

And Another Year!

Welcome to our 2021 roundup of performance, membership and financial state.

The many changes in legislation passed and yet to come are covered in our media feeds and elsewhere in this bulletin.

Membership

Membership remains strong with a slight increase in numbers; falling just short of the magic four figures. Your committee made the decision to maintain annual subscription at £45.00. Their overseeing of the finances concluded that the association was on a firm footing with sufficient reserves to allow for a further year of unchanged subscription. This will be reviewed in the new year for 01 November 2022 renewals. If you are yet to renew, please do so now and tell others of the service, information and documentation available to members.

Office Refurbishment

Looking at our website page, you will hopefully have noticed the updated photograph of the office front elevation. New black aluminium windows and door with heat reflective glass have been fitted. All external elevations have been repaired and repainted with new signage to complete the overall effect. Internally, an updated mechanical ventilation system has been installed together with internal redecoration and flooring. This has created a more appealing exterior for passing footfall and a healthier, more pleasing interior for staff and visitors.

Meetings/Training

Officers and staff have continued throughout the year to meet local and central government officials (mostly, but not all, online). SWLA has lobbied on many landlord issues, often in conjunction with other associations. Accreditation courses and training courses have continued in addition to the many other webinars and events made available by the association.

General Observations

Some of our members have been taking advantage of the increase in property prices to release some capital gain. This is possibly a contributing factor in the shortage of rental properties. Rents have risen generally, but LHA rates countrywide remain way below the original 30th percentile. Most local authority areas are recording increased numbers of unaffordable homes and homelessness. We believe forthcoming legislation will be a contributing factor. Increased energy prices will force many in the lower rental market into fuel poverty, which will affect ability to pay rents.

An interesting year gone, no mention of C....-19 here!!!!

All at SWLA administration wish you a Merry Christmas and a Prosperous New Year.

December 2021

Upcoming SWLA Training

Your property is at risk of fraud!

Key Dates expected in 2022

Important Dates

Section 21 - Common Queries

Luton man left in shock as house is 'stolen'

Updated Government Guidance - Moving home during Covid-19

How to limit your stress this tax return deadline

Bristol Landlord taken to court after making lodger move out during lockdown

£65 million support package for vulnerable renters

Call for rental banning orders

SWLA member discounts & Trade directory

A mortgage brokers observation of the market

Renters reform bill - What to expect

Preventing a drip becoming a deluge!

Government confirms an extension to the regulations for Smoke & Carbon Monoxide alarms

Bailiff-enforced evictions suspended over the Festive Season

SWLA Facebook page

Upcoming SWLA Training Course

Landlord Accreditation Training Course

Thursday 20th January 2022 – 9:00 – 4:30pm

Venue – Online

Price – £65 for members of SWLA, £75 for non – members for one day course.

Course covers ASTs, Deposits, Section 21s, Section 8s, HMOs, Gas and Electrical Safety, Inventories and much more. The course will provide you with all the skills to start, manage and finish a tenancy.

Places still available. Contact the office on **01752 510913** or info@landlordssouthwest.co.uk to book your place, places only secured on receipt of payment.

Over 1030 landlords have already completed this course since September 2011. Course can lead to Accreditation, if required.

Landlord Accreditation South West (LASW) are founder members of the West of England Rental Standard. See the SWLA website for further courses.

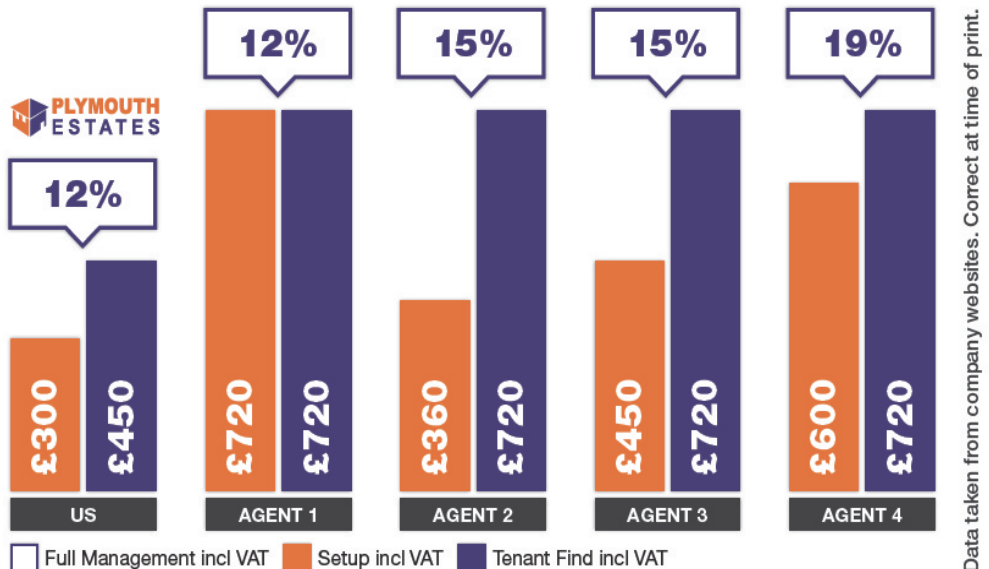
Your Property is at Risk from Fraud!

