

Landlords Forum Newsletter

ISSUE 6
OCTOBER 2016

Welcome to Richmondshire District Council's newsletter for private sector landlords, agents and partner agencies.

It will keep you informed of services in relation to the private rented sector as well as update you with changing legislation.

In this issue it covers:

- **Universal Credit** • **Right to Rent** • **Syrian Refugee Resettlement**
- **Section 21 - Revisit**

SYRIAN REFUGEES

North Yorkshire is part of the regional resettlement programme co-ordinated by Migration Yorkshire. The Regional Resettlement Programme went live in April 2016 – ready for the subsequent arrivals of the first Syrian refugees in May. North Yorkshire did not take part in the resettling arrivals from the May flight but instead focused upon preparing for the flight in July.

Migration Yorkshire receives a long list of cases from the Home Office and then allocates these across the local authorities in the region. Case files and pre-arrivals health assessments are accessed through the Home Office secure portal.

The Housing Options Managers in Craven, Harrogate and Selby Districts have identified properties within their areas and are now accommodating families in private let accommodation. The Refugee Council has appointed a Project Worker to work with the families in these districts and is currently recruiting for an additional Project Worker for North Yorkshire.

Most of the families being resettled in North Yorkshire and elsewhere in the region from the July flight contain five or six family members. This means that the demand has been greatest for three bedroomed properties (and to a lesser extent four bedroomed properties).

If any landlords/agents are interested in accommodating a Syrian Family, please contact the Council and further details regarding funding/payment and time frames will be discussed.



UNIVERSAL CREDIT



On June 29 Richmond Job Centre rolled out the full service Universal Credit (UC) to anyone who wants to claim Housing Benefit, Tax Credits or certain DWP benefits for the first time. It also applies to anyone who wants to apply for any of these benefits after a break in their claim.

Also from this date, customers who have certain changes in their circumstances - such as starting work or moving from work into Employment Support Allowance or Job Seekers Allowance - will now make a claim for Universal Credit, and their Housing Benefit entitlement will end.

These rules only apply to people who are in the Richmond Job Centre area - properties with the following postcodes:

DL9, DL10, DL11, HG4, HG3 - which all became full service UC areas on June 29, 2016.

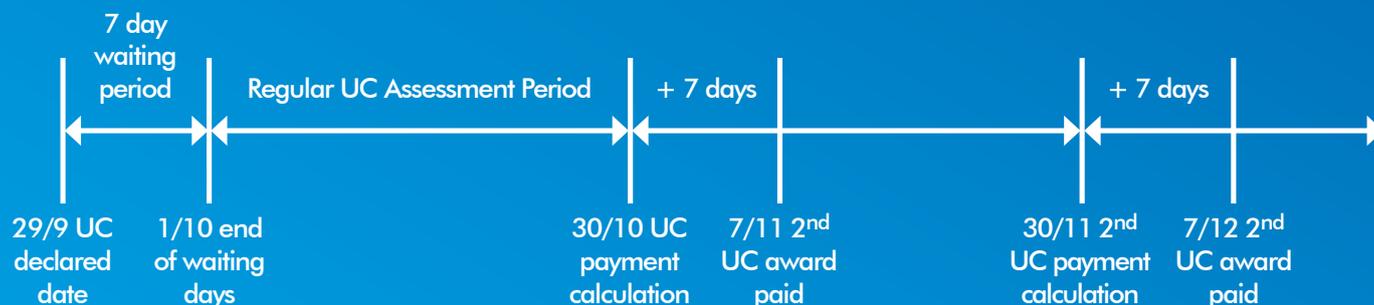
DL8, DL7 and **DL6** - all became full service UC on October 12 when Northallerton Job Centre rolled the service

How will tenants pay their rent?

Once a person comes under the full service Universal Credit (UC), they make a claim for Housing Costs. This is paid as part of their monthly UC payment and they need to make arrangements to pay the landlord from this.

