

Summertime

June 2022

Hopefully as summertime draws nearer, we can look forward to a more open and inclusive life. Perhaps not George Gershwin's 'The Living is Easy' but none the less more normal. This said, the Committee have decided this year's summertime cream tea office open afternoon will not go ahead, we hope to reinstate it next year.

A recap of events since the last bulletin:

Our General Meeting on 21 April at the Future Inn took everyone by surprise with how many people attended. Over 60 members came along to hear Mick Quick's (Tech Surveys) talk on EPCs and the future thereof, and Annette Stone and Iain Pring of Thomas Westcott Chartered Accountants giving updates on general landlord taxation and the forthcoming 'Making Tax Digital'.

Training - Our Accreditation and Landlord Training courses are continuing online with all courses becoming oversubscribed very quickly. It is hoped that face to face training will resume in the near future. Keep an eye on the SWLA website 'training' section for upcoming dates and booking information.

Landlord Expo - SWLA took a stand at the West of England Landlord Expo at Ashton Gate, Bristol on 17th May. Many existing members visited the SWLA stand to meet staff and raise queries, and many other attendees joined being impressed by SWLA's Accreditation Scheme and association with Local Authorities.

Looking Forward - The forthcoming year will provide both opportunities and challenges for landlords. For those with loans, interest rates will rise. House prices have seen a dramatic increase providing capital gains for those selling, but of course, lower yields if staying in the market.

We should all be aware that market rents are rising, but tenants' income much less so. The financial pressure on both landlords and tenants in the coming months will be great. We remind landlords that tenants who have a long history of paying rent in full, on time and have no anti-social issues are good tenants to have and their house is their home. Any new tenant could be a liability (no matter how thorough the checks). Understanding and negotiation often has more satisfactory results than eviction.

Whilst on the subject of eviction - the recent Queens Speech re-confirmed the Government's commitment to the Renters Reform Bill. The White Paper has just been published as we go to print. Details of this legislation and its implications can be found in this bulletin and on the SWLA website newsfeed. As of course can all recent landlord news and changes in legislation – read it to keep up to date! Have a good summer.

Join our Focus Group!

Cost of Living Help Announced

Government Boiler Upgrade Scheme now Open

Renters Reform Bill - White Paper Published

Court Possession Cases - Advocacy Service

Smoke & Carbon Monoxide Alarms Compulsory from 01 Oct 2022

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Landlords Now Being Hit by Benefits Freeze

A Shrinking Private Rented Sector?

The Social Housing Regulation Bill set to be introduced to Parliament

Rates on the Rise, Recession on the mind. A Mortgage Broker's Perspective

And more...

Join Our Focus Group!

SWLA are looking for landlords who rent homes in the Plymouth area to take part in a one hour online focus group on; **Tuesday 5th July at 1pm. All participants will receive a £10 Amazon voucher.**

Would you like to join our focus group? We will be highlighting funding for adaptations for disabled and elderly tenants and discussing some of the benefits of future proofing properties for an increased market. You do not need to have any experience of adaptations, nor do you need to have a property that is suitable for adaptation.

If you are interested in participating, register your support by contacting the SWLA office, we will then send you access to the online Zoom event. Guests and non SWLA members are also welcome.

SWLA are working on this in conjunction with the Local Authority and other landlord associations to reach as many landlords as possible.

Cost of Living Help Announced

The UK Government has launched a new £15 billion package targeted at those most in need. As living costs continue to increase, agents and landlords will want to ensure that their tenants receive all the help to which they are entitled.

Funded by a temporary tax on the profits of energy companies, the package is made up of several different components, and individual tenants may be entitled to some or all of these.

While all these payments should be made automatically to those who qualify, tenants should be encouraged to check that they have received all the payments due to them and may need assistance in following up where they have been overlooked.

ONE-OFF £400 PAYMENT

Replacing the £200 payment which was announced earlier this year, every household will now receive a £400 credit directly from their energy supplier over six months starting in October 2022. This will not be reclaimed from future bills as was the intention with the original £200 payment announced.

