

Private Landlords Update

Newsletter of South Lanarkshire Landlord Forum



Welcome

Cameron Mitchell, Strategy and Policy Manager, South Lanarkshire Council welcomes landlords and letting agents at the event held on 19 September 2019.

Cameron chaired the event, welcomed everyone and advised the council is committed to working with landlords and recognises the important role the forum plays in engaging with private landlords and agents to support good practice and promote the sector. Cameron introduced speakers who included:

Pamela Newey, Co-ordinator - South Lanarkshire Council

Pamela provided the background to the development of the Rapid Rehousing Transition Plan (RTTP) and noted the commitment to further develop engagement with the private rented sector to help prevent homelessness.

Pamela talked about the different circumstances that lead to homelessness and the range of services including wrap around support that may be required to help some households. In particular, Pamela noted the significant number of households that experience homelessness who do not require support and private landlords play a vital role in providing settled accommodation.

Pamela advised of the South Lanarkshire Rent Deposit Guarantee Scheme and noted the scheme provides support to landlords seeking to rehouse homeless households. The scheme also supports homeless households or those at risk of homelessness to enable them rent from private landlords.

Pamela asked landlords to consider matters that would encourage them to continue in helping to rehouse homeless households and advised that she is available to provide additional information if required.



John Blackwood, Chief Executive – Scottish Association of Landlords

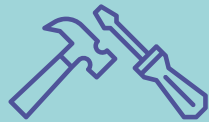
John mainly spoke about changes to the Repairing Standard since its introduction in 2007 and provided clarification on some aspects of the Private Residential Tenancy (PRT) in relation rent increases and notice periods for terminating a tenancy.

John outlined additional Repairing Standard regulations that have been implemented over the years including fire detectors, carbon monoxide and electrical safety. John also advised of the new guidance on smoke alarm requirements and noted that both hard wired and battery installed alarms are acceptable as long as they are interconnected.

John noted that under the PRT regime, landlords can increase rent every 12 months. The 12 month period is counted from the last date that the rent was increased and may not necessarily coincide with a lease start date. John also advised the notice period required for eviction proceedings is either 28 days or 84 days depending on the eviction ground used and the length of time the tenant has been living in the property.

The required notice period for tenants who have lived in the property for less than six months is 28 days and 84 days for those with more than six months stay. However, if the grounds for eviction relates to tenant's behaviour, then the notice period is 28 days regardless of the length of their stay in the property.

Annie Flint, Under One Roof



Annie focused on common repairs within tenement buildings where the greatest severity of repair problems are found. Annie provided examples of tenement buildings and advised it is any building divided into two or more parts horizontally.

Annie advised half of the pre-1919 flats are privately rented and noted that information and advice with over 100 articles is available from the Under One Roof website. Annie outlined good practice management and maintenance approaches which included:

- finding out about rights and responsibilities from title deeds or Tenement Management Scheme
- checking key points:
 - on what are common, mutual and individual repairs
 - how decisions should be made
 - how costs are divided between flat owner or whether a factor is required
- being knowledgeable about what is a repair/maintenance/improvement
- enforcing repairs, recovering costs and taking court action through “simple procedure”

Claire Mullen, TC Young Solicitors

Claire provided a progress update on the work of the First-tier Tribunal – Housing and Property Chamber (FTT-HPC) since the transfer of jurisdiction from sheriff court in respect of actions arising from tenancies and occupancy agreements, letting agent code of practice and landlord registration disputes.

Claire outlined the process for making an application to the FTT-HPC and provided examples as to why an application would be rejected or referred to the tribunal. Application rejection examples included:

- dispute already resolved
- application is for a purpose other than that specified in application
- identical to previous application

Where the application proceeds and is referred to the tribunal, notice is given to all parties that the application has been accepted and parties must assist the tribunal to allow them to justly deal with the proceedings.

Where parties are unhappy or unsatisfied with the outcome of the case, they can appeal to the Upper Tribunal.



Short-term lets

The Scottish Government consultation on short-term lets was noted in last year’s newsletter and following from that, Kevin Stewart, the Housing Minister announced the plan early this year to provide local authorities with the ability to implement a licensing scheme for short-term lets from spring 2021. In a nutshell the licensing scheme will include:

- a new mandatory safety requirement to ensure a safe and quality experience for visitors
- discretionary power for councils to apply further conditions to address the concerns of local residents and designate control areas to ensure that planning permission is obtained for the change of use of whole properties for short-term lets

Kevin also announced that Ministers have committed to carefully and urgently consider how short-term lets will be taxed in the future to ensure they make an appropriate contribution to local communities and support local services. The approach taken to short-term lets will complement the Transient Visitor Levy Bill, which will be introduced later this Parliament.



