

Draft

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SOUTH KESTEVEN DISTRICT COUNCIL

PRIVATE SECTOR ACCREDITATION SCHEME

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BENEFITS

National Representation

South Kesteven District Council will join on behalf of the South Kesteven Landlords Forum the National Accreditation Network(ANUK). This network is keen to support the Private Sector as well as ensuring the improvement of standards. To this end it is in a position to lobby central Government with the concerns of Private Landlords and Managing Agents on their behalf.

Recognition and Promotion

South Kesteven District Council is keen to recognise and accredit Private Landlords and managing Agents whose management of both property and tenants are professional by setting up the South Kesteven Private Sector Accreditation Scheme (SKPAS). It is expected that accreditation would give such Landlords and Managing Agents a market edge with discriminating tenants. The scheme will be promoted by regular press releases aimed at Agents, tenants and Landlords. Information concerning accreditation would hopefully be placed on the Council's website, in newsletters and advertising placements in local publications. It is envisaged that with consent, when an Agent or Landlord becomes accredited, the event should be recorded. Accredited Agents and Landlords would have the right to display an Accreditation Certificate within their property and to use an Accreditation Logo when advertising their property.

Earlier Vacant Possession

We recognise that Agents and Landlords who are members of SKPAS would be demonstrating good practice in terms of Tenancy Management. Accredited Agents and Landlords would want to ensure that everything is done to prevent people from becoming homeless and will seek support from South Kesteven District Council to help with this. For example, if tenants are getting into arrears, a Landlord can contact Housing Services so that Officers can intervene to resolve this issue, thereby avoiding the need to serve Notice. We do accept that there are times when this intervention may not prevent the need for possession. Tenants will then be given advice on how to find alternative accommodation.

It is always important for the Agent or Landlord to ensure that the Notice has been served correctly. Where there may be a duty on the Council to house the tenant in question permanently, and if the tenants are still in the property when Notice expires, alternative temporary accommodation will be sought. However, as it is still the tenant's legal right to remain in the property until a Bailiff's Warrant expires, a tenant may still decide to choose this, despite other options available to them.

BENEFITS (continued)

Empty Homes and Development

The Council sees empty homes as a wasted resource and will do what it can to encourage Landlords to bring empty homes back into use for the benefit of the community. Where possible the Council will work with members of SKPAS to assist them in relation to acquiring homes for use in the Private Rented Sector.

Housing Benefit

The Council recognises that delays in the processing of Housing Benefit claims can cause problems for Private Landlords and Agents.

The Benefit Office at this Authority is working closely with Housing Services to keep any delays to a minimum. Delays in processing are usually caused by the claimant submitting an incomplete application.

It is, therefore, important that Agents and Landlords ensure their tenants have completed the Benefit form correctly and supplied all the necessary evidence to process it. Information about how to do this is supplied with the form and there is also advice and a checklist in the form itself. It is also advisable to request a receipt when submitting the form.

Where a delay does occur, Accredited Agents or Landlords can contact Housing Services who will make enquiries with the Benefit Office as to the reasons.

It is important to note that information about a claim can only be passed on to a third party with the claimant's written permission. Private Landlords should ensure their tenants have completed a disclaimer for this purpose.

A tenant who is in receipt of Income Support or Jobseekers Allowance (Income Based) who is new to our area **must** advise the Department of Work & Pensions of their move and provide proof of their entitlement at their new address. **A new claim cannot be processed without this information.** Existing claimants who are moving within the area should advise the Department of Work & Pensions of their move, and **must** supply the Benefit Office with proof of their new rent details, their new residence and any change in income.

Discounts

It is hoped that members of SKPAS will be able to benefit from discounted services through local businesses.

There may also be discounts available through membership of the Accreditation Network UK.

The discount scheme will be an agreement between the individual supplier and the member concerned.

BENEFITS (continued)

HOUSE IN MULTIPLE OCCUPATION (HMO) Landlords

Members of SKPAS who manage or own houses in multiple occupation, have expressed the wish to have informal and anonymous access to technical advice on aspects of HMO requirements by the Local Authority. This information can be obtained by contacting Housing Services on 01476 406080, or housingservices@southkesteven.gov.uk

A national licensing scheme for HMO's has been introduced by the Housing Act 2004. The provisions are due to come into force late 2005.

Accredited Landlords will be given information about the scheme and will be assisted with the process of becoming licensed.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS)

Introduction

The Council recognises the role of the Private Rented Sector in providing accommodation throughout the district. The Council wishes to recognise good Agents and Landlords and to maintain standards within the Private Rented Sector, which are in line with good practice. This document is a guide setting out the procedure for working with Private Sector Landlords on the voluntary South Kesteven Private Sector Accreditation Scheme (SKPAS).

