



2024 – Change? Perhaps

December 2023

Renewals: Have you renewed? The new membership year started 01 November 2023.

Post pandemic: This last year brought new challenges. Eye watering inflation affecting all aspects of life. Soaring interest rates for existing and new mortgages. Landlords under pressure to improve thermal efficiency. Shortage of rental properties forcing up rents and no corresponding increase in Housing Benefit for claimants. The prospect of losing Section 21 and a shrinking Private Rented Sector as landlords exit the market having 'had enough'.

Who would have thought it? – Not the 13 Housing Ministers in post over the past 10 years. Can you name one?! Not the green lobby who want all EPCs at 'C' or better. Not Mr Osborne who introduced anti-landlord taxation which included the removal of Mortgage Interest Tax Relief. Not homeless charities who see only Tenants Rights.

It is the establishment's belief that landlords are the cause of the housing crisis.

The average landlord has less than 2 properties and a day job!

Government Policy, influenced by lobbying groups is the cause. Last years aim was to build 340,000 new homes. 250,000 were built. Was net immigration of 645,000 last year (1.3million over 2 years) factored in?

An election is in the offing. Will your MP be interested in landlord views? (Mine isn't). Will we continue to see the demise of the Private Rented Sector?

President's Plea (following my rant!) – CHRISTMAS: The season for giving! For 25 years I have given time and effort to build our association.

May I ask you to read [justgiving.com/fundraising/gemma-kerr8](https://www.justgiving.com/fundraising/gemma-kerr8) and consider giving a small donation? Gemma is my granddaughter who is running the London Marathon on behalf of Dementia UK, which can affect all we oldies.

You can also visit the Just Giving website and search 'Run 4 Shorty' where you will find Gemma's donation page.

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Dealing with Anti-Social Behaviour (ASB) - Advice for Landlords

“Anti-social behaviour is any behaviour that causes, or is likely to cause, harassment, alarm, or distress to one or more person(s) from another household.”

Examples of ASB include noise nuisance, verbal abuse, harassment and intimidation, drug dealing, as well as environmental nuisance such as fly-tipping and graffiti.

Tenants who are experiencing ASB can deal with it in the following ways:

Speaking with the person(s) involved

If the tenant feels safe to do so, they should consider talking to the person(s) causing the ASB. Often people don't realise their behaviour is affecting others so a calm conversation explaining the impact of their behaviour can often result in the situation being resolved before things escalate.

Alternatively, a polite note could be popped through the neighbour's door. Plymouth City Council have a template letter available on their website which can be downloaded and printed - www.plymouth.gov.uk/sites/default/files/NeighbourNoiseletter.pdf

Reporting it to an agency

If the tenant doesn't feel safe or comfortable addressing the issue with the person directly, they can report the ASB to the below agencies:

- The Local Authority - Local Authorities have a range of tools and powers they can use to assist in the resolution of ASB. All Local Authorities should have information on their website about how ASB can be reported.
- The Police - ASB can be reported to the tenant's local police force. The only exception is noise nuisance within premises which would be dealt with by the Local Authority. Reports can be made to the Police by calling 101 or via the force's website. Always call 999 in an emergency.
- A Housing Association (where relevant) - If the person causing the ASB is a Housing Association tenant, the tenant can also report to the relevant Housing Association. Housing Associations have a range of tools and powers they can use to tackle anti-social behaviour.

Evidence

It is a good idea for tenants to try and collate evidence of any ASB they are experiencing. This could include keeping a written diary of ASB witnessed, recording noise nuisance on a mobile phone, or capturing visual evidence using CCTV or a video doorbell. Further information about this, including a sample diary sheet, can be found via this link on the ASB Help website - asbhelp.co.uk

Anti-Social Behaviour (ASB) Case Reviews

An ASB Case Review is a statutory right that gives victims of persistent anti-social behaviour the right to request a multi-agency review of their case where a required threshold has been met.

Details of how tenants can request ASB Case Reviews are available on every Local Authority and Local Police website.

Support with Anti-Social Behaviour

The impact of ASB on a person can be significant. It can affect a person's physical health, mental health, relationships, work, finances etc.

