

North Derbyshire Landlords Forum

The inaugural meeting of the North Derbyshire Landlords Forum was held on the evening of 6 May 2003 at the Winding Wheel in Chesterfield.

The event was very well attended with over 100 landlords from the North Derbyshire area present. Topics discussed included Housing Benefit, The Rent Service, Environmental Health issues and the legal issues relating to tenancies.

There was an animated discussion about the topics, particularly Housing Benefit, where landlords identified a need for more information about how Housing Benefit rules affect them.

We promised a newsletter, here is the first issue.

National Landlords Association (formally Small Landlords Association)

Did you know about the national organisation for private landlords of residential properties?

The benefits of membership include:

- Telephone advice line
- Regular newsletter
- Meetings with expert speakers
- Combined strength for promoting the case of landlords

Contact:

National Landlords Association
78 Tachbrook Street
London SW1V 2NA

Website: www.landlords.org.uk

Email: info@www.landlords.org.uk

Right and Responsibilities

A Quick Guide...

Landlord Rights and Responsibilities:

1) Repairs

Generally a landlord is responsible for:

- The structure and exterior of the property;
- Baths, sinks, basins and other sanitary installations;
- Heating and hot water installations;

Responsibility for other repairs depends on your agreement with the tenant. You are not responsible for repairing damage caused by the tenant.

2) Safety of gas and electrical

Landlords have a duty to ensure all gas appliances are maintained in good order and that a Corgi registered engineer carries out an annual safety check.

3) Fire Safety of Furniture and Furnishings

Any furniture and furnishings you supply must meet fire resistance requirements in the Furniture and Furnishings (fire safety) Regulations 1988. Most furniture will have a manufacturers label saying if it meets these requirement

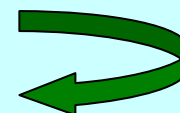
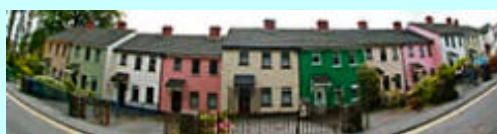
4) Access

You or your agent have a right to enter your property at reasonable times of day to either carry out repairs or to inspect the property. You must give 24 hours' notice of an inspection.



Electronic Advice for Landlords

For everyone with access to a computer there is a range of information available on the governments housing website. Type in www.housing.odpm/order/aaalandlords/index.htm to get advice on topics such as types of tenancies, landlord and tenants responsibilities and rights, and ending tenancies.



Please Turn Over...

Pre Tenancy Determinations

The process of calculating a tenant's entitlement to benefit can be speeded up if they apply for Pre-Tenancy Determination (PTD) before a tenancy is signed or before taking up occupation.

A Pre-Tenancy Determination enables both the landlord and prospective tenant to obtain information on the level of rent eligible for benefit.

The Council, the tenant, and the landlord each receives a copy of the Rent Service decision, for use if that tenant subsequently makes a claim in respect of that property.

Pre-Tenancy Determinations enable the Council to deal with benefit claims more quickly because we know in advance what rent figure to use to calculate entitlement.

Note: The existence of a Pre-Tenancy Determination does not guarantee that benefit will be awarded, nor the amount of any award.

Anti-Social Behaviour

Anti-Social behaviour can seriously affect the quality of life in a community – and if it is your tenant causing the nuisance they could find themselves in jail.

Behaviour, such as drug dealing, racial harassment, or physical violence are criminal offences, but anti-social behaviour can also include loud music being played. Barking dogs, verbal abuse or vandalism, which are still detrimental to neighbours even if they are not criminal offences.

As a preventative measure you can make sure that any Tenancy agreement is strong and clearly worded making it crystal clear that anti-social behaviour is not acceptable.

You should leave tenants in no doubt that nuisance behaviour whether by them or their children, may lead to the loss of their home.

For more information see website:
www.crimereduction.gov.uk

Local Housing Allowance Update

Although it is early days yet, the first Councils to introduce Local Housing Allowance report good progress.

The main points are:

Quicker processing of new claims

Acceptance by landlords of payments direct to the tenant

There are early signs that landlords are working constructively with the pathfinder Local Authorities and there are safeguards designed to protect the interests of landlords and tenants alike.

Data Protection

At the Benefits Service we want to work with you to ensure that you receive payment promptly and that overpayments are kept to a minimum. In return we ask landlords and agents to respect our responsibilities towards claimant confidentiality and the Data Protection Act when you make enquiries about your tenants.

Personal information held by the Benefits Service such as details of family, income, etc, cannot by law be given to a landlord/agent as this may be a breach of the Data Protection Act.

What we can tell you?

If your tenant has asked for payments to be made directly to you, and we have received a Payment to Landlords/Agent Authorisation form signed by both you and the tenant, we can tell you:

- How much you will get
- When it is to be paid from
- How it will be paid
- The frequency of payment

If your tenant has not authorised payments to be made directly to you we can't tell you anything, not even whether your tenant has made a claim.

If you have been charged with an overpayment we can tell you:

- The amount of the overpayment
- How it is made up
- The reason for the overpayment
- The fact that it is recoverable
- The method of recovery

Where the tenants benefit is reduced in order to recover an overpayment which affects the amount issued directly to landlords, the authority will tell you about any amounts being recovered.