Direct Debit and credit customers will have the money credited to their account, while customers with pre-payment meters will have the money applied to their meter or paid via a voucher. This payment is in addition to the £150 Council Tax rebate previously announced and which is currently being paid.

£650 PAYMENT FOR RECIPIENT OF MEANS-TESTED BENEFITS

This payment will be made in two instalments in July and Autumn to recipients of Universal Credit, Pension Credit and other income-related benefits. To qualify, people will need to be receiving the benefit or have made a successful claim by 25 May 2022. The payments will not impact entitlement to any other benefits.

£300 PAYMENT FOR PENSIONER HOUSEHOLDS

Pensioner households will receive an additional £300 with their annual winter fuel payment in November or December 2022, paid directly to their bank account. To qualify, people must be aged 66 or over between 19 – 25 September 2022.

£150 DISABILITY COST OF LIVING PAYMENT

Anyone receiving a disability benefit, such as Disability Living Allowance (DLA) or Personal Independence Payment (PIP) will receive a direct payment of £150 in September 2022. To qualify, people will need to be receiving the benefit or have made a successful claim by 25 May 2022.

HOUSEHOLD SUPPORT FUND

In addition, the UK Government is providing an extra £500 million of local support, via the Household Support Fund, which helps those in the most need with food, energy and water bills. Help from the fund is delivered by local councils.

Article Abridged from PropertyMark

Government Boiler Upgrade Scheme Now Open

The UK Government Boiler Upgrade Scheme (BUS) is accepting applications in England and Wales for grants for the installation of low carbon heating systems.

Applications from property owners are now being accepted for grants of up to £5,000 off the cost and installation of an air source heat pump or a biomass boiler, and up to £6,000 off the cost and installation of a ground source heat pump are available between now and 2025. The grant is paid directly to the installer and discounted from the price charged.

Landlords and second-home owners are included in the scheme, subject to the other conditions of a valid Energy Performance Certificate (EPC) with no outstanding recommendations for loft or cavity wall insulation being met. Grants are not normally available for new build properties (except self-builds).

While the green solutions being promoted may not be suitable in all situations, this is an opportunity for landlords to look at all the options to improve the energy efficiency of their property before becoming mandated to do so. This in turn can reduce bills for tenants and make the property a better proposition to be let out.

These grants represent a way to upgrade with a significant financial contribution from the government.

In the Spring Statement, the UK Government set out their intention to require energy suppliers to improve the energy efficiency of low-income homes, and plan to extend the minimum energy efficiency standards for the private rented sector in England and Wales.

This is linked to the Heat and Buildings Strategy launched in October 2021, and whilst BUS is an initial step to help property owners make homes more energy-efficient it is still unlikely that the energy efficiency targets for the PRS and a reduction in emissions across the property sector will be met.

For more information, see the SWLA newfeed or visit the gov.uk website.

Article Abridged from Propertymark

PLYMOUTH ESTATES Compare Plymouth Estates competitive fees and outstanding service



Data taken from company websites. Correct at time of print.

Renters Reform Bill – White Paper Published

Proposals have been announced in the 'Fairer Private Rented Sector' White Paper, published 16 June 2022. The Renters Reform Bill will be introduced in this parliamentary session (later in 2022). The proposed reforms go much further than we expected.

This 'New Deal' for tenants will extend the Decent Homes Standard to the Private Rented Sector. Here is a summary of the proposals outlined in the 'Fairer Private Rented Sector' White Paper;

Section 21 "no fault" evictions to be abolished

Section 21 will be abolished. Landlords will only be able to evict a tenant in reasonable circumstances, which will be defined in law. The government will also reform the grounds of possession under section 8 so that they are "comprehensive, fair, and efficient, striking a balance between protecting tenants' security and landlords' right to manage their property".

