



**ARNEIL
JOHNSTON**

Public Sector Housing &
Facilities Consultancy

Enforcing Landlord Registration

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Agenda

- **Recent Events**
- **Breaches of Registration**
- **Why Enforce?**
- **Enforcement Action**
- **Examples of Enforcement**
- **Group Discussion**

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Recent Events

- **Good Practice Review**
 - **Local authorities looking for guidance on enforcement**
 - **Good Practice Implementation Group**
 - **Enforcement Sub-Group**
- **Secondary Legislation Consultation**
- **National Consultation**
- **Renewals Commence March 09**

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Breaches of Registration



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Offences

1. Failure to Register
2. Provision of False Information
3. De-Registered Person Continuing to Let
4. Non Registered Owners Communicating to Prospective Tenants

De-Register

5. Failure to Notify Change in Circumstances
6. No longer Fit and Proper

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So Why Enforce?

Registration Can:

- Increase Standards
- Improve Property Conditions
- Provide Tenants/Public a Route to Complain
- Facility to Identify & Contact Landlords
- Improve Knowledge on Sector

Two Strands to Enforcement:

1. Failure to Register
2. Continuing Compliance

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Enforcement Action

1. Failure to Register

- Ensuring all landlords & properties are registered
- Identifying unregistered landlords & properties
- Ensuring Compliance:
 - Late Application Fees
 - Rent Penalty Notice
 - Court Action

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Enforcement Action

2. Continuing Compliance

- **Pre-emptive Action:** producing certification
- **Responsive Action:** complaints
- **Targeted Random Checks:** identify risk areas and focus action/checks
- **Random Sample Checks:** target a % of landlords for closer scrutiny

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Examples of Enforcement

- Late Application Fees
- Rent Penalty Notices
- Appointing Letting Agents
- Refusing to Register
- De-registration
- Court Action

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Discussion

1. For those who have not registered, what is the most effective enforcement strategy?
2. For those who are not complying with their responsibilities, what is the most effective enforcement strategy?
3. In order to improve practice, what issues should enforcement tackle?
4. Should there be detailed national criteria outlining the implementation of the fit & proper person test? OR

Should it be prescribed locally to allow for a flexible approach?

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