Why have an Accreditation Scheme

The encouragement of Private Landlords into the SKPAS will have a dual benefit. The provision of additional housing stock for people in need of housing and business advantages to Landlords involved. Property will be of a good standard, agreed by both Landlords and South Kesteven District Council , as well as being well managed.

How will Landlords become aware of SKPAS?

The general public will be informed of SKPAS, its standards and benefits through the local Press at periodic intervals as agreed by the SKPAS Steering Committee, allowing for budget constraints. Where opportunities exist to publicise the Scheme either through presentations or promotional events or indeed providing information through Council Offices, these will be utilised where appropriate.

How can managing Agents become involved?

Managing Agents will be able to participate in the SKPAS by becoming Accredited Managing Agents.

To become accredited, managing Agents have to comply with the requirements of the Scheme relating to Landlords.

How will Tenants become aware of SKPAS?

Tenants will be informed of SKPAS through general advertising and awareness raising. Persons who approach the Council for assistance for housing will be encouraged to seek out accommodation owned by Accredited Landlords. Landlords who are accepted onto SKPAS will be able to use the logo when advertising their properties or when they enter into written correspondence. SKPAS members will be encouraged to display the SKPAS Certificate in any accredited property. Businesses which offer discounts to SKPAS members will be encouraged to display information relating to the Scheme in their retail outlets. The SKPAS will be promoted through the local Press and it is hoped that there will be articles relating to the Scheme published on a regular basis.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) **(continued)**

The standards for Accreditation

The standards for Accreditation can be divided into two components. They relate to physical standards of the property and the standard of tenant management. For more details on this refer to 'Good Practice Notes,' but will include:

Property Standards

- Structurally sound and self contained
- Clean and in good repair
- Disposal of Waste
- Freedom from dampness that is detrimental to the health of the occupants
- Secure Locks
- Fixed Economic Heating for the size of the property
- Compliance with appropriate Fire Regulations
- Compliance with Furniture/Furnishings Fire Regulations
- Current Gas Safety Certificate
- Electrical Safety Certificate
- Current Buildings Insurance
- Agreement to random visits

Management Standards

- Fair and equal treatment of Tenants
- Accurate written Tenancy Agreement
- A Deposit Procedure
- Accurate written Inventory and Schedule of Condition
- Provision of Rent Receipts or Rent Book
- Photocopied evidence available to Tenants of Buildings Insurance, Gas and Electrical Safety Certificates
- Repair contacts and procedures
- Full explanation on the use of Fire Alarm systems if appropriate
- Full explanation of Fire Safety Equipment
- Full explanation of use of Security Alarm and procedures
- No evidence of Landlord harassment or illegal eviction within the last 2 years

Housing Health and Safety Rating System (HHSRS)

A new method of determining fitness of properties has been introduced by the Housing Act 2004 which is likely to come into force at the end of 2005.

Once further details are known this section will be subject to amendment to meet the standards set out in the HHSRS.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) **(continued)**

The Benefits to SKPAS Members

The benefits to SKPAS members will include access to support within the Housing Services section who will seek to provide general support and advice and to act as a link with other specialised officers within the Authority.

Recognition and promotion of SKPAS members and their properties in the Press and amongst Tenant Groups. The ability to display a Certificate and Logo at their premises and when advertising.

When funding is available, SKPAS members will be considered for grant support and improvement works in accordance with the Council's Private Sector Renewal Policy.

The process of SKPAS

Managing Agents and Private Landlords will be encouraged to contact the Housing Services who will spend time explaining the implications of the Scheme. If so requested, where possible, the officer will visit the applicant to complete this process. When the applicant expresses definite interest the officer will post out the Accreditation Check Lists and Application Form, together with a covering letter. This list itemises all expected standards to be achieved to obtain accreditation. An expanded version of this Check List will be forwarded to the applicant at the same time.

Upon receipt of a fully completed Application Form (and photographs for Landlords) plus a fully completed Check List, the Landlord or Managing Agent and his or her property(ies) will deemed to be accredited. The officer will ensure that details are input into the Scheme's Database. This database will be shared with Housing Benefit Department and the Rent Service.

Managing Agents will be encouraged to contact Housing Services to become Accredited Managing Agents (AMA). The Managing Agent will be required to comply with the conditions of SKPAS and will ensure that all properties managed by the Agent either comply with the standards of SKPAS or are the subject of a property improvement place agreed by the SKPAS Steering Committee.

