

LOCAL AUTHORITY PRIVATE RENTED SECTOR MODEL STRATEGY

Name of local authority, referred to hereafter as the Authority, has two key functions in its relationship with the private rented sector (PRS) operating within its administrative area.

Firstly a strategic enabling role to help good landlords to provide an essential private rented housing service and secondly a regulatory role to ensure that the health, safety and welfare of tenants is protected.

The vast majority of private landlords provide a good service but their reputation can be let down by a minority of poor landlords who provide a substandard service.

This Authority sees its regulatory role as providing support to good landlords by taking statutory enforcement action against poor landlords to force them to improve or to get out of the market altogether.

This Authority sees its regulatory and enabling roles as being complementary.

A simplified chart in appendix 1 at the end of this document shows how these roles interact.

1. Strategic enabling role

This Authority needs a supply of good quality privately rented accommodation adequate for the needs of its citizens. To achieve this aim this Authority needs and values its good landlords. Those landlords and this Authority have a common objective .. *the creation and maintenance of a prosperous private rented sector that provides the right choice of accommodation in the right areas at the right price.*

This Authority acknowledges that the role of a private landlord, to operate a profitable business and to have responsibility for the health, safety and welfare of their tenants is a challenging one. This Authority therefore aims to provide its private landlords with as much support as it can to enable the PRS to provide this essential housing service.

Examples of mechanisms of how this Authority can provide this support through partnership working are contained within the Working Partnership model illustrated below.

PARTNERSHIP WORKING MODEL

LOCAL AUTHORITY'S OBLIGATIONS	LANDLORDS' OBLIGATIONS
<p>Agree partnership working arrangements Agree a private rented sector strategy Agree reasonable housing standards Provide accreditation scheme Publicise clear standards Provide landlord training Establish landlord forums Consult landlords on housing strategies Assist with creating landlord association Encourage & facilitate self regulation Adoption of Enforcement Concordat Provide housing markets advice Promote membership of landlord association Provide quality advice for landlords Hold annual landlord event Provide bond guarantee schemes Work with landlord associations</p>	<p>Support partnership agreement Support the Authority's PRS strategy Comply with reasonable standards Support accreditation schemes Promote self regulatory Codes of Practice Comply with self regulatory schemes Attend landlord training events Support landlord forums Sit on the Authority's working committees Assist the Authority with area regeneration Take action on anti social behaviour Assist the Authority to house the homeless Invite Authority officers to attend landlord association meetings Support tenants welfare rights</p>

2. Standards improvement and maintenance role

a) Accreditation

In addition to operating its own accreditation scheme this Authority will further promote and support the principle of self-regulation by endorsing suitable accreditation schemes operated by higher educational institutions or their agents, bona fide voluntary organisations, Accreditation Network UK (ANUK), professionally affiliated organisations and landlord associations.

The endorsement will be conditional on the scheme operator having:

- a satisfactory Code of Practice
- sufficient resources to effectively operate the scheme
- a satisfactory mechanism to undertake compliance checking, complaint investigation and disciplinary action

Endorsement will be withdrawn if the scheme fails to meet these requirements.

If the Authority finds that a property owned by a member of an endorsed accreditation scheme is substandard, or that the management is inadequate or that the conduct of the landlord is unprofessional then those breaches of the Code of Practice will be referred to the management of the endorsed accreditation scheme to take remedial/disciplinary action.

This is without prejudice to the Authority also taking enforcement action against the landlord.

b) Statutory enforcement

The Authority will take enforcement action against any landlord found to be operating their business in a substandard manner.

The enforcement process will be in compliance with the Government's Enforcement Concordat for good practice and in particular:

Enforcement action will be proportional to risk

Standards will be clear

Enforcement procedures will be transparent

Landlords' representatives will be consulted on all standards and enforcement procedures

In exceptional cases where a landlord providing a very substandard service will not improve despite help and support from the Authority and other agencies, the Authority will initiate the following partner enforcement agencies to take co-ordinated targeted enforcement action:

Environmental Health

The Fire Service

Building Control

Planning

Tenancy Relations

Trading Standards

Health and Safety Executive

PROTOCOL AGREEMENT

ENDORSEMENT BY THE AUTHORITY OF AN ACCREDITATION SCHEME

All members of the accreditation scheme will comply with the requirements of its Code of Practice.

Any member not complying with the Code will be expelled from the scheme.

The Authority will endorse the scheme in respect in respect of property, management and personal professional standards.

The Authority will promote membership of the scheme and provide positive publicity.

Names of all members of the endorsed scheme will be provided to the Authority if requested.

In the event that the Authority find the condition of a property owned by a member of the accreditation scheme, it's management or the personal conduct of the member to be substandard within the requirements of the scheme, details will be referred to the scheme's management board for their investigation and remedial action. This is without prejudice to the Authority taking enforcement action against the landlord concerned.

The Authority will inform tenants when referrals have been made. Tenants will retain the right to require the local authority to undertake enforcement action in cases where there is a breach of statute.

If the Authority makes regular referrals of a particular accredited landlord, thus indicating general non-compliance with the scheme, the scheme operator will undertake a check of a proportion of the member's property portfolio and take appropriate remedial/disciplinary action should there be a lack of co-operation.

The endorsed scheme will include the adoption of agreed best practice by members of the scheme not simply compliance with minimum standards.

The operator of the endorsed scheme will be a consultee of the Authority in the setting and review of property, management and standards of conduct

The scheme operator will provide details of and operate to the Authority's satisfaction, a system for monitoring the compliance of the Code of Practice by its members and for taking disciplinary action for non-compliance.

The scheme operator must satisfy the authority that it can provide adequate resources to monitor compliance with the requirements of its scheme and take disciplinary action if needed.

The Authority and scheme operator reserve the right to discontinue the protocol agreement upon giving notice to the other party.

Signed Chief Housing Officer

Date

Signed Chair of the Accreditation Scheme Management Board

Date