

Bath & North East Somerset Council

MEETING/ DECISION MAKER:	Cllr Tim Warren, Leader of the Council Cllr Marie Longstaff, Cabinet Member for Homes and Planning	
MEETING/ DECISION DATE:	On or after 17th October 2015 (for single Member decision)	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2801
TITLE:	West of England Rental Standard	
WARD:	All	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1 –West of England Minimum Property Standard		

1 THE ISSUE

1.1 Compliance with the minimum statutory standard for housing health and safety varies widely across the District. The West of England Rental Standard is a partnership scheme that aims to improve levels of compliance and help landlords understand how to meet minimum requirements and manage properties effectively.

2 RECOMMENDATION

2.1 That the West of England Rental Standard, as detailed within this report, is approved for implementation within Bath & North East Somerset.

3 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

- 3.1 The scheme will be self-funding. It will be administered on behalf of the West of England Partnership by Bristol City Council. However, there will be a staff contribution to the oversight of the scheme of approximately 4 meetings per year, which will be managed within existing budgets; no additional budget is required to undertake this proposal.

4 STATUTORY CONSIDERATIONS AND BASIS FOR PROPOSAL

The Council has a statutory duty under the Housing Act 2004 to investigate and take action to deal with poor quality housing which fails to meet the minimum statutory standard. The West of England Standard contributes to this duty by providing a scheme that aims to improve levels of compliance and help landlords understand how to meet minimum requirements and manage properties effectively.

5 THE REPORT

- 5.1 The private rented sector (PRS) in Bath and North East Somerset is growing rapidly. The 2012 House Condition Survey reported 13,730 private rented homes which is 17.7% of the housing stock across the district. This is larger than the social rented housing which makes up 14.3% of the stock. Overall the survey identified that 13.5% of private rented homes did not meet the minimum statutory standard.
- 5.2 The Council historically ran a successful, though administratively complex, property accreditation scheme.. This was stopped in 2012, in part to achieve financial savings and in part because it had achieved its aims. The Rental Standard offers a low cost alternative and which has the benefit of a higher profile courtesy of the West of England partnership.
- 5.3 The West of England Rental Standard scheme is proposed to help landlords understand what it means to meet minimum requirements and manage properties effectively. Third party organisations such as landlord organisations with acceptable minimum membership rules would apply to operate the scheme. Authority to operate the scheme is on the basis that the organisation's members comply with the standards set by the scheme.
- 5.4 The standard takes a strategic position allowing different providers for different parts of the Private Rented Sector (PRS) to be endorsed including:
- i. Encouraging self-regulation of the sector.
 - ii. A single badge to represent the minimum safety and management standard expected by the West of England Councils.
 - iii. a subscription fee to cover the administration costs.
- 5.5 The WoE Rental Standard is a set of minimum standards that landlords, letting or residential managing agents in the private rented sector, should meet. The aim is that the WoE Rental Standard becomes the recognised minimum standard for legal compliance among landlords and agents across the sub-region. It should be noted that this scheme is a voluntary scheme and does not replace the enforcement tools available to us to make landlords comply with minimum standards.
- 5.6 The [London Rental Standard \(LRS\)](#)¹ is a similar scheme already in operation. The LRS has signed up through [seven licensed organisations](#)²; 14,452 landlords, and

339 letting and managing agents. An estimated 131,400 homes are now signed up to the London Rental Standard.

- 5.7 Organisations which accredit landlords and agents would apply to be endorsed under the WoE Rental Standard.
- 5.8 The Council would only endorse organisations which meet the WoE Rental Standard within their own scheme requirements. They will sign up the landlords to join their own accreditation scheme rather than through the local authority directly.
- 5.9 The endorsed organisation (or Accreditation Provider) will be expected to ensure its members (individual landlords or agents) meet and continue to meet the organisation's membership requirements and have a procedure in place to deal with tenant complaints. The organisation will be responsible for investigating tenant complaints as a way ensuring compliance. In the event of non-compliance by a landlord then the Accreditation Provider will be expected to have a disciplinary procedure and take appropriate action on a case by case basis. In the event of failure by the Accreditation Provider to properly oversee the scheme then the Accreditation Provider Agreement would be terminated by council and the Provider would cease to be entitled to use the WoE Rental Standard branding.
- 5.10 The Accreditation Provider must have a facility available so that members of the public and the Council can check the accreditation status of its members (individual landlords and agents).
- 5.11 A landlord will sign up with an Accreditation Provider that has already been endorsed as meeting our standard within their own scheme criteria. The landlord confirms to that organisation that all his/her properties meet their standards and must be required to undertake regular training to make sure he/she understand what this means. The West of England Minimum Property Standard is attached at Appendix 1.
- 5.12 The emphasis of the scheme is to encourage compliance for those landlords who are not clear about legal requirements but want to operate within the law. B&NES Housing Services will be able to focus its resources on tackling non-compliant landlords. A WoE Rental Standard will help landlords and agents by promoting a consistent standard across the sub region and be of benefit to Private Rented Sector Tenants by raising awareness of the standards which should be expected.
- 5.13 It is proposed that the costs incurred by running the scheme will be funded by a subscription and are being discussed with the organisations who are interested in joining the scheme. The Provider Agreement will set out the terms of payment for the endorsement and terms of use of the West of England Rental Standard trade mark.
- 5.14 It is also proposed that Bristol City Council administers the scheme, on behalf of the four West of England authorities, for an agreed period of 3 years. The proposed timescale for adoption is by autumn 2015.

6 RATIONALE

¹ <http://london.gov.uk/priorities/housing-land/renting-home/london-rental-standard>

² <http://london.gov.uk/priorities/housing-land/renting-home/london-rental-standard/for-prospective-providers>

6.1 The West of England Rental Standard is a cost effective method of broadcasting information on the legal minimum standard for housing conditions and good practice on management. This is carried out through landlord associations and other sector organisations endorsed to operate the scheme.

7 OTHER OPTIONS CONSIDERED

7.1 As part of a West of England approach to developing the standard other options were considered including taking no action and voluntary accreditation schemes which are discussed in the WoE Planning and Housing and Communities Board Report March 2015. Taking no action was rejected because it was felt that the rapidly growing rental sector required additional information on minimum legal standards for property management and condition. A landlord or property based scheme was rejected on cost grounds.

8 CONSULTATION

8.1 Monitoring officer, Section 151 officer and Strategic Director Place have been given opportunity to review this report.

8.2 A public awareness campaign will be run across the West of England so that prospective tenants can check if a property is owned or managed by landlord/agent with the Rental Standard badge. These properties should be safe and properly managed, and if not, there will be a system of reporting poor management or conditions.

8.3 Groups representing these likely vulnerable private sector tenants will be included in the communication plan.

8.4 West of England Authorities, Landlord and Letting Agent organisations and the Equalities and Community Cohesion Team (BCC) were consulted during the development of these proposals. These consultations have resulted in the current form of the scheme which is expected to have a positive impact on disadvantaged groups through better quality housing.

9 RISK MANAGEMENT

9.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

Contact person	<i>Chris Mordaunt, Team Manager (Housing Standards & Improvement), 01225 477XXX</i>
Background papers	<i>None</i>
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