'Property Alert' is an award-winning, free property monitoring service aimed at anyone who feels a registered property could be at risk from fraud.

Once you have signed up to the service, you will receive email alerts when certain activity occurs on your monitored properties, allowing you to take action if necessary.

<https://propertyalert.landregistry.gov.uk/>

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Key Dates Expected in 2022

05 April 2022: Covid-19 adjusted right to rent checks (England);

The temporary measures to allow right to rent checks over video call and to share photocopies or photos of documents rather than the originals are expected to come to an end on 05 April 2022. The government deferred the date following the positive feedback they received about the ability to conduct checks remotely. The intention is to introduce a new digital solution to use for checking all tenant applicants' Right to Rent. This will enable checks to continue to be conducted remotely but with enhanced security.

Winter 2021/2022: Confirmation on increasing Minimum Energy Efficiency Standards (England and Wales);

Although an increase to minimum energy efficiency standards is awaiting government feedback from the consultation stage, it's expected that, from April 2025, all new tenancies for private rented properties will require an Energy Performance Certificate (EPC) rating of C or above, up from the current requirement of a band E rating. From 2028, this increase will apply to all tenancies. This new legislation would also increase the capped amount that landlords would be required to invest to achieve the higher ratings, from £3,500 to £10,000.

Early 2022: Renters' Reform Bill white paper (England);

Proposals in the Renters' Reform Bill include abolishing section 21, strengthening section 8, and introducing lifetime tenant deposits - plus, the idea of a landlord register has also been raised as a possibility. A white paper on the proposals is expected in early 2022 to outline how these changes will be implemented. The government is currently in talks with key stakeholders to ensure a policy that takes into consideration a wide variety of views on the topic.

TBC: Building Safety Bill expected to receive royal assent;

The Building Safety Bill is currently in the House of Commons, where it's awaiting Royal Assent - expected in Autumn 2023. Once received, the government has laid out a transition plan to outline how it will prioritise each key element. Some changes will take place in the first 12 months after Royal Assent - including changes to the Regulatory Reform (Fire Safety) Order 2005 which will clarify responsibilities in HMOs - while the bulk will come into force 12-18 months after - including new responsibilities for the "Accountable Person" when managing building safety risks in "occupied high-rise buildings".

TBC: Regulation of Property Agents (RoPA) (England);

The Regulation of Property Agents report proposed three top recommendations for property agents: a new and independent property-agent regulator, a Code of Practice, and minimum entry requirements and mandatory professional development. Although many agents are starting to prepare now and achieve the expected qualifications, there is currently no date for when it will be introduced.

Article abridged from gov.uk & Goodlord

Important Dates

01 April 2020 - MEES E or above for all tenancies in scope of regulations
01 June 2020 - Tenant Fees Act (tenant fees ban and cap on deposits) on all tenancies
01 July 2020 – Mandatory 5 Year Electrical Safety Checks on new tenancies
01 April 2021 – Mandatory 5 Year Electrical Safety Checks on all tenancies
01 April 2021 – Deadline for agents to comply with mandatory client money protection
01 October 2021 – Possession Notice Periods Return to Pre-COVID Lengths
06 April 2024 – Making Tax Digital for landlords (£10k plus income)

Section 21 – Common Queries

Has COVID changed the possession procedure?

Yes, very much so. Any landlords who intend to serve notice to a tenant should begin by reading the gov.uk guide; 'Understanding the possession action process: A guide for private landlords in England and Wales'. If you cannot locate the guide on the gov.uk website, contact the office and we can send you the link by email. The guide is updated regularly and explains the entire process, including all action that needs to be taken by landlords during the possession procedure.