If a tenant reports feeling negatively impacted by ASB, there are several national organisations you can signpost them to, including:

Victim Support - Call 0808 16 89 111 or visit www.victimsupport.org.uk

ASB Help - asbhelp.co.uk

True Vision (hate crime support) - report-it.org.uk

Local GP / mental health services

Citizen's Advice

Mental Health Support Charities/Organisations

Tenants who Cause Anti-Social Behaviour

Prevention

To reduce the chances of your tenants(s) causing anti-social behaviour in the first instance, consider the following:

Tenancy Agreement - have a clause in your tenancy agreement about anti-social behaviour, making clear that any reports will be taken seriously, and outlining what actions may be taken if the tenant causes anti-social behaviour.

An ASB Procedure - you may also want to consider having a written procedure for how you deal with ASB. This can be given to tenants with their tenancy agreements so that expectations are clear from the offset. This procedure could also contain information about how a tenant can report ASB and where they can access support.

Pre-tenancy meetings and reference checks – it is a good idea to meet tenants in advance of them signing up to their tenancy agreement. During this meeting, you can have a conversation about anti-social behaviour and be clear from the offset that you deal with this robustly. Always ask to see a prospective tenant's references.

If ASB Reports are Received

If you receive any reports about your tenant causing anti-social behaviour:

Intervene early – speak with your tenant to let them know about the allegation made and ask what their response to this is. Remind them about their tenancy obligations not to cause anti-social behaviour and the potential risk to their tenancy if they do. Try to find out if there is any support they may need and signpost accordingly.

Tenancy warnings – you should consider use of verbal warnings, written warnings, and final written warnings within your ASB procedure. Warnings should contain information about the type of ASB being reported, terms of the tenancy being breached, consequences for continued breaches, and advice about where a tenant could seek support to change their behaviour (where relevant).

Warnings can also contain information about the serving of notices and evictions for persistent and serious ASB. It is good practice to serve written warnings in-person, where possible, to ensure the tenant receives the letter and a discussion can be had around their behaviour.

Serving notice – where earlier attempts to resolve the anti-social behaviour have not been effective, you may need to consider serving your tenant with notice via Section 21 (for effective possession) or Section 8 (potential possession but not guaranteed). It is a good idea to seek advice from a landlord association prior to doing this.

Ask agencies for help – link in with your Local Authority's ASB team or local police force to ask for support. These agencies have a statutory responsibility to tackle ASB and will be able to offer you advice and support.

Keep accurate records – keep a written record of any interactions with your tenant(s) linked with anti-social behaviour, including details of any warnings given or notices served.

Article by Plymouth City Council, Community Connections Team

How to Rent Guide Updated & Republished on 02 October 2023

The changes are as follows;

"The How to Rent guide has been updated with advice on how to access free legal aid services, advice and support, regardless of financial circumstances."

Any tenancies that began on or after 02 October 2023 are affected, ensure that this new version is supplied to your tenants at the start of the tenancy or before. If you forget to provide it, provide it at the soonest opportunity. Keep proof or a note that you have served it.

Always print the How to Rent Guide from the gov.uk website to ensure that you are providing the most up to date version.

<https://www.gov.uk/government/publications/how-to-rent>

Autumn Budget for Landlords

Some takeaways from Jeremy Hunt's Autumn Statement –

Unfreezing Local Housing Allowance Rates. LHA to cover at least 30% of local market rents. The government has stated that this will give 1.6 million households an average of an extra £800 per year.

Self-employed landlords and letting agents to receive tax cuts. The cuts include an abolishment of class 2 national insurance for self-employed people earning over £12,750 per year. This means that affected self-employed people will not need to pay a current compulsory charge of £3.45 a week - saving around £192 a year. Meanwhile, self-employed people who pay class 4 national insurance will now pay 8% (rather than 9%) on all earnings.

Measures to support increased homebuilding. This may alleviate pressures on the sector. The government has committed to spending more money on building new homes and relaxing planning rules. The Chancellor committed to investing £110 million into “nutrient mitigation schemes”, which could lead to the building of 40,000 more homes. There was also a commitment for £450 million worth of funding to local authorities to build 2,400 new homes.

Opportunities for property developers, including converting houses to flats. Intention to consult on a new permitted development right, enabling any home to be converted into two flats, so long as “the exterior remains unaffected”. Meanwhile, homebuilders may benefit from new premium planning services across England with guaranteed accelerated decision dates for major applications, and fee refunds wherever these are not met.