Periodic tenancies to become standard

All tenants who would previously have had an Assured Tenancy or Assured Shorthold Tenancy will be moved onto a single system of periodic tenancies. Tenants will need to provide two months' notice when leaving a tenancy. Landlords will only be able to evict a tenant in reasonable circumstances, which will be defined in law.

The government says it will introduce the changes in two stages, providing at least six months' notice of the first implementation date, "after which all new tenancies will be periodic and governed by the new rules". To avoid a "two-tier rental sector", all existing tenancies will transition to the new system on a second implementation date.

Notice periods for rent increases to be doubled

To combat the cost-of-living crisis, rent increases will be limited to once per year and the minimum notice landlords must provide of any change in rent will be increased to two months. It will end the use of rent review clauses, "preventing tenants being locked into automatic rent increases that are vague or may not reflect changes in the market price" and says that "any attempts to evict tenants through unjustifiable rent increases are unacceptable".

In cases where increases are disproportionate, the government will "make sure that tenants have the confidence to challenge unjustified rent increases through the First-tier Tribunal" and it will "prevent the Tribunal increasing rent beyond the amount landlords initially asked for when they proposed a rent increase".

Minimum housing standards to be introduced

Minimum housing standards for the Private Rented Sector (PRS) will be introduced by widening the application of the Decent Homes Standard, which currently only applies to the social housing sector. Under the Decent Homes Standard, homes must be free from serious health and safety hazards and landlords must keep homes in a good state of repair, so renters have clean, appropriate and useable facilities. The government will also expand Rent Repayment Orders to cover repayment for non-decent homes. Periodic tenancies will also enable tenants to end a tenancy without remaining liable for the rent in unsuitable and unsafe accommodation.

The White Paper also reaffirmed the government's intention to upgrade "as many homes as possible" to EPC Band C by 2030.

Tenants given more rights to keep pets in properties

The government will legislate to ensure landlords do not unreasonably withhold consent when a tenant requests to have a pet in their home, with the tenant able to challenge a decision. At the same time, the government will amend the Tenant Fees Act to Act 2019 to include pet insurance as a permitted payment. This means landlords will be able to require pet insurance, so that any damage to their property is covered.

Continued next page...

The government also encourages landlords "to allow reasonable requests by tenants to redecorate, hang pictures or change appliances - provided they return the property to its original state when they leave".

Bans on renting to families with children or those on benefits to be outlawed.

It will become illegal for landlords or letting agents to have blanket bans on renting to families with children or those in receipt of benefits ("No DSS"). The government will also explore whether action is needed to support other vulnerable groups that may struggle to access PRS accommodation, such as prison leavers.

A new Ombudsman covering all private landlords

A single government-approved Ombudsman covering all private landlords who rent out property in England - regardless of whether they use a letting agent - will be introduced and membership will be mandatory. The Ombudsman will have powers to "put things right for tenants", including compelling landlords to issue an apology, provide information, take remedial action, and/or pay compensation of up to £25,000. The government also intends for the Ombudsman to be able to require landlords to reimburse rent to tenants where the "service or standard of property they provide falls short of the mark". The Ombudsman's decision will be binding on landlords, should the complainant accept the final determination and failure to comply with a decision may result in repeat or serious offenders being liable for a Banning Order.

New property portal

A new digital Property Portal will be introduced to "provide a single 'front door' to help landlords understand and demonstrate compliance with their legal requirements". The government says that "too often tenants find out too late that they are renting a substandard property from landlords who wilfully fail to comply, and councils don't know who to track down when serious issues arise". It notes that the portal will also "support good landlords to demonstrate regulatory compliance and to attract prospective tenants".

The portal could include a system where landlords and agents must meet minimum standards before properties can be let.

The government plan to incorporate some of the functionality of the existing Database of Rogue Landlords and Property Agents.

For further information and to read the White Paper in full, please visit the SWLA website newsfeed.