Do I need to do anything prior to serving notice to my tenant?

Review the document 'Pre-Action Plan: Managing arrears and avoiding possession claims' that you can download from the members area of the SWLA website, or you can view it online by searching for the document on a search engine. Carry out all relevant steps in the Pre-Action Plan prior to serving notice. This is not legally required but is recommended as best practice, and ensures a more positive outcome.

When can I serve a Section 21 notice?

It must not be served within the first 4 months of the tenancy. The notice must not expire within the fixed term of the tenancy. Therefore, for a fixed term tenancy of 6 months, the soonest you can serve a Section 21 notice is at the start of month 5.

How much notice should I give?

You must give no less than 2 months' notice. Do not give dead on two months as this will not be enough notice. The 2 months' notice period starts on the date the law says your tenant received it (service day) and ends on the date when the notice says your tenant should leave the property. We recommend that you give a few days extra to allow for service. Remember, if you hand deliver a document after 4.30pm, it's classed as being served the next working day.

How can I prove that I served the notice?

Take a copy of the notice and a photo of you hand delivering it through the letterbox. You can also take a witness if you wish.

If you are posting the document, do not opt for recorded delivery. Opt for first class post and ensure that you retain your receipt for proof of postage. If you post that way, the document is classed as being served the second day after it was posted provided that day is a business day, if not, the next business day after that.

However you serve your notice, you must complete a Certificate of Service (available on the gov.uk website) and file in your records. You do not give this certificate to your tenant. This is a self-certificate that proves that you served the notice. You will need this document if the possession case goes to court at a later date.

What do I need to do to check that my notice is valid?

Read the guidance notes to the Section 21 form thoroughly, it lists all of the compulsory actions and documentation that you needed to have given your tenant prior to serving the notice. If in doubt, call the SWLA office and we can talk you through it. The documents you should have provided your tenant prior to service of the notice include the gas safety certificate, the Energy Performance Certificate and the How to Rent Guide.

Continued on next page...

Does the tenancy deposit affect the Section 21?

Yes. Landlords must comply with the deposit protection rules to the letter, or the Section 21 notice will be invalid. The deposit needs to have been lodged within 30 days of receipt. All prescribed information must also have been given to your tenant within that 30-day timeframe, including the terms and conditions of the scheme that you use. If the deposit rules have not been followed, you will need to refund the deposit in full prior to serving notice to your tenant.

How quickly do I need take court action if my tenant does not leave?

Date notice served	Minimum notice period	Time limit to start court action
On or after 1 October 2021	two months	six months from service of the notice
Between 1 June 2021 and 30 September 2021	four months	eight months from service of the notice
Between 29 August 2020 and 31 May 2021	six months	ten months from service of the notice
Between 26 March 2020 and 28 August 2020	three months	six months from service of the notice
Before 26 March 2020	two months	six months from service of the notice

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Luton man left shocked as his house is 'stolen'

A man has described his shock at returning to his house and finding it stripped of all furnishings after it was sold without his knowledge. Having been alerted by neighbours, Reverend Mike Hall drove to Luton and found building work under way and a new owner who said he had bought the house.

A BBC investigation found Mr Hall's identity had been stolen and used to sell the house and bank the proceeds. Police initially told him it was not fraud but are now investigating.

Mr Hall, who was away from the property and working in North Wales, said he received a call from his neighbours on 20 August, saying that someone was in the house and all the lights were on. The following morning, he drove there.

"I went to the front door, tried my key in the front door, it didn't work and a man opened the front door to me," he told BBC Radio 4's *You and Yours*.

"I pushed him to one side and got in the property. I really didn't know what he was doing there.

"The shock of seeing the house completely stripped of furniture; all furnishings, carpet, curtains - everything - was out of the property."

The man said he was doing building work, to which Mr Hall replied: "I haven't sold the house. This is still my property."

Mr Hall phoned the police, but the builder left and returned with the new owner's father, who said he had bought the terraced house in July, adding: "It is now my property. You are now trespassing. Get out."

Mr Hall said: "We then tried to access the Land Registry documentation online to find out whose name appeared... and it is, in fact, as of 04 August, this man's name.

"At that point the police said, 'Well, there's nothing further we can do here. This is a civil matter; you need to leave the house and contact your solicitors.'"

He then tried to contact police online, but received the same response.