Smaller agencies to benefit from business rate relief. The small business multiplier has been frozen for a further year. This affects small businesses - likely agencies - whose rateable value is under £15,000. These rates may impact independent high street agencies, with Jeremy Hunt stating that these measures would save the average independent shop more than £20,000 over the next year.

Higher wages for lower earning tenants and property professionals. Confirmed increases of almost 10% to the National Living Wage, from £10.42 to £11.44 an hour. The National Living Wage is the minimum hourly pay workers receive - and has now been expanded to include anyone 21 years old and above. More than 2.7 million workers will benefit from this increase, which may impact tenant affordability.

One pension pot for life to affect entire rented sector. Multiple announcements were made regarding pensions, including a commitment to the ‘triple lock’ which increases the full state pension by up to £221.20 a week (up by 8.5%).

The government-backed 95% Mortgage Guarantee Scheme has been extended until the end of June 2025 - 18 months longer than previously agreed.

Universal Credit and other benefits to rise from April by 6.7%.

Article Abridged from GoodLord & Landlord Today

EPC ‘C’ Deadline: U-Turn Announced in Prime Minister Speech

The Prime Minister announced that the proposed plans, which would require landlords to upgrade private rented properties to EPC band C by 2025 or 2028, would be scrapped. The sector was awaiting confirmation following a consultation under Minimum Energy Efficiency Standards (MEES) Regulations about when properties would be required to meet EPC band C for all new and existing tenancies.

This move leaves landlords with no long-term clarity around what is expected of them and by when energy efficiency upgrades will now be required. It is important to remember that the current standard for rental properties to be E or above remains in place.

Damp and Mould

On 07 September 2023 the government released a publication named 'Understanding and addressing the health risks of damp and mould in the home'. The publication highlights the serious negative health implications which damp and mould can pose. Further it provides detail on the legal responsibilities placed on landlords to ensure that accommodation they provide is free from serious hazards and fit for habitation.

If tenants report damp or mould within their home, landlords must address the problem promptly.

Visit the property and identify the cause of the problem, if you cannot identify the problem, you can instruct a damp surveyor to create a report.

Once damp and mould have been identified, it is essential that the mould is removed promptly, reducing health risks for tenants.

Mould can be removed from hard surfaces with an appropriate cleaning product and should be left to dry completely. Mould and mildew products should be used in preference to bleach, for health and safety reasons. Absorbent materials such as carpets, soft furnishings and ceiling tiles may have to be thrown away if they become mouldy, as it may be difficult or impossible to remove the mould completely. While most tenants could reasonably be expected to remove condensation and very small amounts of mould using an appropriate mould and mildew cleaner, larger areas of mould should only be addressed by qualified professionals. When identifying an experienced contractor, landlords should check training, qualifications and references. Regardless of the extent of mould, the person removing the mould should wear protective equipment, such as a mask, gloves and goggles, in order to avoid contact with mould spores or cleaning products.

If the problem is structural or through faulty installation, landlords must make a repair as timely as possible. Keep the tenant informed of actions and time frames. If the following problems are present, you must make repairs; leaking internal pipes, not enough ventilation, broken boilers and heating systems, cracked or rotten window frames, leaking roofs/faulty guttering, faulty extractor fans, external and internal structural defects. Fix any damage caused by the damp e.g., redecorate/clean carpets etc. You should check in around 6 weeks after the repairs are made to ensure that the problem has been resolved.

If the problem is not structural and not through faulty installation – it's likely that condensation is causing the damp/mould. It happens when moisture in the air meets a cold surface, like a window or an external wall. Tenants can do the following to keep condensation to a minimum; open windows regularly, use pans lids when cooking, dry clothes outside or use a dryer, close internal doors when you cook or shower, use extractor fans in the kitchen and bathroom, leave a gap between furniture and external walls, wipe visible condensation from windowsills each morning. Condensation is worse in cold properties, fuel affordability could be a contributing factor – encourage tenants to keep in touch with Shelter, Citizens Advice and the Local Authority if they are struggling with the rising cost of living. There is help for tenants depending on their situation.

On the SWLA website news feed you will find a brilliant damp and mould video by Plymouth Energy Community – many of our members have sent the video to their tenants to increase awareness of condensation and mould in the home.