Empty Homes

South Lanarkshire Council has continued working in partnership with the Scottish Empty Homes Partnership. Work is underway to further develop systems for reporting private sector empty homes and bringing them back into use to help increase the availability of good quality housing stock.

Currently, there are 1,190 properties which are registered empty and equating to 0.8% of the total housing stock in South Lanarkshire. There are approximately 475 in Clydesdale, 285 in East Kilbride, 216 within Hamilton and Bothwell and 214 in Cambuslang and Rutherglen.

The recruitment of an Empty Homes Officer is progressing and a dedicated officer should be in post by April 2020 to provide a range of services, advice and assistance tailored to the individual needs of each engaging owner.

The role will also include leading cross-Resource working group with representation from other council services such as council tax, environmental services, anti-social behaviour, community safety, legal and landlord registration.

The council will work with owners to try and resolve issues as we all know that unoccupied homes can become a target for anti-social behaviour, crime and vandalism. This has an effect on other resources such as Fire and Rescue, Police Services and National Health Services.

We also know that empty homes can fall into disrepair and negatively impact on the neighbourhood, its value and saleability of surrounding homes. So if you are aware of any empty properties in your area, please report it by sending an email to housing.strategy@southlanarkshire.gov.uk. Once in post, details of a dedicated Empty Homes Officer will be provided at the next forum.



Other useful websites

The Scottish Government
www.gov.scot

Renting Scotland (Practical Guides)
www.rentingscotland.org

First Tier Tribunal (Property Chambers)
www.gov.uk/courts-tribunals/first-tier-tribunal-property-chamber

The Energy Saving Trust (Energy Saving Measures and Grants)
www.energysavingtrust.org.uk

Health and Safety Executive (Gas Safety)
www.hse.gov.uk

Domestic Abuse
www.scotland.police.uk/keep-safe/domestic-abuse/

Useful phone numbers

Private Landlord Registration Team
0141 584 2544

Anti Social Behaviour Hotline
0800 389 1105

Environmental Services
0303 123 1015

Landlord Accreditation Scheme
0131 553 2211

Rent Deposit Guarantee Service
01698 891551



Dates for your diary

Landlord Forum – 10 September 2020

The next landlord forum will take place on Thursday 10 September 2020 from 6pm to 8pm in the Banqueting Hall, Council Offices, Almada Street, Hamilton ML3 0AA. If you are interested in attending please email housing.strategy@southlanarkshire.gov.uk

Landlord Training Sessions – 2 April, 14 May and 20 August 2020

Landlord Accreditation Scotland (LAS) will deliver the following training sessions:

a) Core Standard Level 1 Training – tenancy agreements and notices

- This course will run on 2 April 2020 and will focus on the Private Residential Tenancy (PRT). A private rented sector tenancy with a start date of 1 December 2017 onwards is a Private Residential Tenancy. The course covers all the documentation and associated processes for a PRT. The course will also provide clarification of the differences in operating a PRT and a Short-Assured Tenancy that runs on past 1 December 2017. This course is suitable for all private landlords and letting agency staff regardless of length of time within the industry.

b) Best Practice Training – creating inventories

- This course will run on 14 May 2020. The course will provide you with a framework for preparation of a relevant inventory document in line with the Scottish Tenancy Deposit Schemes and guidance on using that document at your final inspection. This course is also suitable for all private landlords and letting agency staff regardless of length of time within the industry.

c) Core Standard Level 2 Training – managing common repairs

- This course will run on 20 August 2020 and will look at regulations involved in joint repairing responsibilities that are associated with the ownership of property with communal obligations. This course will cover rights and obligations, property factors and management of repairs. Landlords should have attended the Core Standard Level 1 course, Property Condition and Property Management, prior to attending this course.

All courses will be delivered in the Corporate Dining Room, Floor 1, Council Offices, Almada St, Hamilton, ML3 0AA.

Bookings for all courses will open approximately six weeks prior to the course date. To receive a notification when bookings open, please email info@landlordaccreditationscotland.com or call 0131 553 2211

Communication and press releases

Please note invitations to attend the forum are sent by email by our Landlord Registration Team to all registered landlords. Please ensure we have your correct email address. Update your details at www.landlordregistrationscotland.gov.uk. Or by emailing LandlordRegistrationTeam@southlanarkshire.gov.uk. We also advertise forum meetings and training on the dedicated private landlord webpage at www.southlanarkshire.gov.uk/info/200195/private_renting_and_landlords.

If you need this information in another language or format, please contact us to discuss how we can best meet your needs.
Phone: 0303 123 1015 or Email: equalities@southlanarkshire.gov.uk
www.southlanarkshire.gov.uk