"I was shocked - having seen the house in the state it was, I was in a bit of a state of shock anyway - but then to be told by the police they didn't believe a criminal offence had been committed here was just unbelievable," he said.

The BBC put Mr Hall in touch with Bedfordshire Police's fraud squad, which has begun an investigation. A spokeswoman said there had been no arrests.

You and Yours obtained the driving licence used to impersonate Mr Hall, details of a bank account set up in his name to receive the proceeds of the sale, and phone recordings of the house being stolen.

Once the house was sold to the new owner for £131,000 by the person impersonating Mr Hall, they legally owned it.

The solicitors involved in the property transaction said there was an ongoing police investigation and that it was inappropriate to comment further.

The Land Registry paid out a total of £3.5m in compensation for fraud last year. It said: "We work with professional conveyancers, such as solicitors, and rely on them and the checks that they make to spot fraudulent attempts to impersonate property owners. "Despite our efforts, every year we do register a very small number of fraudulent transactions."

Article from BBC

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Updated Government Guidance; 'Moving home during coronavirus (COVID-19)'

The full guidance can be read online; www.gov.uk/guidance/moving-home-during-coronavirus-covid-19

Following the emergence of the Omicron variant of COVID-19, the government has re-introduced some measures to manage the virus.

The housing market can remain open. All planned moves and viewings can continue and tradespeople can continue to work in other people's homes, unless self-isolation restricts access to a property. Everyone involved in the process of letting out a property (letting agents, landlords, prospective tenants) is advised to keep up good hygiene practices, with hand washing and sanitising. All parties involved are encouraged to be as flexible as possible and be prepared to delay moves, for example if one of those involved becomes ill with COVID-19 during the moving process or has to self-isolate.

Letting agents and landlords are encouraged to follow the 'working safely during coronavirus guidance';

www.gov.uk/guidance/working-safely-during-covid-19

When in the office, letting agents are required to wear masks. There are no limits on the number of people that can view a property, but virtual viewings are recommended before progressing to an in-person viewing if required, where masks should be encouraged. Thorough cleaning of properties and showing a property when vacant (where possible) are also advised, to reduce the risk of infection.

COVID-19 rules and recommendations change regularly, for the full up to date guidance, see the gov.uk website.

How To Limit Your Stress This Tax Return Deadline

If you are a landlord and you file your own return, the chances are you dread January as you haven't yet filed your self-assessment tax return. If you have, great news you will not be one of the millions rummaging around drawers for receipts in January!

Getting this monumental task completed early is no mean feat. But it is possible to get through the tax season without experiencing a stressful sprint to 31st January.

Gather all information soon

Don't delay, get the required data together now. Make a checklist such as the one below to ensure you have everything prepared.

Documents and Information Checklist

Documents/Information	Found	Need to Find
National Insurance Number		
Unique Taxpayer Reference number or UTR		
Business/partnership name, address and company number if relevant		
P45		
P60		
P11D		
The business's annual income and expenditure		
Income earned from other employment		
Any rent they have received		
Interest paid on loans, credit cards or other credit		
Income from overseas		
Income received from a partnership		
Any dividends received		
Benefits received either from the state or an employer		
Capital gains received		
Gift Aid received		
Pension contributions		
Tax payments they have already made this year (payments on account)		

If you have an accountant or bookkeeper filing your return, ask them to sign and register the 64-8 form earlier rather than later. This will make them officially recognised as your agent by HMRC, and able to act on your behalf.

Know what you need

You have your checklist of standard data required, but you may require extra information.

Perhaps you have a student loan. Maybe you (or your partner) are claiming Child Benefit. If there's the slightest possibility your circumstances will affect how much tax you need to pay, you should be aware.

Be aware of possible penalties

Submitting the Self-Assessment late comes with penalties, so be aware of these and know how you will need to provide all the necessary data to ensure they avoid them. Minimise errors with tax software.

The chances of any mistakes can be reduced through Self-Assessment tax return software. It will take all the administrative work off your hands, ensuring the numbers are correct.

Think ahead for Making Tax Digital

MTD is due to come in for landlords with property income of over £10,000 in April 2024. You may wish to begin converting to a software such as GoSimpleTax to utilise their income tax calculator and submission tool. Giving you full visibility of your tax liability in real time whilst giving and reviewing your pension contributions and investments.