Article Abridged from Plymouth City Council, gov.uk and Shelter

HMO Council Tax Changes

New legislation came into force on 01 December 2023, putting an end to the practice of disaggregating houses in multiple occupation (HMOs) and clarifying who is responsible for council tax.

Disaggregation is the process by which the Valuation Office (VOA) can 'split' a HMO into single units for council tax purposes, meaning landlords and tenants were liable to pay the council tax for each room, rather than for the property as a whole.

Splitting the property in this way often meant that tenants paid significantly more council tax than they normally would. It also placed the landlord at a competitive disadvantage as disaggregation was not applied uniformly, meaning that some properties on the same street would be significantly more expensive than others.

Following a consultation earlier this year – and campaigning by the HMO Council Tax Reform Group - this practice will now come to an end, reducing council tax bills for some tenants and giving certainty to landlords.

What has changed?

Landlords can now expect a HMO to have a single council tax bill. The regulations also make the landlord liable for council tax in all HMO properties, regardless of whether it is let on a joint tenancy or by the room. Given this, HMO landlords should factor council tax in for their rents going forward, if they are not doing so already.

Where the property is currently split, with multiple council tax bills sent out, the Government will 'reaggregate' it, to create one rebanded council tax bill.

The Department for Levelling Up, Housing and Communities has confirmed that if tenants are in arrears with council tax because of disaggregation, councils should offer discounts on the council tax bill until the issue is sorted out and the property reaggregated.

Licensed HMOs

If you have a licensed HMO property that has been disaggregated, you should not have to do anything to start the process. The VOA has written to local authorities asking for a list of all licensed HMOs in their area. The VOA should contact affected landlords by the end of January 2024 to inform you of the new council tax banding.

HMOs that do not require a licence

If your HMO is unlicensed (as it does not require one) the onus will be on you to contact the VOA to challenge the current banding.

The VOA should then respond to the challenge within four months, with a new council tax band for the whole property.

Please note

Rooms with self-contained facilities – e.g. a bathroom and kitchenette, will continue to attract their own council tax.

Article Abridged from NRLA



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Criminal Landlords Fined for Letting Unlicensed HMOs

A trio of Cambridge landlords have been fined more than £8,000 between them, after three separate HMOs were found to be unlicensed.

An inspection of the first house was carried out after a review of council records in February this year. It found the property housing five tenants had been an unlicensed HMO since at least 2018, meaning it was potentially unsafe for the tenants living there. In July the directors of the company owning the property were issued with a Financial Penalty Notice for the offence totalling £1,898.73.

An inspection of the second house found it was housing seven tenants and had been an unlicensed HMO since at least 2014. Again, in July the landlord was issued with a Financial Penalty Notice for the offence totalling £3,535.89.

Following a further inspection of a third property the council found it had not been licensed since October 2018. The landlord was issued with a Financial Penalty Notice for the offence totalling £2,549.65.

The necessary mandatory HMO licences have now been granted with an additional condition requiring the owners to undertake recognised landlord training within six months.

A Cambridge council statement said: "Where a landlord or property manager receives a civil penalty it can be taken into account when considering whether they are 'fit and proper' to be the licence holder for an HMO. In cases where a landlord or property manager receives two or more civil penalties over a 12-month period the council may include their details in the national database of rogue landlords and property agents."

Article abridged from Landlord Today

Plymouth City Council have recently actioned a similar case where a landlord and their letting agent have been ordered to pay a £13,000 penalty after renting out unlicensed HMOs. The landlord, who was investigated by Plymouth City Council officers was found to have committed an offence for not having a licence for three of their properties. The authority decided to pursue a civil penalty rather than a criminal prosecution. Plymouth City Council are keen to support good landlords but will not hesitate to take action against landlords if they are found to be acting unlawfully.

Upcoming SWLA Training Course

Landlord Accreditation Training Course

Tuesday 6th February 2024 – 9:15am-4:30pm

Venue – Reception Room, Plymouth Council House, Armada Way, Plymouth PL1 2AA

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.

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

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See the SWLA website for further courses.

