

# Thanet Landlords' Focus Group

*Working for landlords in partnership with Thanet District Council*



Wednesday 24 January 2018

Austen Room, Thanet District Council, Cecil Street, Margate, Kent, CT9 1XZ

Meeting notes

In attendance:

## **Landlord representatives**

Teresa Dickinson (Chair)  
Sara Wade (Deputy Chair)  
Damien Cooke  
Kelly Beak  
Marion Money  
Joanna Cornford  
Nigel Pope  
Hugh Horton  
Diane Solly  
Colin Mately  
Tom Tennant

## **Council representatives**

Louise Ritchings (Housing Licensing Officer)  
Tom Davies (Empty Property Officer)  
Victoria May (Housing Options Manager)  
Matthew Goodbun (Policy and Performance Officer)  
Rebecca Gunn (Landlord Liaison Officer)  
Rachel May (Senior Housing Options Officer)  
Jodie Drozdowski (Landlord Liaison Officer)  
Angelica Mackins (Housing Licensing Support Officer)

## **Department of Work and Pensions (DWP) representatives**

Tony March (Partnership Manager)  
David Crumley (Partnership Manager)  
Philip Raeburn (Threat of Eviction Team Leader)

**Start: 2.00pm**

1. Welcome and introduction
2. Minutes of last meeting and Homeless Reduction Act

The minutes of the previous meeting were agreed by the group and will be published on the Thanet District Council (TDC) website in due course.

VM provided an update with regard to the Homelessness Reduction Act which is due to come into force in April 2018. Under current legislation, an applicant is only assessed as threatened with homelessness if they are likely to become homeless within 28 days. Under the new Act, the period 'threatened with homelessness' is extended; a person is threatened with homelessness if they are likely to become homeless within 56 days, or if they have been served a valid section 21 notice that expires in 56 days or less.

Under the Act, all eligible people who are found to be homeless or threatened with homelessness will be entitled to support. This will now include single homeless people who currently receive limited support to relieve their homelessness. Local authorities will work with the applicant to develop a personalised housing plan, which will set out the steps both parties must take for the applicant to remain in, or find, suitable accommodation. From October 2018, statutory agencies will have a duty to refer those applicants in need of assistance.

VM said that it is vital that landlords contact the Housing Options team if a Section 8 or Section 21 notice is to be or has been served, or if they have any concerns regarding a tenant, to ensure the tenant receives appropriate intervention at the earliest opportunity. If after the 56 days has passed

and accommodation has not been secured, Relief Duty will come to effect and the local authority will have a further 56 days to relieve homelessness.

HH raised the issue of insurance policies in respect of rent arrears. If rent is outstanding 14 days after the rent is due and a notice is served, the insurance company will commence action and will act quickly. The insurance company take over the matter fully and it cannot be stopped.

It was discussed as to whether the local authority could liaise directly with the insurance companies to mitigate the potential implications; however the issue of data sharing would need to be clarified. This is with particular regard to The General Data Protection Regulation (GDPR) coming into effect on 25 May 2018. RM stated that she would liaise with Sophia Nartey (Interim Head of Legal Services & Deputy Monitoring Officer) for clarity on this matter.

### 3. Empty Properties update

TD said that since the last meeting 1,459 properties have been inspected, and there are currently 629 worksheets open for properties that are being investigated - it is anticipated that this will increase to 1,000 worksheets within six months. Since the last meeting there has been one enforced sale, two are currently ongoing, and one is about to commence. The enforced sales will be publicised once this is confirmed as acceptable by the legal team.

106 empty properties have been brought back into use through Council intervention, and 247 have been brought back into use without intervention, and £6.8 million has been paid out for interest free renovation loans.

### 4. Universal Credit (UC) – Tony March (DWP)

TM explained a number of changes to UC since the previous meeting:

#### Abolishing Waiting Days

From February 2018 the DWP are removing the seven-day waiting period for new UC claimants, reducing the length of time claimants wait to receive their first full payment. Subject to satisfying the conditions of entitlement, all new claimants will be eligible for UC from the first day they claim it.

#### Increasing UC Credit Advances

Presently in UC, claimants are entitled to an advance of up to 50% of their estimated entitlement which can be repaid over a period of up to six months. From January 2018 the DWP are increasing the amount a claimant can receive from 50% to 100% of their estimated entitlement. The period in which the advance is recovered has been extended from six months to 12 months.

In Spring 2018, the DWP will be making it possible to apply for an advance online. The claimant will discuss any advance with their work-coach, to ensure that they borrow within their means

#### Support with Housing Costs

From April 2018, claimants who were previously receiving Housing Benefit and are transitioning on to UC will receive a transitional payment; an extra two weeks support. This will be unrecoverable, automatic and received early in the first assessment period.

#### Alternative Payment Arrangement (APA) for Landlords

From December 2017 claimants who historically had their Housing Benefit paid directly to the landlord, will be offered this arrangement when they transition to UC provided the relevant criteria

continues to be met. Landlords can still apply for APA when a tenant has arrears of at least two months – this application can be submitted by either post or email.

MM spoke to members about Bill Irvine, who can provide advice and assistance to Landlords with regards to large claims against the DWP in respect of UC. He provides representation when disputes can't be resolved through negotiation, and MM recommended that members visit his website for further information.

### Temporary Accommodation Housing Support

From 2018 any new claims for UC from claimants in temporary accommodation (TA) (not just emergency accommodation), will have their housing costs met through Housing Benefit. Existing TA claimants on UC will also move to Housing Benefit.