About GoSimpleTax

Income, expenses and tax submission all in one. GoSimpleTax will provide you with tips that could save you money on allowances and expenses you might have missed. The software submits directly to HMRC and is a digital solution for Landlords to record income, expenses and file their self-assessment giving hints on savings along the way. Covering all self-assessment pages, not just property, GoSimpleTax does all the calculations for you.

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Article by GoSimpleTax

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The logo for Landlord Services Management Ltd features a stylized house icon with a green roof and a blue outline. Below the icon, the text "Landlord Services Management Ltd" is written in a sans-serif font.

Bristol Landlord Taken to Court After Making Lodger Move out During Lockdown

A landlord has been taken to court after he made his lodger - an international student - move out during the second national lockdown last year. Bristol City Council's rogue landlord unit carried out an investigation and said Rowan Giles "aggressively demanded" that the lodger leave the property without reasonable notice.

Giles was handed a 12-month community order by Bristol Magistrates' Court - including an eight-week tagged curfew - after "harassing his lodger". Giles has also been ordered to complete 15 days of rehabilitation work after admitting to interfering with the peace and comfort of one of his lodgers.

Bristol City Council said: "The victim, an international student in Bristol, had found the spare bedroom in Mr Giles' house advertised online, and moved into the property after travelling from abroad in October 2020. After weeks of living peacefully with one another, Mr Giles' behaviour took a turn for the worse and in November 2020 he aggressively demanded that the victim leave the property with no notice, leaving her homeless when access to hostels, hotels, and other means of private accommodation was limited."

Following a complaint from the victim, the council's rogue landlord unit opened an investigation into the harassment and brought a prosecution against Giles under the Protection from Eviction Act 1977. Kate Burnham-Davies, who prosecuted for the council, said: "It is the council's strong position that this was entirely unreasonable and that the defendant's actions amounted to harassment – designed to force the complainant to give up her occupation of the premises. This was entirely inappropriate in the circumstances nationally [COVID pandemic lockdown] especially as this was an international student who would not be entitled to housing support or allocation from the council. They were, essentially, at the mercy of friends until a solution could be found, thus making the so-called 'notice period' all the more unreasonable and the defendant's actions all the more inappropriate and interfering."

The council said that, due to the seriousness of the offence and other factors, the court imposed a community order and further sanctions, with the eight-week tagged curfew including the use of an ankle monitor. Giles was ordered to pay the council's costs of £1,000, and a victim surcharge of £95.

Sentencing, presiding justice Joanna Mellors was quoted by the council as saying: "This case doesn't reach the threshold for a custodial sentence, but it is a very serious offence".

The court also ordered Giles to pay back the victim £750 in compensation, made up of the excess rent that was paid in advance by the victim, and further compensation for hotel expenses and emotional distress.

Cllr Tom Renhard, cabinet member for homes and housing delivery, said: "This significant outcome highlights our message to all residential landlords in Bristol - that renters do have rights, and our officers will not hesitate to take appropriate enforcement action where those rights are interfered with. Illegal eviction and harassment of tenants and lodgers are serious criminal offences that carry an unlimited financial fine, and up to two years in prison."

Article abridged from The Bristol Post

£65 Million Support Package for Vulnerable Renters

Vulnerable renters struggling due to the impact of the pandemic will be helped by a £65 million support package announced by the Department for Levelling Up, Housing and Communities.

The funding has been given to councils in England to support low-income earners in rent arrears – helping to prevent homelessness and support families get back on their feet. Renters across the country have been protected throughout the pandemic because of government action, including a ban on evictions and a £400 billion support package for the economy.

Continued on next page...

The extra funding comes on top of the £500 million Household Support Fund, which was announced by the government in September 2021 which is helping vulnerable households across the country with the cost of food, energy, water and other essentials.

Minister for Rough Sleeping and Housing, Eddie Hughes MP said:

‘We have taken action throughout the pandemic to support the most vulnerable families, and it is vital we continue to provide support as we enter the winter months. This new funding will support families that are struggling and help to get them back on their feet as we begin to recover from the COVID-19 pandemic. The £65 million will be available through the winter months and households at risk of eviction or homelessness should contact their local council if they require support. The fund recognises the impact the pandemic has had on households in the private rented sector with the lowest income. The government has already provided £310 million to councils this year through the Homelessness Prevention Grant and this funding will increase that grant by a further £65 million this year. £140 million is also available through Discretionary Housing Payments, which can also be used to prevent evictions and help people find a new home. The £500 million Household Support Fund provides £421 million to help vulnerable people in England, with the devolved administrations receiving almost £80 million. The funding is primarily being used to support households with the cost of essentials, although councils have flexibility to best address local needs. At least 50% of the funding is reserved for households with children. It is for councils to determine the best way to support each household on a case-by-case basis. Any payment is likely to be paid directly to the existing landlord, or a new landlord if the money is being used to support a household to find a new home. The government is grateful to landlords for their support and the funding will mean more of them will be able to reach agreements with existing tenants’.

