

General Information for Landlords

Free advice and guidance for landlords



Working with landlords to achieve good, safe standards of accommodation in the private rented sector

The council aims to ensure that all residents living in the Borough have a home that provides a safe and healthy environment, that is free from any hazards that have the potential to pose a health and safety risk to any occupier or visitor.

The team offers free advice and guidance to landlords, managing agents, and tenants on the standards which apply to privately rented properties, including HMOs.

When tenants approach us about their housing conditions, we will advise them to contact their landlord, if they have not already done so. If we inspect a property and find it below standard, we will discuss this with you and try to come to an agreement about the repair scheme, and timescale for improvements. If informal action is unsuccessful, it may become necessary to take formal enforcement action to improve standards.

Our enforcement policy provides a framework for this action. All enforcement decisions will be fair, balanced and lawful. These decisions include taking informal action, service of formal notices, prosecution, civil penalty, and the carrying out of work in default of the landlord.

If we serve a notice and you do not comply with it, the next step is prosecution and/or the council carrying out works and charging you for the costs incurred. If your property is a licensable HMO, this action may be grounds for the refusal or cancellation of the licence and any others that you hold. We will make it clear if any of our proposals are recommendations of good practice, rather than a legal requirement.

Where the necessary works are urgent, or we have found it difficult to negotiate with you previously, we may serve a formal notice as the first step. This may result in a charge being payable in respect of each notice served. In most cases it will not be necessary to take formal action; generally landlords are aware of the need to maintain, and reinvest in their property, as an integral part of their business. The council wants to support landlords as this will help to ensure that there is an adequate supply of good quality, safe accommodation in the private rented sector.

The council recognises the different needs of its clients, and will take reasonable steps to meet them. These include providing an interpretation service, and a service outside normal working hours, when this is necessary.



Top Ten Tips

Here are some helpful tips if you are thinking about renting out your home, to avoid some of the common pitfalls.

1. Speak to your mortgage provider

You could be in breach of your mortgage agreement if you rent out your property without getting consent from your mortgage lender.

2. Get references for potential tenants

This will help minimise the risk of your property being damaged and the rent not being paid.

3. Prepare a formal tenancy document

A signed tenancy agreement will make it easier to deal with any disputes, should they arise. Assured Shorthold Tenancies are the most common type. You can purchase a standard tenancy agreement from most stationery suppliers.

4. Tenancy Deposit Schemes

Any deposit you take from a tenant must be protected through one of the three government approved tenancy deposit protection schemes: My Deposits (www.mydeposits.co.uk), The Deposit Protection Service (www.depositprotection.com), Tenancy Deposit Scheme (www.tenancydepositscheme.com)

If you do not comply, you may be ordered by the Courts to pay the tenant three times their original deposit, plus the deposit itself, in compensation. You would also lose the right to regain possession of the property using a Notice of Possession under Section 21 Housing Act 1988.

5. Check to see if your property requires a licence

If your property houses five or more people who are not all related, you must apply for a licence from the council. If you fail to apply for a licence you could be taken to court and upon conviction, fined up to £20,000. As an alternative to prosecution the council may issue you with a civil penalty, which can be up to £30,000. If you are unsure whether you need a licence, please contact the council for advice. A detailed guide is available on the council's website.

6. Get your gas and electrical appliances checked

All gas appliances must be checked annually by a registered Gas Safe Engineer and you must give your tenants a copy of the Landlord Gas Safety Certificate before they move into the property, and annually thereafter. From 1 April 2009, all gas safe engineers must be registered with the Gas Safe register.

(www.gassaferegister.co.uk)

You must ensure that the electrical installation and any electrical appliances that you provide are safe, to reduce the risk of electrocution or fire. Electrical installations should be inspected and tested at least every five years. Appliances should be inspected more frequently dependent on their type and use. For details on how to find a registered electrician, visit: www.esc.org.uk

7. Minimise the fire risk

You must ensure there is a safe means of escape from the property in the event of a fire and that a suitable fire alarm system has been fitted. Each property will be different and you may need to carry out a fire risk assessment. A detailed guide is available on the council's website.



8. Ensure that the property presents no risk to your tenants' Health and Safety

Before the start of the tenancy, carry out an inspection of your property and look for any obvious hazards. The accommodation must be in good repair, well-maintained, and capable of being effectively heated. Any safety hazards must be promptly dealt with. There are 29 potential hazards that can be assessed using the Housing Health and Safety Rating System (HHSRS). Common hazards include fire safety, damp and mould, falls on stairs and security. A detailed guide is available on the council's website.

9. Get the right advice

Being a landlord is a huge responsibility and you will need expert advice. A wealth of information is available through landlord associations such as the Partnership Accreditation for Landlords scheme (www.PAL-online.org.uk), the National Landlords Association (www.landlords.org.uk), and the British Property Federation (www.bpf.org.uk). If you don't want to take on the management of the property yourself, you may wish to consider using a reputable letting or managing agent. Details of local agents can be obtained from the Association of Residential Letting Agents (www.arla.co.uk), the National Approved Letting Scheme (www.nalscheme.co.uk) and the UK Association of Letting Agents (www.ukala.org.uk). Terms and Conditions vary, so please check the small print before signing any agreement.

10. Energy Efficiency

All properties marketed for rent or sale must have an Energy Performance Certificate (EPC). A copy must be shown to all prospective tenants and all tenants must be given a copy of the certificate with their tenancy. An EPC gives a property an energy efficiency rating from "A" (most efficient) to "G" (least efficient) and it is valid for 10 years. To find if a property already has an EPC or to find an accredited energy assessor, please visit www.epcregister.com

Further information

For other general information regarding renting a property please visit www.gov.uk/renting-out-a-property

If your property is an HMO further information can be found in **Guide to HMOs – Including Fire Safety** at: www.welhat.gov.uk/CHttpHandler.ashx?id=3608&p=0

Contact details

For further information and assistance contact Private Sector Housing on **01707 357672** or alternatively email housingandcommunity@welhat.gov.uk

You can also write to the council's Private Sector Housing Team:

Private Sector Housing
Community and Housing Strategy
Welwyn Hatfield Borough Council
The Campus
Welwyn Garden City AL8 6AE

More information is on our website: www.welhat.gov.uk