Article Abridged by gov.uk, Goodlord & Propertymark

Court Possession Cases – Advocacy Service

Ashley Taylors Legal provide specialist services in landlord and tenant matters throughout the UK including the South West. They are also one of the leading providers of Court Advocates (attendances) in the local County Courts. anyone interested, they have a part time Advocacy role coming up in the South West area (around Truro). Full training is given to those without experience in Advocacy. If you wish to enquire about the role, please contact Martyn Taylor - mptaylor@ashleytaylors.co.uk

If you have a possession case going to court, SWLA members get a discounted rate for Court Advocate attendance from Ashley Taylors Legal.

SWLA members - £180 plus vat (£216)

Usual fee - £210 plus vat (£252)

If you would like to book the Advocacy service, please contact 01825 766767 or newclaims@ashleytaylors.co.uk

Smoke & Carbon Monoxide Alarms Compulsory from 01 October 2022

Since 01 October 2015 landlords in England have been required to:

- ensure smoke alarms are installed in all of their rented residential accommodation, and
- ensure carbon monoxide alarms are fitted in every room with a solid fuel heating appliance. This includes any open fireplace that is available for use - i.e. not blocked off.

The regulations apply to houses, flats and HMOs. Failure to comply can lead to a civil penalty being imposed of up to £5,000.

Since 01 October 2015, the landlord must ensure that a smoke alarm is equipped on each storey of the premises on which there is a room used wholly or partly as living accommodation. Landlords must also ensure that there is a carbon monoxide alarm fitted in any room that is: used partly or wholly as living accommodation, and contains any appliance which burns, or is capable of burning, solid fuel. This would include log and coal burning stoves and open fires, even if they are not normally in use, but does not include gas and oil boilers. If an open fireplace is purely decorative or blocked off then it is not covered by the regulations.

New regulations from 01 October 2022

New Regulations drafted state that all rented properties in England must provide a carbon monoxide alarm in rooms used as living accommodation where there is a fixed combustion appliance, such as gas heaters and boilers, from the beginning of October 2022. The new draft rules amend the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 where previously the requirement only applied to solid fuel combustion appliances, such as wood burners. The rules will not extend to gas cookers.

The amended rules (Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022) include a new requirement to ensure when a tenant reports to the landlord or letting agent that an alarm may not be in proper working order, the alarm must be repaired or replaced. The Draft Statutory Instrument was laid before Parliament on 11 May 2022 and once approved will come into force on 01 October 2022.

Article Abridged from PropertyMark

Future Homebuyers Freed from Ground Rent Bills

The UK Government's ban on charging ground rent on new leases in England and Wales will come into force on 30 June 2022.

Landlords will be banned from charging ground rent to future leaseholders, under a new law that will lead to fairer, more transparent homeownership. It will also apply to retirement homes, which will come into force no earlier than 1 April 2023, and more details will be confirmed in due course.

Many landlords have already reduced ground rent to zero for homebuyers starting a new lease with them. Anyone preparing to sign a new lease on a home in the next two months should speak to their landlord to ensure their ground rent rate reflects the upcoming changes.

Measures which were announced in 2021, include a new right for leaseholders to extend their leases to 990 years at zero ground rent and an online calculator to help leaseholders find out how much it would cost to buy their freehold or extend their lease.

In addition, thousands of existing leaseholders have also already seen a reduction in their inflated ground rent costs. The Competition Market Authority (CMA) secured commitments with major homebuilders to stop doubling ground charges every year for leaseholders.

Article Abridged from Propertymark



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Upcoming SWLA Training Courses

Landlord Accreditation Training Course
Wednesday 3rd August 2022 – 9:00am-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.

Landlord Legal Update Course
Tuesday 4th October 2022 – 1.30pm-4:30pm
Venue – Online

Price – £35 for members of SWLA, £40 for non-members for half day course.

Course covers Right to Rent changes, update on Section 8 and Section 21 Notices, material information, Fire Safety Act, new smoke and carbon monoxide regulations, Rent Repayment Orders and more.