For more information, see the gov.uk website or contact your Local Authority

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Calls for 'Rental Banning Orders' after Portsmouth Tenant Jailed for 6 months for Trashing House

Landlords have called for powers to ban anti-social tenants from privately renting homes. Amphetamine-user Christopher Beddall's anti-social behaviour was so bad for months that he forced seven other tenants out of the terraced home. Beddall, 39, smashed toilet bowls, showers, sinks, left faeces in carpets, broke beds and headboards, and punched holes in walls.

While the damage is covered by insurance, landlord David Manchester told The News he lost about £30,000 in rental income from the other tenants - and paid out £3,000 on legal costs for an eviction. It took months to get Beddall kicked out.

Landlords in Portsmouth have said the incident makes the case for a so-called private rental sector banning order. They have said courts should have the power to ban individuals from privately renting - putting them onto councils' housing waiting lists.

But a Labour councillor has said that this would be 'wide open to abuse' and fuel homelessness.

Alwin Oliver, vice chairman of Portsmouth & District Private Landlords Association, said: 'Ultimately, this case illustrates the need for a private rental sector banning order to be available to courts to tackle tenants who prey on landlords time after time, seemingly with few consequences or delayed access to the courts.'

Mr Manchester, who had spent £100,000 refurbishing the professional house share property, said he let out a room to Beddall in June last year.

Mr Manchester applied for an eviction order in November last year, and this was granted on 31 March 2021 - with Beddall having two weeks to vacate.

But police were called to the address on 07 April - with around 10 officers needed to subdue Beddall as he kicked off. The extent of the damage was then discovered.

He appeared for sentencing at Portsmouth Crown Court having admitted damage, possession of amphetamine and threatening behaviour.

Beddall was jailed for six months - but released immediately having served this on remand. A restraining order was imposed indefinitely, banning him from contacting Mr Manchester.

The landlord said: 'It's absolutely crazy. It makes you become even more careful about the tenants that you take on in your properties.'

Beddall admitted causing £5,000 worth of damage while prosecutors said he caused £42,000.

Article from The Portsmouth News

SWLA Member Discounts

The following companies provide discounts for SWLA members;

Trade Point (B&Q), Trago Mills, Wickes, Howdens Plymstock, Palladium Building Supplies, Johnstone's Decorating Centre, Dulux Decorator Centre, Willow Timber, & Crown Decorating Centre.

To find out how to register for the discount, log in to the members area of our website or contact the SWLA office.

SWLA Trade Directory

A reminder that we have a Trade Directory on our website listing local companies who advertise through SWLA (EPC assessors, solicitors, gas engineers, electricians, builders etc). It's open access so no need to log in. Many of the companies listed offer SWLA member discount, simply ask when you call and mention that you are a member of SWLA.

A Mortgage Broker's Observation of the Market: Rates Set To Rise!

After an unprecedented time for all of us enjoying low interest rates, is this likely to change?

All indications suggest, yes. The latest meeting of the Monetary Policy Committee (the body that set the bank interest rates) showed a change of sentiment, with 2 of the 9 now voting to increase the rates from their record low. All eyes are on the next meeting, with predictions that rates will rise on 16 December 2021 to combat the looming threat of inflation.

The mortgage market has suffered a slow-down since the end of the Stamp Duty Land Tax holiday in September, though that slow-down was not as sharp as previously expected. Nationwide Building Society reported that house prices continued to rise through September at 0.2%, down from the 2.0% monthly growth from August. October showed surprising strength due to the dwindling supply of homes, with house prices growing a further 0.7%, although this is still a fair distance from the rates we've seen in the last year.

We're already seeing lenders adapt their approach to the foreboding increase. Some are lowering rates to secure last minute business, others are beginning to gradually raise their rates to secure last-minute switches at higher rates before the change occurs. Many of our Landlord clients have had the shock of down-valuations from surveyors, an effect of the air of hesitation that currently surrounds the market.