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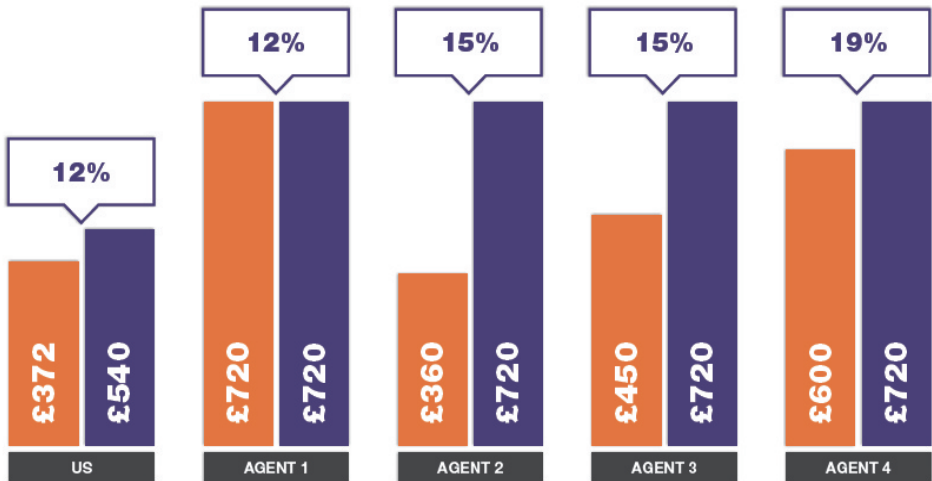


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Unauthorised Subletting – What’s the Problem?

A survey by insurance provider Direct Line found that 13% of tenants have sublet part or all of their home.

Subletting a privately rented property is legal, but it is often a breach of the tenancy agreement. Subletting also puts the landlord at risk; if people who are not named on the tenancy agreement live at a rented property, this can breach the terms of the landlord’s insurance, as well as any contents insurance held by the tenants. It can also mean that the property inadvertently becomes an HMO.

Tenants are unlikely to have tenant vetting procedures as good as landlords, increasing the risk of bringing in a subtenant who damages the property.

Often, subletting happens with the landlord’s knowledge: 52% of tenants who rented to subtenants informed their landlord. But landlords should know the potential consequences, including non-payment of rent, damage to the property, issues with deposit protection, and invalidation of their insurance policies or mortgages.

Who sublets?

Often, subletting occurs in house shares occupied by joint tenants. If one housemate gives notice to the landlord, this ends the tenancy for all the tenants, so they will often look for a replacement housemate instead – with or without the landlord’s knowledge and permission.

Some subletting is also driven by the rise of rent-to-rent arrangements, where a tenant rents a property and then sublets it to one or more tenants, pocketing the difference in rent. This may happen with the landlord’s knowledge: various companies offer rent-to-rent services promising guaranteed rent and reduced responsibility for managing the property. However, rent-to-rent operators have been known to pose as ordinary tenants and then sublet the property without the landlord’s knowledge, sometimes even renovating to fit in more subtenants.

Regular inspections of the property can determine if it is being occupied by more people than are on the tenancy agreement. In house share arrangements, landlords can also work with the tenants to ensure that replacement tenants are properly checked and added to the tenancy.

SWLA recommend that every resident over the age of 18 is added to the tenancy agreement. By doing this, it is very clear who your tenants are, who has responsibility in the property, and who to serve notice to if the time comes where you need possession of the property.

If you allow over 18’s to reside at the property, and don’t have them on the tenancy agreement – you could land yourself in a very complex situation where they believe themselves to be a tenant, and it would be difficult to prove otherwise in court, creating a messy possession case.

Know your tenants! Complete your Right to Rent checks and credit checks! Carry out your landlord responsibilities!

Article abridged from PayProp

Tax Deadline Reminder

You need to file your tax return and pay your tax bill, by the 31 January the year after the tax year in question, for example, if you’re paying your 2022/2023 tax return, this should be completed before the 31st of January 2024.

What taxes do landlords have to think about/pay?

Stamp Duty Land Tax, Rental Income Tax, National Insurance, Capital Gains Tax, Inheritance Tax.

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Rates on a Ride, Lender's Limbo, What's Next? – A Mortgage Broker's Perspective

Since you last heard from me, the outlook for the economy has drastically changed! With inflation seemingly falling into line, lenders and their rates are behaving much more sensibly.

The 7% fees that we were seeing rise to prominence in September have fallen out of favour, as lenders have engaged in a 'race to the reasonable' instead of a 'race to the top!' – Competition has returned which is making my job easier and your jobs produce better yields. If you've been putting off the decision to remortgage, I'd recommend having a shop around just now, especially as the Bank of England has signalled that it is likely to keep the base rate at the same level (5.25%) for most of next year.