Places still available on both courses, but they are booking up fast. Contact the office on 01752 510913 or info@landlordssouthwest.co.uk to book your place, places secured upon receipt of payment.

We are proud to announce that Landlord Accreditation South West (LASW) are founder members of the West of England Rental Standard.

See the SWLA website for further courses.

Cladding: Building Safety Bill Becomes Law

The Building Safety Bill received Royal Assent on 28 April 2022 and was passed into law – it will come into law soon. The conclusion of the bill process sees confirmation about the level of funding available for the remediation of unsafe cladding in medium-rise buildings (11-18 metres high) in England.

The UK Government reversed its original suggestion to completely exclude leaseholder landlords from plans for developers to cover the cost of cladding remediation in medium-rise blocks.

Under the new legislation, owners of up to three properties in the UK will qualify for the protections. This includes all properties, not just those which require remediation – for example, an owner-occupied principal home plus two let properties.

Landlords with larger portfolios will be excluded from the protections unless the affected property is their primary residence, despite widespread support across the political spectrum for provisions to be extended.

Non-cladding defects

For non-cladding remediation, developers and then building owners will be expected to cover these costs where possible. Building owners will be legally required to prove there are no other sources for funding before passing any costs onto leaseholders.

Building owners will not be able to pass costs onto qualifying leaseholders where they are, or are linked to, the developer or where they have sufficient net wealth.

In the remaining cases, the cost of remediation of non-cladding defects and interim measures, such as waking watches, will be shared between the building owner and leaseholders. Qualifying leaseholders (as outlined above) will be protected by a cap:

- Outside London: no cost for properties valued less than £175,000; £10,000 cap for properties valued £175k-£1m
- Within London: no cost for properties valued less than £325,000; £15,000 cap for properties valued £325k-£1m
- Across England: £50,000 cap for properties valued £1m-£2m; £100,000 cap for properties valued over £2m.

The costs will be spread over 10 years, and any payments for non-cladding defects or interim measures made in the last five years will count towards the cost cap. The building owner will be responsible for any costs above the cap.

There will be no protections for leaseholders in buildings less than 11 metres high, as the Government considers there's "no systematic fire risk". Buildings over 18 metres high continue to be covered by the Building Safety Fund.

The Government guidance on the leaseholder protections is available on the GOV.UK website.

Other Measures

The Building Safety Bill is an extensive piece of legislation, addressing issues raised by the Grenfell Tower fire and subsequent inquiry. Other provisions include:

- Requiring building owners to manage building safety risks, including involving residents in decision-making
- Residents have legal obligation to respond to requests for information from accountable person and to ensure their actions don't create safety risks
- New Building Safety Regulator within the Health and Safety Executive to implement and enforce regulations for residential blocks over 18m high
- National regulator for safety of construction products
- Extension of limitation period for build and refurbishment defects to 30 years.

Implementation of the full scope of the legislation is expected to take 12-18 months.

Article abridged from; NRLA

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Electric Vehicle Charging Point Grants for Landlords

Landlords across the UK will be able to apply for 75% of the cost of charging points up to £350 where they own parking areas (but must be VAT registered or registered at Companies House to be eligible).

A related scheme enables tenants to apply for a similar grant on their own behalf. However, where landlords do not meet the registration requirements, tenants can apply themselves for a grant to have a charging point installed.

The chargepoint grant replaces the Electric Vehicle Homecharge Scheme (EVHS) and as well as being open to tenants and landlords it includes:

- right to manage (RTM) companies
- companies owning the freehold of a leased or rented property
- companies owning a building's common areas. The company may comprise shareholders who are the leaseholders. The company may also manage the building.

Electric vehicles are the future

The UK Government previously announced a ban on the sale of new petrol and diesel cars from 2030. With the lack of charging infrastructure being one of the key things thought to be holding back sales of electric vehicles (EVs), landlords can now apply for grants to install EV charging points at their properties, both residential and commercial.