### Thanet Figures

There are currently 3,228 claimants in receipt of UC. With regards to legacy benefits, 1,401 are in receipt of Job Seekers Allowance, 6,820 are in receipt of Employment and Support Allowance and 2,055 are in receipt of Income Support.

### Universal Credit Full Service Rollout

To complete the necessary system changes for the UC full service, the rollout schedule will now be completed by December 2018 rather than September 2018. It is anticipated that it could take up to 2021 to fully convert to UC from legacy benefits.

At this stage claimants with three or more children cannot make a UC claim, they will have to submit a claim for legacy benefits.

TM advised members that any concerns or queries should be directed to him at the first instance.

### 5. Housing Options update

In addition to VM update earlier, RG reiterated that despite the changes taking place in April 2018, the team still encourage referrals in the meanwhile. The team are being increasingly approached for assistance by homeless clients and rough-sleeping is becoming more visible, so it is important that referrals continue.

RM said that she is working closely with the DWP regarding claimants who are subject to the benefit cap, to try to mitigate potential evictions due to rent arrears.

### 6. Housing Benefit (HB)/Council Tax Support (CTS) update –

MG advised of the HB two week transitional payment for UC claimants which will not be recovered. With regards to CTS, there have been no changes on the previous year – claimants must pay at least 10% of the bill, and if the claimant or partner have more than £6,000 in savings, they will not be entitled to CTS. As previously, the amount of CTS applicants can receive has been limited to the council tax charge of a Band D property in their area.

MG said there continues to be exceptional hardship payments available to assist the most vulnerable working age CTS claimants, who continue to be affected by the previous years changes to the scheme.

## 7. Matters for discussion raised by:

JC raised the issue of a landlord's liability for Council Tax (CT) in between tenancies. Historically this is a much discussed issue that has already gone to consultation. Since 2013, there has been a 0% deduction in CT for landlords in between tenancies and there are no changes to report on this matter.

## 8. Landlord Event 2018

LR invited members for ideas and contributions for this year's Landlord Event, with regard to the venue, stalls or a change of format. It was agreed that a morning start for the event would be ideal, as many people left the previous event early. All members agreed to the event being held in late September 2018, and will run from 10:00 – 14:00.

LR invited members to email her with suggestions for guest speakers and venue ideas. There was discussion regarding The Pavillion and Global Generation as possible venues. NP raised the idea of stall holders paying a fee, in order to cover the costs of holding the event at a more prestigious venue. LR stated that this would need further consideration.

There were suggestions for guest speakers including Andrew Lavender, a representative to speak about the PRA mortgage regulation changes and a representative from NAPIT.

It was agreed that LR would finalise a date, time and venue and will advise members in due course. Once this has been confirmed, LR will organise guest speakers but welcomes further suggestions in the meanwhile.

## 9. Private Sector Housing update

### Selective Licensing

LR said that the team are currently pursuing the landlords and agents of approximately 450 unlicensed properties. The inspection programme continues and it is anticipated that all licensed properties in the area will be inspected. The majority of the inspections so far have revealed breaches of licence conditions.

The team have recently pursued six prosecution cases, five of which were successful and one is listed for trial in February. The team also have four prosecution cases being heard in the next week, all for failure to licence a property. Of the six successful cases, five were for failure to provide a licence, and one for failing to comply with a licence condition.

### Energy Efficiency

As from the 1st April 2018 there will be a requirement for any properties rented out in the private rented sector to normally have a minimum energy performance rating of E on an Energy Performance Certificate (EPC).

The regulations will come into force for new lets and renewals of tenancies with effect from 1st April 2018 and for all existing tenancies on 1st April 2020. It will be unlawful to rent a property which breaches the requirement for a minimum E rating, unless there is an applicable exemption. A civil penalty of up to £4,000 will be imposed for breaches. For most landlords this will mean that they will no longer be able to rent out a property with a rating of F or G after April 1st 2018. As such landlords with properties in this EPC bracket should begin preparing now for April 1st.

## 10. HMO & Residential Property Licensing Reforms

The Government have issued a consultation response on the proposed HMO licence changes. The date of the introduction is still not confirmed, but it is expected to be April time. It is proposed that there will be a six month grace period for landlords operating HMOs that may require mandatory licensing following the introduction.

The changes will see the removal of the storey rule, so all HMO's occupied by five or more households, irrespective of storeys, will be subject to mandatory licensing. Flats above and below business premises occupied by five or more persons will also be within the scope of mandatory licensing.

Mandatory minimum room sizes will be introduced – the minimum size for single rooms will be 6.51m<sup>2</sup> and for double rooms 10.22m<sup>2</sup>. No account will be made for areas with a ceiling height below 1.5m.

There will be exemptions for flats in multiple occupation which are in purpose built blocks that contain three or more flats, and there will be an introduction of mandatory licence conditions for waste storage

Date of next meeting

**Wednesday 20 June 2018 at 2.00pm**

**End: 3.55pm**

Summary of Actions:

Action	Timescale	Lead
RM to liaise with SN regarding data sharing between TDC and insurance companies	June 2018	Rachel May
LR to confirm date, time and venue for Landlord Event, after which guest speakers to be confirmed.	June 2018	Louise Ritchings

Please direct any enquiries to:

Angelica Mackins

Housing Licensing Support Officer

**Private Sector Housing, Community Services, Thanet District Council, PO Box 9, Cecil Street, Margate, Kent, CT9 1XZ.**

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