

Agenda Item No: 8

Report to: Cabinet

Date of Meeting: 2nd April 2013

Report Title: Evict Rogue Landlords Campaign

Report By: Andrew Palmer
Head of Housing and Development

Purpose of Report

This report highlights Shelter's Evict Rogue Landlords campaign and recommends that the Council signs up to the campaign via a statement of support.

Recommendation(s)

- 1. Cabinet confirm the Council's support of Shelter's "Evict Rogue Landlord" campaign by signing a statement of support.**

Reasons for Recommendations

Whilst there are many conscientious local landlords who are providing good quality, well managed properties in the private rented sector, there remain a small contingent of landlords who are renting properties which are in a poor state of repair and/or are badly managed. The tenants of these properties, many of whom would be considered vulnerable, are being exploited and are living in unsuitable housing conditions. The negative impacts of this are manifold, both to the tenants, for example through greater risks of ill health, and to the local community.

By signing the statement of support, the Council are publicly stating its commitment to tackling landlords who are breaching housing legislation and providing unsuitable and possibly harmful housing.

Introduction

1. Shelter believes that the private sector has a 'large number of amateur landlords failing to offer good standards to their tenants, and a small minority of rogue landlords who deliberately prey on the vulnerable'. This belief is driving forward their Evict Rogue Landlords campaign, which aims to stamp out bad practice by landlords in the private rented sector. Part of the campaign involves members of the public emailing their local council to tell them to 'stamp out rogue landlords in your community'. Local authorities are also given the opportunity to sign a statement of support: 'We support Shelter's Evict Rogue Landlords campaign and commit to doing all we can to stamp out rogue landlords in our local authority'.

Background

2. The private rented sector has increased considerably over the past ten years and Shelter believes that there are ever growing numbers of people being exploited by bad landlords. These landlords are not ensuring properties are safe and kept in a good state of repair, which is detrimental to the health and well being of tenants. With ever increasing demands on the private rented sector, these problems are expected to escalate.
3. Shelter's research indicates that complaints against landlords are increasing and the way in which authorities are responding is variable; many prioritising a conciliatory approach. Shelter does not believe the conciliatory approach is succeeding in addressing the problem of poor housing standards in the private rented sector.
4. In their campaign, Shelter states that local councils should:
 - a. enforce the laws that already exist to stamp out rogue landlords
 - b. prosecute rogue landlords when they do not comply with the law
 - c. proactively inspect properties to make sure that they are appropriate homes for renters
 - d. introduce landlord accreditation schemes
 - e. publicise their tough stance on rogue landlords in the local press.
5. In response to the campaign, the Government has pledged to:
 - a. set up a dedicated rogue landlord taskforce
 - b. invest £1.8m to deal with 'sheds with beds'
 - c. remove limits to the fines imposed on rogue landlords.

Current Position

6. The Council already has a pro-enforcement philosophy when it comes to dealing with substandard housing. The Housing Renewal Service operate a fair but firm system whereby landlords are given the opportunity to deal with issues before robust formal enforcement action is taken to deal with the issues found at a property. The Council makes good use of its emergency powers where they are needed to deal with imminent risks to health and safety. We consistently hit above our weight and our approach is comparable with many unitary authorities in terms of the level of action taken.
7. The Council operates a comprehensive and successful CPO programme to assist in bringing empty homes back into use.
8. We have successfully introduced Additional Licensing of HMOs, which responds to the many issues surrounding the standards and management of HMOs in the town.
9. Recently, we have had two successful prosecutions of landlords. One resulted in a near maximum fine for not complying with an enforcement Notice, with the magistrates recognising the vulnerability of the tenants in being exposed to the health and safety risks of substandard accommodation. We have a further multiple offence prosecution pending and intend to take several more cases forward.
10. We continue to work closely with responsible landlords. We maintain our membership of the National and Residential Landlords Associations. In partnership with the NLA and Rother DC we jointly run three Landlords Forums each year.
11. We continue to maintain a Landlord Accreditation Scheme and actively encourage landlords to join and take advantage of the landlord training offered via the scheme.

Implications and benefits to the Council

12. In the statement of support reference is made to Government guidance issued in August 2012: 'Dealing with rogue landlords: a guide for local authorities'. Good practice would suggest that the Council should adhere to this where possible.
13. On signing the statement, the Council would become part of a group of local authorities supporting the campaign and would receive some support from Shelter, for example, they will be emailing a new toolkit to the group to support work with landlords and will publicise any local successes. They would also be keeping in touch at regular intervals to check how the council is tackling rogue landlords and to find out about any good practice or successful prosecutions that have been forthcoming.

Policy Implications

14. There are no additional Council resources required to support the campaign
15. Equalities and Community Cohesiveness – taking steps to tackle rogue landlords will assist and protect the most vulnerable groups who will often be those at the greatest risk from bad landlords.

Wards Affected

Ashdown, Baird, Braybrooke, Castle, Central St. Leonards, Conquest, Gensing, Hollington, Maze Hill, Old Hastings, Ore, Silverhill, St. Helens, Tressell, West St. Leonards, Wishing Tree

Area(s) Affected

Central Hastings, East Hastings, North St. Leonards, South St. Leonards

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Yes
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No

Background Information

None

Officer to Contact

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