaviour. It is envisaged that the scheme would benefit the local community and it would ensure that all private rented property within the designated area is managed to a satisfactory standard.

We would expect to achieve the following:

- Reduced anti-social behaviour
- More professional landlords
- Improvements in the quality and management of properties
- Reducing environmental costs – street cleansing and fly tipping
- Landlords and agent readily identifiable
- Protecting vulnerable groups within privately rented accommodation
- A mixed and vibrant community that people enjoy living in.

We recognise that many landlords provide decent, well-managed properties which do not cause any problems for the local community, we also recognise that there are poor management practices within the private sector which can have a negative effect on the area.

## Fees

It is proposed that the licences would run for a maximum of five years. Please view the [fee structure](#) (PDF 4kb).

## Current private rented housing standards

There are current private rented housing standards that apply to single let properties or [Houses in Multiple Occupation](#) (PDF 35kb). In addition there are [statutory management standards](#) (PDF 15kb) that apply to houses in multiple occupation.

## Licence conditions

There would be specific conditions attached to each licence issued which would relate to the management of the property. Several of the conditions would be mandatory, imposed by the Housing Act, which would include:

- A gas safety certificate to be provided to the council annually – if there is a gas supply
- Electrical appliances and furniture supplied by the landlord must be kept safe
- Smoke alarms to be installed in the property and maintained
- A tenancy agreement needs to be in place
- The licence holder to have references from prospective tenants.

In addition to mandatory conditions the council may attach local discretionary conditions. The set of discretionary [conditions](#) (PDF 25kb). These licence conditions would be monitored by the council to ensure that they were being complied with and we would be able to offer support and guidance to licence holders on how to comply with the conditions.

In addition tenants would be able to report issues to the council and we would then be able to request that the licence holder carries out relevant remedial works.