There are several conditions that must be met to be eligible for a grant which is being administered by DVLA on behalf of the Office for Zero Emission Vehicles, and are claimed using a manual process initially, with a digital service expected in the Summer of 2022.

Grant paid to the installer

Once an authorised installer is chosen, they apply for the grant and must pass on the discount to the landlord or tenant meeting the remainder of the costs.

Landlords can receive up to 200 grants a year for residential properties, and a further 100 for commercial properties. These may be across several properties and installations or just for one property.

Fire protection measures

The new guidance also advises landlords installing EV chargepoints to update their fire protection measures to take account of the new installations. Further guidance on how this can be achieved in enclosed parking areas is expected later in 2022.

For more information, see the SWLA website newsfeed or the gov.uk website.

Article Abridged by Propertymark

Property Listings: Price on Application Deemed Unlawful

National Trading Standards Estate and Letting Agency Team (NTSELAT) and the Competition and Markets Authority (CMA), have stated that the use of 'POA' or 'price on application' in property listings contravenes consumer protection legislation.

NTSELAT's was asked by the industry to provide a view on the use of POA as part of their ongoing process to improve the disclosure of material information on property listings.

The use of 'POA' in relation to a listing on a property portal or an agent's website is likely to be misleading as it withholds or in some cases masks the asking price from consumers. A property's price is information which the average consumer needs in order to make an informed transactional decision, i.e. make an enquiry about the property, conduct further research or arrange a viewing.

With support from Propertymark and other industry leaders, NTSELAT has launched a three-phase project which has been developed in response to defining what constitutes material information for property listings.

Also of note, under newly announced rules by the National Trading Standards Estate and Letting Agency Team (NTSELAT), a property's council tax band or rate, price and tenure (for sales) must now be included on all property listings by the end of May 2022.

Article Abridged from Propertymark

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MEES - Minimum Energy Efficiency Standards - What's Happening?

In autumn 2020, the government began a consultation on tightening MEES rules. The proposals are currently just that, and no regulations have even been drafted yet. The consultation closed in January 2021, but the results have not yet been published. However, the main proposed changes are as follows:

1. Minimum EPC rating to be raised from E to C.

The plan is to enforce this from 1 April 2025 for new tenancies, and from 1 April 2028 for existing tenancies.

2. Cost cap to be raised from £3,500 to £10,000 per property

The government says this would be sufficient to bring more than 90% of D-rated properties up to a C rating, as well as nearly 60% of E-rated properties. It's not clear whether existing spending would count towards the new cap.

3. "Fabric first" policy to be introduced

This would control in which order work is carried out, so improvements to the fabric of the building (ie insulation, windows and doors) must be done before additional measures such as new heating systems are installed.

The exemptions would remain largely unchanged. Additionally, the proposals recommend clarifying the rules for listed buildings and those in conservation areas, and introducing a central database of compliance and exemptions.

Mick Quick of Tech Surveys in Plymouth has recently pre-recorded a Zoom presentation for our members, he talks through the likely changes and what you can do now to prepare. If you would like to view the presentation, please contact the SWLA office and we can send you the link by email.

Landlords Now Being Hit by Benefits Freeze

Some 820,000 private rented households in Britain are routinely hit by a shortfall between their housing benefit and their monthly rents according to official data. That's 57% of private rented households in receipt of the Local Housing Allowance.

An analysis of government data by the NRLA shows that regionally, the proportion of private rented households affected ranges from almost 41% in London (although based on a much higher number of claimants), through to 69% in Wales.

The figures come as the Office for Budget Responsibility has warned that housing-related benefits spending is expected to rise by just 0.1% of GDP by 2025 – five years on from the start of the pandemic and the recession it caused.

It notes that this is the smallest increase seen in any of the four recessions seen since the early 1980s.