Are you prepared? If not, now would be a good time to sit down with your mortgage adviser.

Article by Asmi and Calum, Mortgage Advisers, Excaliber 01752 340183

Renters Reform Bill – What to Expect

The White Paper on the Renters' Reform Bill, (to include proposals for improving Section 8 & abolishing Section 21) has been delayed for release until 2022. It was due for release in Autumn 2021.

As advised in the Queen's speech, the Bill intends to "enhance the rights of those who rent". In a letter to contributors to the White Paper, the government said the delay would "not only allow us to benefit from continued work with the sector but will also allow us to carefully consider the findings of the National Audit Office's review of regulation of the sector which is due to report in the coming months". The government is also actively engaging with tenants - along with other stakeholders - to learn more about their experiences in the private rented sector.

The speech's briefing notes set out what letting agents and landlords can expect from the reform package and include:

Abolishing Section 21 (known as 'no fault' evictions) thus improving security for tenants in the private rented sector, as well as strengthening repossession grounds for landlords under Section 8 when they have valid cause.

Outlining proposals for a new 'lifetime' tenancy deposit model that eases the burden on tenants when moving from one tenancy to the next, helping improve the experience of those living in the private rental sector.

Bringing forward reforms to drive improvements in standards in rented accommodation, including by ensuring all tenants have a right to redress, and ensuring well targeted, effective enforcement that drives out criminal landlords, for example exploring the merits of a landlord register and requiring all private landlords to belong to a redress scheme.

Considering further reforms of the private renter sector enforcement system so it is well targeted, effective and supports improvements in property conditions, including a set of measures to hold "bad landlords" to account for delivering safe and decent housing to tenants without penalising good landlords.

Exploring improvements and possible efficiencies to the possession process in the courts, to make it quicker and easier for both landlords and tenants to use.

The proposed legislation would only apply in England. The changes are a long way off, we will keep members updated.

Article abridged from Goodlord

Preventing a drip becoming a deluge!

Escape of water is the leading cause of home insurance claims in the UK, accounting for 29% of all domestic claims. Claims for household water leaks were up more than 30% in the first quarter of 2021, compared to the same time last year, reaching £175m.

As the owner of a residential let property, there are a number of steps you can take to help prevent or minimise the risk of water leaks;

- In bathrooms - check for cracked tiles, damaged/missing bath and shower sealant and grout
- In kitchens – check behind appliances and under sinks for signs of water leaks
- Inspect hoses to and from washing machines and dishwashers
- Use a reputable tradesperson to undertake repair and maintenance work
- Ensure your tenants know where the stop cock is to turn the water off

It is not uncommon to have a long-standing leak, which may cause an issue with your insurers as all policies have a clause commonly called a “gradually operating cause”. In this instance insurers will look at the circumstances around the leak and consider;

- Whether or not you couldn't reasonably have been aware of the damage happening gradually (you were prevented from noticing the damage and therefore fixing the problem)
- You made the insurance claim, or took reasonable action, as soon as you could reasonably have known about the problem

You should report any incident regarding an escape of water at the earliest opportunity. If it is not a sudden and unexpected leak (e.g. a burst pipe), you are best to take photos and explain the circumstances in full – such as a leak that occurs behind a kitchen sink where the water soaks into the flooring and takes a long time to become noticeable.

Article abridged by Jeremy Wood at Excaliber Insurance Services. If you have any queries regarding landlord insurance or if you would like a quote, contact Jeremy on 01752 340183.

Government Confirms an Extension to the Regulations for Smoke and Carbon Monoxide Alarms

The government intends to bring forward these changes as soon as practicable:

- social landlords will be obliged to ensure at least one smoke alarm is installed on each storey of their homes
- both social and private landlords will be obliged to ensure a carbon monoxide alarm is installed in any room in their homes with a fixed combustion appliance (excluding gas cookers)
- in any home, when a new fixed combustion appliance (excluding gas cookers) is installed, a carbon monoxide alarm will be required by law to be installed
- landlords will be legally obliged to repair or replace alarms once informed that they are faulty (testing will remain the resident's responsibility)

As soon as parliamentary time allows, the government will amend the Smoke and Carbon Monoxide Alarm (England) Regulations 2015. The regulations will be subject to the affirmative procedure and will need to be approved in both Houses of Parliament before they can be made. They will also amend the statutory guidance (Approved Document J) supporting Part J of the Building Regulations. They intend the new requirements to come into force as soon as practicable after the regulations are made. To avoid any confusion, both sets of requirements will come into effect at the same time.