Where properties are let but not managed by the Agent the property must meet the requirements of the Accreditation Scheme at first letting. Tenants must be made aware that such lettings are thereafter not covered by the scheme.

The Managing Agents must inform their client's Landlords that they have committed the properties to the Accreditation Scheme.

The Managing Agents must cease to act for non-compliant Landlords either on expiry or termination of their contract by the AMA.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) **(continued)**

Properties below standard at present

Properties, which at the time of application do not meet the full standards of SKPAS, can be considered, provided they do not breach Health & Safety requirements. Landlords can provide a property improvement plan which is agreed by the Steering Committee, then they can become accredited. Housing Services will ensure that the programme of work is monitored and is completed.

Rewards and Benefits to Accredited Landlords and Agents

Housing Services will forward to the newly Accredited Agent or Landlord an Accreditation Pack which will contain an Accreditation Certificate and an Accredited Landlord or Managing Agent Identity Card. The Certificate will have a duration of 3 years. The card will carry a number specific to the member concerned and will also have a duration of 3 years. This card is for use by the member when accessing discounted services and preferential rates. The member will have the right to use the Accreditation Logo on all advertising of his/her property(ies).

How will the SKPAS standards be monitored?

A Managing Agent or Landlord cannot become Accredited without agreement to random visits. Agreement is, therefore, necessary to cooperate with arrangements for Housing Services to carry out a visit to the property. Once Accreditation takes place, Housing Services will agree to carry out visits in no particular order. However, prior notice to the member will be given to enable access to be secured to the property.

It is further envisaged that tenants will police the situation when standards offered by their Agent or Landlord fall below acceptable levels.

Accreditation will be limited to a 3 year term initially, at the renewal stage a further visit may be carried out by Housing Services prior to further renewal.

Role of Housing Services

It will be the role of Housing Services to be a support and source of advice for members and to further be a link with other Council officers in order to resolve difficulties. We will be responsible for promoting SKPAS to a wide and varied audience. We will assist in providing training where necessary to members and the Head of Housing Services will provide an appointee for the post of Chair of the Steering Committee and Complaints Panel.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) **(continued)**

Accreditation Steering Committee and Complaints Panel

The Steering Committee will be made up of an appointee from South Kesteven District Council (the Chair) and four Accredited members of SKPAS. Where it is necessary to reach decisions, a majority vote will need to be reached. The Chair will only have voting rights in the event of no majority decision being able to be reached. Nomination to the Steering and Complaints Panel will be from membership of SKPAS whose members being Accredited Landlords or Agents will be asked to nominate Accredited members for positions on the Steering Committee and a vote will be held to determine membership of the Steering Committee. The vote will be by way of ballot of all accredited members. The ballot will be administered by the Council and the outcome recorded publicly. Membership of the Steering Committee and Complaints Panel will be reviewed on an annual basis and all SKPAS members will be invited to put themselves forward should they choose to do so.

Complaints and Disputes Procedures

Complaints: about a SKPAS member should be forwarded to Housing Services. The details of the complaint will then be discussed with the Accredited member to attempt to resolve the issue at an informal stage. Should resolution not prove possible then an inspection of the property will be undertaken by Housing Services and a referral made to the Accreditation Steering Committee and Complaints Panel. This Panel will meet quarterly or as required to hear such complaints and to arbitrate in any dispute between the Accredited member and their tenants. If it is found that an Accredited member has fallen below the standards of SKPAS and the complaint is upheld, then at the panel's discretion he or she will be removed from the Accreditation Register.

If the breach is such as to present a hazard actionable in law, then Housing Services will deal with the breach in accordance with its enforcement policy.

Appeals

Where a member or tenant appeals against the decision of the Complaints Panel, the appeal will be dealt with through the offices of the Accreditation Network of the United Kingdom (ANUK). The ANUK's decision will be final in such matters.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) **(continued)**

Good Practice Notes to be read in conjunction **With the Accreditation Check List**

Property Standards

Accreditation can be granted on a probationary basis, provided a timed Property Improvement Plan is submitted with the initial application, time tabling when work is intended to be completed in order for the property to be brought up to the required standard. The Property Improvement Plan will be subject to agreement by the Steering Committee. Although not fully compliant all properties subject to a Property Improvement Plan must not be in a condition that may be prejudicial to health or safety. Any person becoming a tenant must be informed of the improvement plan.