Unlike the earlier version of UC, customers no longer receive letters telling them how their UC payment has been calculated. Full service UC is completely digital, and the customer will receive this information via their Journal which they can access at any time.

If the customer makes an application for UC housing costs for the first time, they have a minimum six week waiting period before they receive their first payment of UC. The following timeline indicates how this works:

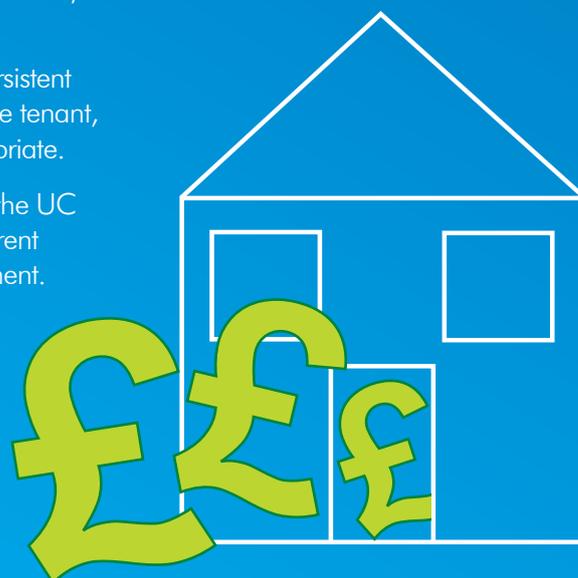


What to do if tenants get into arrears?

If your tenant receives Housing Costs through UC and gets into arrears you can contact UC and request that their Housing Costs are sent to you.

If the tenant has accumulated one month's rent arrears due to persistent underpayment UC will review the financial support they offer to the tenant, and may decide to pay the housing costs to the landlord if appropriate.

If the tenant is two months in arrears, UC will - if requested - pay the UC housing costs direct to the landlord and take steps to recover the rent arrears through deductions from the tenant's remaining UC payment.



Landlords can use the form available on GOV.UK - UC47 'Landlord request for a Managed Payment' - Universal Credit Rent arrears form to apply for a managed payment of the housing costs and recovery of arrears.

The information they will need to supply includes:

- tenants name, address, and if known their date of birth and National Insurance Number
- current tenancy agreement including
- proof of the rent arrears which must include the amount of rent outstanding and the amount of rent due each calendar month
- the landlord's contact details - their name and address plus their bank/ building society account number and sort code for the payments
- any reference number/ transaction ID for that tenant
- the social landlords DWP creditor reference number



Once UC receives this information they will decide whether or not a managed payment is appropriate and inform both the landlord and claimant.

Any managed payment arrangement will be reviewed by UC and if they decide that the tenant is capable of managing to pay the rent, the managed payment arrangement will end.

Where a managed payment arrangement is in place, the UC team will only disclose the following information to the landlord:

- when to expect to receive the next payment of the additional amount for housing costs or third party deduction
- the amount of the payment and the period it covers (this may reduce if there is a change in the claimant's circumstances, for example in earnings)

Telephony agents are not able to disclose any additional information to either social or private landlords over the telephone

For more information on what UC means for landlords, check out:

<https://www.gov.uk/government/publications/universal-credit-and-rented-housing--2>

If your tenant is in arrears complete form UC47 here:

<https://www.gov.uk/government/publications/universal-credit-landlord-request-for-a-managed-payment-or-rent-arrears-deduction>

Private landlords should print and use the second form marked : 'UC47 – non-secure email: landlord request for a managed payment or rent arrears deduction'

Discretionary Housing Payment

If the tenant's UC housing cost payment does not cover the rent, they can apply to Richmondshire District Council for a Discretionary Housing Payment to make up some or all of the shortfall. They will be asked to complete an application form giving details of rent, proof of UC housing costs, income and expenditure. The council will make an assessment as for any customer claiming Housing Benefit. However, the council cannot consider any application for Discretionary Housing Costs unless the customer has been awarded Housing Costs in their UC payment and does NOT have a managed payment arrangement in place.



