

The slide features a blue background with a large, stylized eagle graphic in a lighter shade of blue, swooshing across the middle. At the top, there are three horizontal lines: a thick green line, a thin white line, and another thick green line, all slightly offset from each other.

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**East Lothian**  
Council



# *Early Lessons From Registration*

Shelter Conference 24/08/06



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# *What is Registration?*

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- ◆ The Antisocial Behaviour etc. (Scotland) Act 2004 introduced Landlord Registration.
- ◆ All private landlords in Scotland have to apply for registration with Local Authorities.
- ◆ This took effect on the 30<sup>th</sup> April 2006



# *Exemptions*

- ◆ Holiday Lets
- ◆ Properties managed by religious orders
- ◆ Properties with a resident landlord
- ◆ Liferents
- ◆ Accommodation with care
- ◆ Lets to family members
- ◆ Agricultural & Crofting Tenancies



# *How to Landlords Apply?*

- ◆ Applications can be made either online or on a paper application form.
- ◆ Online applications are made at [www.landlordregistrationscotland.gov.uk](http://www.landlordregistrationscotland.gov.uk)
- ◆ Paper applications are made on forms which are available from respective Local Authorities.



# *Information to be Provided*

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- ◆ Name, address, date of birth and previous names
- ◆ Addresses of let properties
- ◆ Details of any joint owners and/or Agents
- ◆ A contact address
- ◆ Information on unspent convictions

# *Local Authority Role*

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- ◆ The LA will assess the application taking account of
  - ◆ Convictions for fraud, dishonesty, violence or drugs.
  - ◆ Any evidence of unlawful discrimination.
  - ◆ Any breaches of law relating to housing.
  - ◆ Any failure to act in relation to antisocial behaviour
- ◆ Decisions on whether or not to accept an application are judgements on the light of the information available – not automatic.



# *Fees*

- ◆ Principal Fee £55
- ◆ Supplementary Fee £11 per property
- ◆ Discounts available to
  - ◆ Related Joint Owners (100%)
  - ◆ HMO Licence Holders (100%)
  - ◆ Registered Charities (80%)
  - ◆ Online Applications (10%)
  - ◆ Each additional LA area applied to (75%)





# *Aims of Registration*

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- ◆ To improve private renting in Scotland by enforcing minimum standards relating to letting.
- ◆ To oblige those who do not provide this minimum service to improve or leave the sector.
- ◆ To allow tenants, neighbours and LA's to identify and contact landlords and agents of private rented property.
- ◆ To provide information on the scale and distribution of the private rented sector in Scotland for the first time.

# *Benefits to Landlords*

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- ◆ Gain stamp of approval from LA's.
- ◆ Able to operate in a market without the unfair competition of bad landlords.
- ◆ Able to identify and contact other landlords in neighbouring properties to organise repairs.
- ◆ Able to contact the LA for information and advice.

# *Benefits to Letting Agents*

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- ◆ Gain stamp of approval from the LA if they register in their own right.
- ◆ Able to use this stamp of approval to market themselves to future clients.
- ◆ Able to identify and contact other landlords and Agents in neighbouring properties to organise repairs.

# *Benefits to Tenants*

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- ◆ Will know whether their landlord has been passed as fit and proper.
- ◆ Will be able to identify and contact their landlord using the public register.



# *Benefits to Neighbours*

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- ◆ Will be able to use the public register to identify and contact landlords of neighbouring properties to organise repairs.
- ◆ Will be able to contact the LA if antisocial behaviour is occurring in a neighbouring property.

# *Benefits to Local Authorities*

- ◆ Able to use the register to identify and contact landlords to organise common repairs.
- ◆ Will gain a tool to drive out the worst landlords
- ◆ Able to deal more effectively with situations where private landlords are failing to address antisocial behaviour in and around their properties.
- ◆ Provides information about the private rented market in their area.



# *Implementation History*

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- ◆ In 2004 the Antisocial Behaviour etc. (Scotland) Act 2004 introduced Landlord Registration.
- ◆ Consultation Documents were returned to the SE in September 2005.
- ◆ In December 2005 a meeting was held between the LA's and the SE, where the basic operation procedures were laid out.



# *Implementation History Ctd.*

- ◆ Training sessions were run for the IT system to be used in January 2006.
- ◆ In late January 2006, the fees for Registration were fixed at £55 plus £11 for each property.
- ◆ Due to problems with the IT system the go live date was put back to the 8<sup>th</sup> March 2006.
- ◆ As a result the deadline for applications was extended to the 30<sup>th</sup> April 2006.





# *Experiences in East Lothian*

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- ◆ In September 2005 an officer was appointed to have responsibility for all private sector housing issues.
- ◆ The main item for consideration at that time and since has obviously been Landlord Registration.
- ◆ However PSL, Factoring, Accreditation, Landlord Forums and the Housing Act 2006 have also been areas which the officer has been involved in.

# *Experiences in E.L. (2)*

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- ◆ In late 2005, ELC began to plan for the introduction of Registration.
- ◆ In December 2005 the Landlords Forum was resurrected, with the main focus being landlord registration.
- ◆ Information was also published on the Council's website.

# *Experiences in E.L. (3)*

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- ◆ In January and February 2006, introductory leaflets were produced and letters sent to Agents and Solicitors around E.L. and Edinburgh.
- ◆ When the IT system went live for application in March 2006, a steady stream of applications, enquiries, problems etc, began to crop up.
- ◆ In mid to late April 2006 however, due to the vast numbers of applicants trying to register, the IT system was creaking under the strain and eventually broke down.



# *Experiences in E.L. (4)*

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- ◆ The numbers of queries and problems rose alarmingly, mainly due to problems with the IT system.
- ◆ As a result an number of road shows and help sessions were held, where applicants could receive information and guidance. Sessions were also held to aid the completion of applications online.
- ◆ Applications which had gone wrong were also investigated and problems sorted.

# *Experiences in E.L. (5)*

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- ◆ As a result of the time spent on the previously noted points, the drafting of procedures and the issuing of documentation and invoices was delayed.
- ◆ Indeed in E.L. we are only now beginning to issue invoices to applicants.
- ◆ The number of landlords which were estimated to have properties in E.L. has already been exceeded, however it is now felt that there are many more applications outstanding.



# *Experiences in E.L. (6)*

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- ◆ It is intended to start the process of accepting the straightforward applications in the near future.
- ◆ However the process of dealing with applications where concerns have been raised has still to be finalised.
- ◆ The identification of landlords who have not applied has yet to begin.

# *Problem Areas*

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- ◆ The time between enactment of the legislation and implementation.
- ◆ The lack of available resource in the LA's to manage the implementation and run the scheme.
- ◆ The fragility and complexity of the IT system.
- ◆ Lack of awareness of the legislation amongst landlords.

# *Problem Areas (2)*

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- ◆ The volume of applications, problems and queries has taken up a much greater amount of time than originally estimated.
- ◆ The complexities of individual applications.





# *What Now?*

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- ◆ Where do we go from here?
- ◆ How could things be improved?
- ◆ What changes could be made?
- ◆ What have individual LA's done to resolve problems and improve the process?
- ◆ What could be done to make the process easier and more efficient in 3 years time?