The other recommendations in the consultation paper were concerned with updating the guidance documents on the placement of alarms and type of alarms to use. There was a high level of support in consultation responses for all these measures. They will update the government guidance documents to this effect and the refreshed documents will be published alongside the new legislation.

Article by gov.uk

Bailiff-Enforced Evictions Suspended over the Festive Season

Tenants facing eviction in England are to be protected from losing their homes during the Christmas and New Year period, HM Courts and Tribunal has confirmed.

Between 13 December 2021 and 10 January 2022 no evictions should be scheduled by a bailiff or executed by a bailiff, although if landlords have an urgent eviction they need to book-in following the court process 'around these times' then they can alert the bailiff manager of the court in question.

The precise dates around the UK appear to vary slightly.

This is similar to last year, when bailiffs were asked that they should not enforce other than in the 'most serious circumstances'.

The festive amnesty occurs every year but was controversial last year because it came at the end of an extended blanket ban on bailiff evictions brought in during the worst months of the pandemic. Also, at the time Boris Johnson suggested that it should be extended.

This year's announcement in England has been rolled out informally through the courts, although officially the normal procedure is for the Lord Chancellor to inform the High Court Enforcements Officers Association which then informs its members.

Article abridged from LandlordZone

SWLA Facebook Page

Our Facebook page has been up and running for a while now! If you use Facebook, please 'like' our page to be notified about legislation updates and our SWLA Blog where we share the activities of our Committee and lots of other landlord 'news of interest'. You will also hear about our scheduled training dates, speakers we have arranged for our General Meetings, dates for our Open Office afternoons and much more. Simply head to Facebook and type 'South West Landlords Association' into the search bar, click on our page and hit the 'Like' button. If you already 'Like' the page, please don't forget to interact to be sure you continue seeing our posts in your newsfeed.



For many years Landlord Insure UK have advised & supported SWLA members with regard to their Landlords insurance needs with comprehensive cover and exclusive discounts – we are specialist independent insurance brokers and can offer you a wide choice of policies which can be tailored to your individual needs. Our dedicated Team constantly review the market on your behalf and would be delighted to offer you a free, without obligation quote at your next renewal date.

Freephone 0800 7316689 Ext 899

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NOTICE BOARD

SWLA stationery

SWLA stationery may change without notice so before using a document, make sure that you use the latest one on the SWLA website, by checking the issue date or check with the SWLA office at the email address or telephone number shown below. Don't forget our ability to advertise accommodation to let, property for sale in our office window

E-Mail address

If you change your email address **PLEASE TELL US** otherwise you might miss important messages from us!

KBG CHAMBERS - Barristers – Plymouth, Truro & Exeter

We will support members with legal advice and representation through public access. KBG cover all areas of Property Law.
Call 01752221551 or email Colin Palmer, Senior Clerk, on colin@kbgchambers.co.uk

Rory Smith, Enigma Solicitors

Rory Smith is a highly experienced specialist in a wide range of disputes and their resolution. Rory can also recommend to you other law firms in Plymouth who will all offer free initial advice to SWLA members in other specialist areas.
Contact Rory on 01752 600567 or by email at rls@enigmawork.com Enigma is located 5 minutes away from SWLA's office at Farrer Court, 77 North Hill PL4 8HB. The office is open 8:30 a.m. until 5:00 p.m. weekdays.

Richard Gore at GL Law is well regarded for his work with landlord disputes, including dilapidations claims, lease renewals and forfeiture claims. Contact Richard for a free initial conversation by calling 0117 906 9400 or email r.gore@gl.law

Did you know that SWLA have a trade listing of local businesses? Head to the SWLA website 'Trade Directory' for all of your landlord needs from Gas Safety Checks to Building Services

SWLA

South West Landlords Association

Published December 2021

Produced by Mark Price

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You can contact our answerphone service on 01752 510913 or E-mail us at info@landlordssouthwest.co.uk, visit our website www.landlordssouthwest.co.uk

Or visit our office in Dale Road, it is open week days from 10am to 3pm

The association provides assistance and advice. However, the Association does not hold itself out as providing specialist legal advice and therefore whilst written and oral advice is given in good faith, no responsibility can be accepted by the association, its officers or members for the accuracy of its advice, or shall the association be held liable for the consequences of reliance upon such advice.