

10th May 2018



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Dear Sir/Madam,

Consultation response: PRS Enforcement Policy

Thank you for the opportunity to respond to the above consultation.

The Housing and Planning Act 2016 has introduced powers for local authorities, including civil penalties for certain housing offences which can result in severe fines and the money from those fines being retained by the local authority. Whilst the RLA welcomes such measures, a more long-term solution is needed to drive out criminal landlords out of private renting, rather than just continuously issue fines to employ council staff members.

We are calling for guaranteed long-term funding of housing enforcement, that will allow councils to plan and take effective action against those who exploit tenants through dangerous, overcrowded or unhealthy properties.

The majority of landlords providing a good service to their tenants should not, as happens at present, be subsidising action against the rogues through costly and ineffective licensing schemes.

The RLA believes that the private rented sector is mature enough to implement a regime of self-regulation, taking pressure off hard-pressed local authorities, freeing up further resources to target the criminals operating in the sector.

There is little evidence that licensing delivers the outcomes that local authorities want. As an example, an analysis of the period between 2011 and 2014 by London Property Licensing found that

of the 10 boroughs with the highest rates of prosecutions against landlords, just two operated any form of licensing scheme.

The RLA therefore strongly opposes any implementation of HMO licensing and the council should instead use cross departmental and multi-agency working and effective use of existing housing legislation to support tenants and landlords in maintaining tenancies, housing condition and management standards.

Therefore, we favour co-regulation, whereby compliant landlords could join an approved scheme with a code of practice and alternative dispute resolution for tenants with complaints about their accommodation or landlord. Landlords who did not join a co-regulation scheme would continue to be subject to local authority regulation and enforcement. Overall, we believe this would be a much better system than the currently costly landlord licensing schemes in operation.

Yours faithfully,

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