RIGHT TO RENT GOES LIVE ACROSS ENGLAND

Right to Rent went live across England on February 1, 2016 meaning all private landlords, including anyone subletting or taking in lodgers, needs to carry out quick and simple checks on all new tenants to make sure they have the right to rent property in the country.

The roll out was informed by input from a panel of experts from trade bodies, local authorities, and housing charities and the Equality and Human Rights Commission - and backed up by stakeholder events with landlords and agents.

Landlords need to check identity documents for all new tenants and take copies. A wide range of documents can be used for the checks, and the Government has worked closely with housing and homelessness charities to design a document list which can accommodate different individual circumstances. This includes where people do not have traditional identity documents such as a passport.

Any document which is used to demonstrate a right to rent which is time-limited, rather than indefinite, should be valid. Expired documents are not acceptable as evidence of a right to rent for a time-limited period.

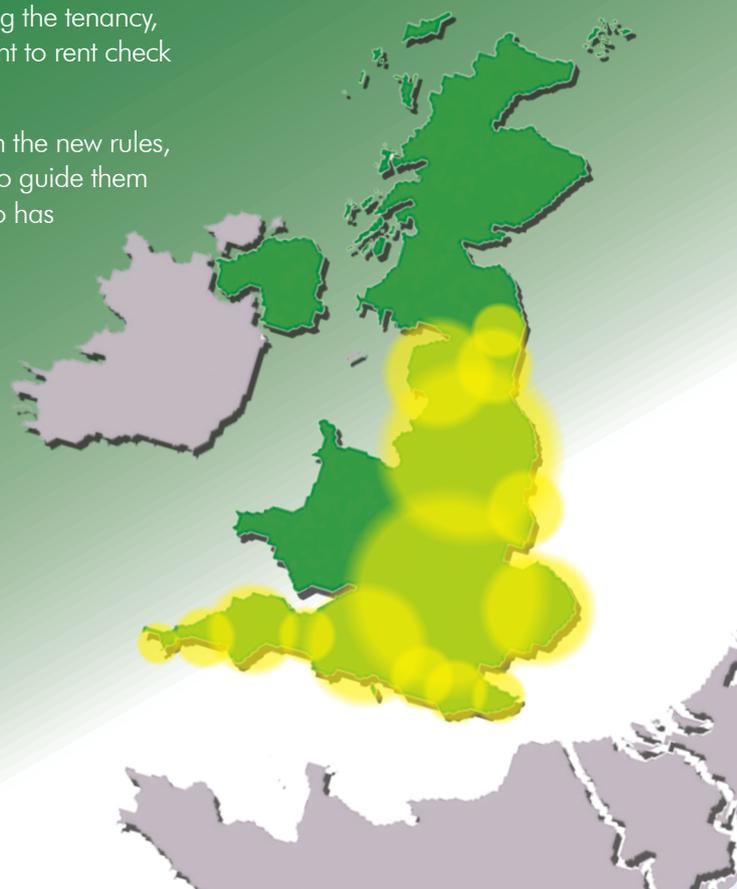
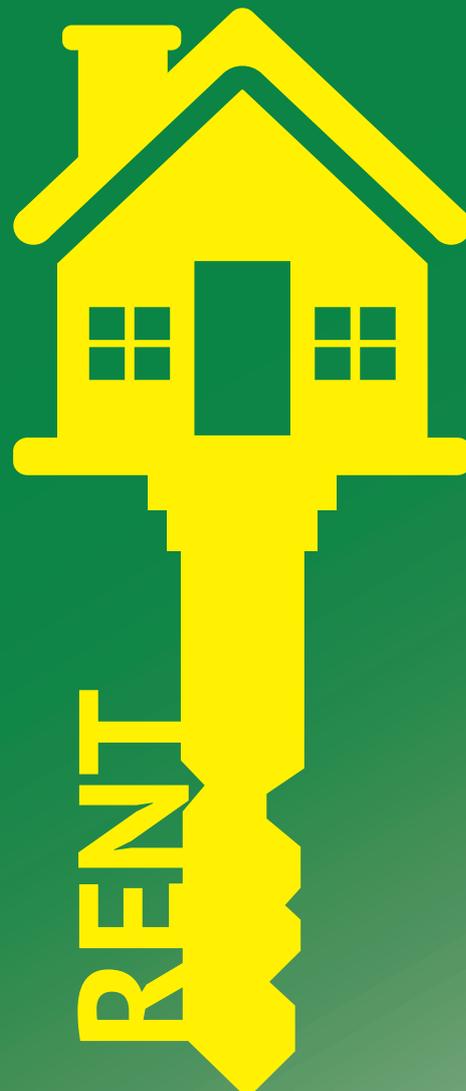
A record of the date the check was done should be made. This can be either by making a dated declaration on the copy or by holding a separate record, securely. Copies of the documents should be stored securely throughout the tenancy and for 12 months after it ends. The copies should then be securely disposed of.