Despite private rents increasing by less than inflation, vulnerable renters face what it calls "a perfect cost of living storm". This is being worsened by housing benefit rates having been frozen since April 2021, rising energy and food prices and a chronic shortage of private rented housing which is set to drive up rents.

Amidst the cost-of-living crisis, we hope that the government unfreeze housing benefits rates to provide tenants and landlords with the security that rents can be paid.

Article Abridged from Landlord Today

A Shrinking Private Rented Sector?

Propertymark member agents were surveyed between 30 March – 29 April 2022 and the report was featured on BBC News channels. 64% of respondents were lettings agents, 1% were sales, and 35% both. Respondents reported working for businesses that had a combined total of over 4,000 branches across the UK.

Propertymark's research presents a worrying picture for private renters. The number of properties available to rent has been diminishing with a large portion of landlords choosing to sell their properties. A lack of property is the root cause of rent increases and rising figures on social housing lists. The research revealed that the most common reasons for landlords to choose to sell their properties and no longer provide homes are risk, finances, and viability.

The data shows the number of properties available to rent through letting agents in the month of March halved between 2019 and March 2022. During this period 84% of landlords who removed their property from the rental market did it to sell. Over half of the rental properties sold in March 2022 alone did not return to the PRS.

91% stated the primary reason landlords leave PRS management by a letting agent is to sell their property.

53% of buy-to-let properties sold in March 2022 left the PRS and there was a 49% reduction in properties available to rent per branch in March 2022 compared to March 2019.

Propertymark Regional Executive Adam Kingswood, the owner of Kingswood Residential Investment Management, appeared on the BBC News report discussing the market compared to previous years – stating that more housing is needed to meet the demand and he's never known the market to behave like this in two decades.

Higher rents are not deterring prospective tenants.

Article Abridged from Propertymark



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The Social Housing Regulation Bill set to be introduced to Parliament

Failing social housing landlords could face unlimited fines and Ofsted-style inspections, under the Social Housing Regulation Bill set to be introduced to Parliament. The move will mean more people living in good quality, well looked-after homes.

The Regulator of Social Housing will have stronger powers to issue unlimited fines, enter properties with only 48 hours' notice (down from 28 days) and make emergency repairs where there is a serious risk to tenants, with landlords footing the bill.

In a major reset of power between tenants and landlords, residents will be able to demand information and rate their landlord as part of new satisfaction measures. The Bill will form a key part of the government's mission to level up across the country and deliver on the people's priorities.

Tenants will have a direct line to government, with a new 250-person residents panel convening every 4 months to share their experiences with ministers, inform policy thinking and help drive change in the sector.

The Bill is the latest step in addressing the systemic issues identified following the Grenfell Tower tragedy, not just on the safety and quality of social housing, but about how some tenants are treated by their landlords.

Levelling Up Secretary Michael Gove said: "In 2022 it is disgraceful that anyone should live in damp, cold and unsafe homes, waiting months for repairs and being routinely ignored by their landlord. These new laws will end this injustice and ensure the regulator has strong new powers to take on rogue social landlords. We are driving up the standards of social housing and giving residents a voice to make sure they get the homes they deserve. That is levelling up in action."

The biggest social housing providers will face regular inspections and the Levelling Up Secretary will continue to name and shame worst offenders to make sure residents are living in good quality homes.

Earlier this month, the Levelling Up Secretary called out Britain's biggest social landlord Clarion after the Housing Ombudsman found severe cases of maladministration.

The Bill will also mean landlords will need to have a named person who will be responsible for health and safety requirements. And tenants of housing associations will be able to request information from their landlord, similar to how the Freedom of Information Act works for council housing.

Article Abridged from Property 118

Rates on the Rise, Recession on the Mind. – A Mortgage Broker's Perspective **By Calum Levy, Mortgage and Protection Advisor, Excaliber Associates**

As predicted, we're heading for recession!

In recent months, the Bank of England have been the hot topic, with the 16th of June being the fifth consecutive interest rate rise, we now have the highest base rate of interest in the last thirteen and a half years. The Bank issued a stark warning at the same time, telling us that the energy price rises have pushed inflation above 10% and that the Bank now expects a recession over the course of 2023.