Structurally sound Unit

Both the external and internal structure of the property should be structurally stable and free from serious disrepair. It should be wind and weathertight, providing adequate natural and artificial lighting. No property should be knowingly overcrowded. The premises should be free from minor disrepair likely to adversely affect the health and safety of residents. Minor defects with potential adverse effects for residents will include doors/windows which do not close, small leaks, loose tiles and broken gutters. Should it be that the Landlord has programmed works to attend to in line with Accreditation he or she should explain this fully to the tenant (s).

- Facilities**

All facilities to be in good repair and easily cleanable

Boiler: The Central Heating Boiler should be adequate to the number of tenants resident in the unit.

Kitchens: Should have a sink and drainer with a piped supply of hot and cold water. The water should be fit for human consumption. Should contain facilities for the storage, preparation and cooking of food which are suitable for the number of occupants using the kitchen.

There should be an adequate amount of laminated plastic or other non-porous food preparation surfaces.

Floor covering in the kitchen should be appropriate and easily cleaned.

Any white goods supplied by the Landlord should be in working order and with instructions on how to use the appliance.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) **(continued)**

A cooker point or gas connection point should be provided for the tenant's cooker

There should be an appropriate number of 13 amp sockets for the size of the kitchen (no fewer than 5 sockets), i.e. 2 double socket outlets and a single.

Bathrooms: Should have a piped supply of hot and cold running water and be provided with a bath or shower unit, along with a wash hand basin. Where a shower unit is provided, it is recommended that a shower curtain, screen or door is provided to prevent damage to the flooring and floors below. All sanitary facilities should be in good working order, in sufficient numbers for the number of occupants, suitably located and easily cleanable. The floor covering in both the toilet and bathrooms should be appropriate and easily cleaned.

Clean and in good repair

The house or flat should be in a clean and hygienic condition at the beginning of any tenancy. The flooring within the property needs to be in a reasonable state, clean and free from tears.

Gutters, external pipes, drains and roofs should be in a proper state of repair, as should any out-house buildings.

All installations for utilities for water, gas and electricity should be well maintained and in full working order

The heating system and the hot water system for the unit needs to be in full working order and properly maintained.

The Landlord should provide operating instructions on how to use for any supplied appliances, such as a cooker, washing machine, refrigerator, water heater/boiler and the central heating system.

Housing Health and Safety Rating System (HHSRS)

A new method of determining fitness of properties has been introduced by the Housing Act 2004 which is likely to come into force at the end of 2005.

Once further details are known this section will be subject to amendment to meet the standards set out in the HHSRS.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) **(continued)**

Alterations made by the Tenant

Tenant alterations shall be disregarded

Freedom from Dampness

The property must be free from any structural dampness which can affect the health of the tenants.

Suitable means of ventilation to minimise condensation dampness should be provided.

Security

All doors should be strong and in good working order. The locks should be properly fixed. British Standard Locks are highly recommended. **The use of deadlocks on fire escape will only be acceptable provided they allow easy operation from the inside without the use of a key.**

Fixed Economic Heating

The core standard for Accreditation is for a property to have fixed economic heating appropriate to the size of the property. If not, a timed programme of works needs to be provided to its installation. The provision of portable Liquefied Petroleum Gas (or storage of), or paraffin heaters for heating is not acceptable. Liquefied Petroleum Gas is associated with risk of explosions, fire, Carbon Monoxide poisoning and along with paraffin heaters are both dangerous and create a large amount of water vapour within the property leading to condensation. This condensation can both adversely affect the health of the tenant and in time the condition/structure of the property.

Compliant to Fire Safety Regulations

At least 1 smoke alarm complying to BS5839 Pt 6 (mains powered with battery backup) must be installed on each habitable floor and a fire blanket and suitable fire extinguisher (1kg Dry Powder) be provided to the kitchen of each rented unit.

Properties must also comply with Building Regulations relating to Fire Safety.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) **(continued)**

Furniture in a satisfactory condition and compliant with Fire Regulations

Furniture supplied by the Landlord should be in a suitable condition. All furniture and fittings provided by the Landlord should comply with the current Furniture and Furnishings (Fire Safety) Regulations 1988

Goods supplied with lettings including electrical items and furniture and most other items must comply with Trading Standards Safety Regulations. SKPAS members are strongly advised to seek and to adhere to advice given by Lincolnshire County Council Trading Standards.

Gas Safety

All gas installations and Landlord's appliances must comply with current Gas Safety Regulations. All Landlords are bound by law to have an annual Gas Safety Inspection and to have been issued with a Certificate stating that the installation is safe. This Certificate should be issued by a Corgi Contractor and a copy provided to the tenant. To provide additional security Carbon Monoxide monitors may be provided, but this is not a legal requirement.