An occupier's children do not need to be checked if they are under the age of 18 at the time the tenancy begins, but evidence of this should be kept. Further checks will not be needed if the child turns 18 during the tenancy, unless and until the tenancy is renegotiated, or a repeat right to rent check is required.

There are resources available to help landlords comply with the new rules, including an online checking aid which landlords can use to guide them through the process and to request a check on anyone who has an outstanding case with the Home Office.

For more information about making the checks go: gov.uk/righttorentchecks

Landlords, agents or householders are encouraged to report suspected immigration, abuse or deception by calling: 0800 555 111



SECTION 21 NOTICES - REVISITED

"The only thing that's changed is everything" ... this perfectly sums up the changes to Section 21 of the Housing Act 1988 from 1 October 2015 for new assured short hold tenancies in England.

There are two major changes:

- Landlords must now use a prescribed form for Section 21 Notices
- Landlords cannot use a Section 21 Notice unless they have first given prescribed information to show that the property meets prescribed conditions

The new Section 211B requires the landlord to give to the tenant prescribed information:

Prescribed Information:

- A copy of "How to rent: the checklist for renting in England" – available on: dclg.gov.uk
- A Gas Safety Certificate – to be provided each year
- Deposit paperwork from the government approved scheme
- The Energy Performance Certificate

Section 38 of the Deregulation Act 2015 adds a new Section 21A to the Housing Act 1988. The effect of this is that a landlord cannot give a Section 21 Notice unless the property meets prescribed conditions relating to its condition, the health and safety of the occupier and energy efficiency. This means that the property must have an energy performance certificate and a gas safety certificate and they must be given to the tenant.

Landlords must allow at least two calendar months when serving the notice and must ensure that the last day does not fall in a new rental period.



THANK-YOU...

Your Meeting Feedback

- Good to let people talk about their own experiences - good to have lots of private landlords here!
- Clear and informative, a useful update on upcoming changes
- Very good, a bit short of chairs and tables, but a positive as a good turn out

What would you like to cover at the next Forum?

- Invite a Citizens Advice Bureau representative
- Warm and Well in North Yorkshire



NEXT MEETING

11th January 2017
2-3.30pm
The Townsend Suite,
The Station, Richmond

Useful Contacts

Private Sector Housing Enquiries

Tel: 01748 901145 | Email: hilary.gould@richmondshire.gov.uk

Housing Benefit Enquiries

Tel: 01748 829100 | Email: benefits@richmondshire.gov.uk

Environmental Health Services

Tel: 01748 829100 | Email: enquiries@richmondshire.gov.uk

Fire Safety Advice: 01609 751014

Valuation Office Agency Rent Officer

Tel: 03000 037100 | M: 07796 337741

Email: peter.gavigan@voa.gsi.gov.uk

www.voa.gov.uk