Presently, my desk has a number of applications on, mostly made up of HMO purchases, and purchases in Scotland; so the appetite to buy is still there. Many other voices in the industry, like a recent talk I went to by Kensington Mortgages, claim that larger landlords will make up most of the purchases in the coming year, but contrary to this; I have a number of new clients taking on their first properties. From my point of view, this is the best time for the market in the last 12 months.

A clear strategy, quality professionals to help you, and optimism are the key tools to help portfolio landlords at the moment. So don't hesitate to reach out.

On another note, I won't be writing to you until after the new year! We'll be moving premises between now and then, and I'm sure the Christmas parties are near the top of the agenda too. Until then, have a wonderful Christmas, and here's to a better 2024!

Written by Calum Levy, Mortgage Adviser, Excaliber Associates Ltd

Plymouth Properties Required!

Path

Path supports people on low incomes to find private rented accommodation. Path can provide a deposit or a deposit guarantee and rent in advance. Plus, landlord and tenant support for up to 2 years following a move in. Path can arrange direct to landlord rent payments if the tenant receives benefits. In some cases, Path can offer further incentives such as a fee paid to the landlord or a contingency fund. There is also an option to lease your property to Path.

Path can give free face to face advice and may be able to assist with obtaining funds to improve your property. Call or email for further information - easylet@pathdevon.org **01752 293719**

Havencare

Havencare is a charity which assists adults with autism and or learning difficulties to be able to live independently.. They are looking for long-term lets throughout the South West. Call or email for further information - repairs@havencare-homes.com **01752 251476**

Colebrook

Colebrook South West is a charity supporting vulnerable adults in Plymouth. They are looking for large (4 to 8 bedroom) properties to rent to provide supported living accommodation. Central location with parking is ideal but all areas considered. Long leases, utility bills and day to day repairs taken care of, call or email for further information - enquiries@colebrooksw.org **01752 205210**

Making Tax Digital (MTD) Update

Good news for landlords earning under £30,000 a year – the government have no plans to make them use the HMRC's MTD scheme. The announcement came in paperwork released following the Autumn Statement.

As it stands, landlords with an income over £50,000 will still have to join MTD from April 2026, followed by those earning over £30,000, from April 2027.

A statement on the HMRC website says it will "keep under review the decision on further mandation of businesses and landlords with income below £30,000",

MTD is HMRC's plan to digitise the tax system for VAT, Income Tax Self Assessment and Corporation Tax for businesses and individuals. MTD aims to make tax returns simpler and more efficient.

Just a year ago, landlords and others were given an extension to the deadline for using the software. Now landlords earning under £30,000 a year are completely exempt (for now). HMRC adds: "The government remains committed to delivering MTD for Income Tax Self Assessment and believes this is central to building a trusted, modern tax administration system and supporting small business productivity.

Higher earning landlords who do have to join the system from 2026 onwards must submit quarterly summary data to HMRC, rather than one larger end of year self assessment. This will have to be submitted via special software.

Article Abridged from Landlord Today

End of year Property Insurance Round-Up By Jeremy Wood, Oakfield Insurance

Another year seems to have flashed by! From an insurance market perspective 2023 has reflected the uncertainty we have seen in the economy due to rising costs, lack of tradesman availability and increasing mortgage rates.

We are currently in the midst of a hard insurance market – meaning that the cost of insurance is on the increase, cover terms are being restricted and capacity for most types of insurance decreases, this can be evidenced by;

- Our data indicates average rate increases for landlord insurance renewals of 16%
- AXA removed their Residential Let product from 1st September 2023
- New flood data means more properties are having flood cover excluded or higher excesses
- Money Saving Expert website has stated home insurance costs up 26% in 2023

The better news is that index linking (the percentage by which your buildings sum insured is increased to give some protection against underinsurance on your property) has peaked and is now back to 4% for January 2024 insurance renewals.

Our advice would be to speak to your broker prior to the renewal of your insurance to ensure that all of the details are correct and to assess the cover that you have to ensure that you are not paying for cover that is incorrect or that you do not require.