What does this mean for you? – Three of the nine committee members who set the rate, voted for half-point rises instead of just a quarter-point! When looking to the future, we tend to look to the past. Many professionals are expecting the rises to continue, especially with the recent announcement of the energy price cap rise coming in October.

It may be time to batten down the hatches and sort out what you can before the cold bite of a winter recession affects you.

Borrowers on standard variable mortgages are set to be stung the hardest. If you need mortgage advice - SWLA members benefit from Excaliber's, specialist, discounted mortgage advice. Telephone number 01752 340183.

Article Abridged by Calum Levy with Information from the Financial Times

Tenants Take Landlord to Court and Win £15,000

The Guardian newspaper has given an aggrieved tenant the opportunity to explain how he and other renters took a landlord to court - and won. Morgan Jones wrote that although he had worked around housing legislation for much of his professional life, he also worked with a renters' union - Justice for Tenants - to help bring the case to court.

Justice For Tenants has provided training on enforcement powers to local authorities and sits on steering groups and multi-agency forums in the industry, alongside council licensing and enforcement teams, and sometimes Trading Standards.

In his article Jones says that the core of the dispute was over the landlord's alleged failure to return some £700 of the total deposits paid by the tenants in the property, an HMO, when it was sold by the landlord in 2020.

Upon enquiring, the tenants discovered that the property was neither registered with the local licensing system nor was the deposit protected by being lodged with one of the mandatory protection schemes.

In this instance the tenants each received £2,350 on an out of court settlement, with Justice for Tenants taking a similar amount.

Landlords must licence (licensable) HMOs and correctly handle tenant's deposits in line with the deposit protection rules. If you are unsure on how to handle a tenant's deposit, how to lodge it and what prescribed information to give, contact the SWLA office and we will be happy to advise.

Article Abridged by Landlord Today

Hefty Fine for Landlord Failing to Meet Electrical Safety Standards

A landlord has been fined £7,500 for not complying with electrical safety standards at a property he owns and lets out in Bury. He failed to produce a valid Electrical Installation Condition Report (EICR) for the house, meaning the council's environmental health officers could not determine whether the electrical installation was safe. As a result, the council used powers to undertake an EICR at the property. The installation was found to be unsatisfactory and works were required to make it safe and in line with current regulations.

Councillor Clare Cummins, cabinet member for housing services, says: "We are determined to improve standards across the private rented sector and we will exercise our powers where necessary to ensure this happens. People deserve to live in safe and decent homes, and this fine sends a clear message that we will not tolerate irresponsible landlords who let out substandard accommodation which puts tenants at risk."

Landlords have been required to have their electrical installations inspected and tested by a person who is qualified and competent at an interval of at least every 5 years - for all new tenancies from 01 July 2020 and all existing tenancies from 01 April 2021.

If you need an EICR completed, there are many local electricians on the SWLA trade directory whom you can call. Remember to provide your tenant with a copy of the report. You will also need to send the report to the Local Authority if further works are required or if asked to do so, see the 'Guide for landlords: electrical safety standards in the private rented sector' on the gov.uk website.

Article Abridged by Landlord Today

Homes for Ukraine - Accessible Properties Required to Rent

Accountancy firm PKF Francis Clark is looking for properties in the South West region that are suitable for wheelchair users.

The firm is a proud business sponsor of the Government's Homes for Ukraine scheme and is working with a charity, SMA Poland, helping those with Spinal Muscular Atrophy.

There are at least four families looking to relocate to the UK, but the biggest challenge is finding suitable homes. The firm will be supporting them financially, (although the families can access benefits) and can act as a guarantor for the tenancy.

If you have a suitable property or if you have any queries, please contact Alix Reynolds or Mandy Reynolds at PKF Francis Clark on 01392 667000.

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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

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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

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