

Explaining the new private rented sector powers

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Health warning

The ASB Bill provisions on the PRS were changed dramatically at stages 2 and 3 and in a week not all the implications are clear.

Context

- HMO licensing
- National standards for accreditation
- Housing Improvement Task Force
- ASB Bill

ASB Bill

Part 7: Anti-social behaviour notices

Part 8: Registration Areas

Policy intentions

Part 7: ASB Notices

Served by LAs on individual landlords

Sanction 1: rental income order

Sanction 2: management control order

Sanction 3: fine of up to £5,000

Part 8: Registration of landlords

Now covers all PRS (160,000 lettings and up to 40,000 landlords). But may not include resident landlords

Registers run by LAs to cover details of landlord / agent and addresses let

Registration based on provision of contact details and being judged “fit and proper person”

Purpose:

- To assess whether landlords and agents are fit to let houses.
- To give LAs powers to intervene
- To identify properties

Registration

- Details of landlord and agent
- Addresses of all lettings

“Fit and proper” test

- Past (unspent) criminal convictions
- Previous record of managing ASB
- Evidence of other illegal acts or poor management
- HMO licensing evidence

Even if such evidence exists then landlord can let if agent is involved.

Consequences and Sanctions

Fine of up to £5,000

Serve a notice of non-payment of rent

Implications

- Administration
- Fees
- Tenancy status
- Supply & Quality
- Rents
- Loopholes
- Guidance

Looking ahead to Private Sector Bill