Electrical Safety

A member of the Electrical Contractors Association, or a Contractor approved by the National Inspection Council of Electrical Installation Contractors (NICEIC) should certify that the electrical installation is safe and any appliances provided by the Landlord are also safe and in accordance with the relevant legislation at the time of accreditation. Re-inspection of the electrical installation shall be as recommended by the inspector.

Buildings Insurance

The Landlord will ensure that the building is covered by full Buildings Insurance against all risks at all times.

Agreement to random visits

In order to ensure that standards of Accreditation are maintained Housing Services Officers will need to occasionally visit properties which are Accredited. In order to cause as little inconvenience as possible, Landlords or Agents will be given prior notice to the intended inspection. Prior to the expiry of the Accreditation Term, the Accreditation standards will be checked again prior to renewal.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) **(continued)**

Management Standards

Fair and Equal Treatment of Tenants

A member of SKPAS should treat all tenants reasonably and fairly. An Accredited Landlord should not discriminate on the grounds of gender or race or do so on the grounds of sexual orientation, age, religion, marital status or disability. The exception being that positive action is a necessary element of fulfilling the declared objectives in providing the accommodation you manage. For example, property specifically adapted for the disabled.

If so requested by a Tenant, it would be seen as good practice for the member to supply a copy of the Scheme Standards to his or her Tenant.

It is recommended that a member should have a formal procedure for dealing with return of deposits and Tenants' complaints about which a Tenant is advised at the outset of their Tenancy. The aim of this would be swift resolution and the return to a speedy constructive working relationship. Housing Services, if requested, will be happy to offer support in this area.

Accurate written Tenancy Agreement

No tenancy shall be offered other than by a written Tenancy Agreement which complies with all relevant statutory requirements.

(Model Tenancy Agreements are available from trade organisations such as National Landlord Association, Letting Centre etc).

Rent Deposits

The Housing Act 2004 contains provisions for a National Rent Deposit Scheme, details to be finalised.

Once the Scheme is introduced members of SKPAS will be expected to comply with the Scheme's Regulations.

Photocopies of Evidence of Buildings Insurance Cover and Gas and Electrical Safety Certificates

A Tenant must be provided with a copy of the Gas Safety Certificate and the Electrical Safety Certificate. Upon request, a copy of the Buildings Insurance Cover should be made available.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) (continued)

Management Standards

Repairs Contact and Procedure

The Tenant(s) should be provided with the Landlord's or managing Agent's telephone number for repairs reporting. A further contact name and telephone number should be provided in the event of the main contacts being away. Access arrangements for repairs or viewings should be made not less than 24 hours notice in advance, unless otherwise agreed or where such notice is impracticable. Tenants' privacy and entitlement to unnecessary intrusion is respected and business is pursued by the Landlord in a professional, courteous and diligent manner at all times.

Suggested Repairs Timetable	The timetable will run from the date on which a reported maintenance problem is reported.
Emergency Repairs	Which represent a danger to health and risk the safety of the Tenant(s) including heating, water supply, lighting, security, hot water and defective sanitary ware; or where the building or its contents have become seriously damaged, will be attended to within 24 hours. In circumstances where this is not practicable, owners will make best temporary arrangements
Urgent Repairs	Repairs to defects, which materially affect the comfort or convenience of the residents – will be attend to within 5 working days
Non Urgent Repairs	Day to Day repairs – not falling into the above categories within 28 days . Removal of debris, redundant components etc, to be ensured.
Making good	Decorative repairs for which the Tenant(s) have no responsibility, will be made good within a reasonable timescale if damaged or disturbed during repairs.

Full explanation of use of Fire Safety and Alarm Procedure and System

The member should take time to explain all fire safety measures and their correct operation including any fire alarm and ensure that the Tenant(s) has understood what his/her actions should be in the event of a fire.

POLICY DOCUMENT

SOUTH KESTEVEN PRIVATE SECTOR ACCREDITATION SCHEME (SKPAS) **(continued)**

Management Standards

Full explanation of the use of the Security Alarm and Procedure

The member should go through the setting and working of any security alarm with his/her Tenant. A copy of the instructions to set and disarm the alarm should be provided for each unit.

No evidence of Landlord harassment or unlawful eviction within the last 2 years

A member should only have evicted a Tenant by legal means (e.g. after correctly issuing Notice). No harassment of a Tenant or Tenants should have taken place over the period of the last 2 years before an application can be made to join SKPAS.