Article by Jeremy Wood, Oakfield Insurance Brokers Ltd

Huge Increase in Fines for Right to Rent Non-Compliance

The Home Office has revealed plans to increase the level of fines that landlords can face if they are found to have not checked tenants properly to see if they have the right to rent in a property or are found to have deliberately been involved in evading the rules.

Immigration minister Robert Jenrick, who is also a former housing secretary, announced the massive ramping up of the fines, which also apply to businesses who employ people not entitled to work in the UK.

For landlords the fines will increase from £80 per lodger and £1,000 per occupier for a first breach to up to £5,000 per lodger and £10,000 per occupier.

Repeat breaches will be up to £10,000 per lodger and £20,000 per occupier, up from £500 and £3,000 respectively. The higher penalties will come in at the start of 2024.

Jenrick has also revealed that landlords have been hit with over 320 civil penalties worth a total of £215,500 since the start of 2018 when the Government's Right to Rent rules were first introduced.

Landlords should already be checking the eligibility of anyone they let a property to and there are a number of ways to do this, which are not changing, including via a manual check of original documentation and a Home Office online checking system.

For full details on how to carry out a landlord Right to Rent check, please see the gov.uk website www.gov.uk/landlord-immigration-check and contact the SWLA office if you have any queries.

Article abridged from Landlord Zone

Landlord who Crammed 40 People into House is Banned

A criminal businessman has been given a London council's first ever landlord banning order.

Property dealer Mr Valand, who lives in Wembley, has been banned from letting out houses in England and engaging in any sort of property management work in the country for the next five years. A judge issued the ban after the council proved that Valand had been responsible for multiple housing-related offences in Brent.

He was one of four slum landlords found guilty of raking in £360,000 by packing up to 40 tenants into a four-bed semi-detached home in Wembley back in 2018. Enforcement officers discovered one of the tenants living in a lean-to shack made out of pallets and tarpaulin with no lighting or heating.

Although he received a £5,000 confiscation order, Mr Valand went on to exploit more vulnerable tenants. In January 2022 he was found guilty of breaching housing regulations at a licensed HMO property, again in Wembley.

Enforcement officers discovered fire safety violations, accumulating waste, disrepairs and unhygienic conditions under Valand's management while he pocketed £1,400 a month from tenants living in unsafe conditions without tenancy agreements. He was fined £30,000 and ordered to pay £3,347 in costs by Willesden Magistrates Court.

Councillor Muhammed Butt, leader of Brent council, says: "This is the first ban we have issued since Brent was given the powers in April 2018 to ban serial rogue landlords under the Housing and Planning Act 2016. If Mr Valand breaches his five-year ban, he will face a prison sentence."

Article abridged from Landlord Today

HMO Licence Renewals

We have just passed the 5-year anniversary for HMO licensing legislation changes that came in from 01 October 2018. As you will be aware, those changes introduced licensing across a wider spectrum of property type. The properties where a licence was issued following this change were due for renewal on 30 September 2023 (some in October 2023 and November 2023). To assist in this and in preparation, Plymouth City Council and some other local authorities have issued renewal reminders to landlords.

If your licence is due for renewal, visit the local authority website and renew online.

SWLA do not recommend that landlords rely on reminders for HMO licence renewals. Diarise the renewals and get ahead! Many landlords like to renew their Landlord Accreditation status prior to applying for their licence renewal to utilise the discretionary discount that many local authorities provide. Bear in mind that to do this, you will need to book on an accreditation course, attend the course and receive your certificate in order to receive the discount.

Renters Reform/Section 21 Abolition Update

The Renters (Reform) Bill went through its second reading in parliament in October 2023. The Government announced that the planned abolition of Section 21 will not occur until there are significant improvements in the court processes for legitimate possession cases. The Government has committed to improve the process before moving forward with any changes to the Section 21.

It has also been confirmed that a new ground will be established for repossessing properties to protect the annual cycle of short-term student tenancies.



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Member Reminders!

Use your SWLA discount! If you aren't sure where you can get discount and how to apply – please contact the office. At TradePoint/B&Q, members receive 10% off most purchases, including sale/offer items.

SWLA Stationery and landlord documents can be found on the members area of our website.

Contact Details – if your contact details change, please let the office know so we can keep you up to date on legislation changes.

Keep an eye on the SWLA website for future training courses

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

Richard Gore at Shakespeare Martineau 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 0179 906 9400 or email richard.gore@shma.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@enigmaw.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.

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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