

LANDLORD NEWS

Information for private landlords in the Highlands

WELCOME FÀILTE

ISSUE 1 - SEPTEMBER 2011

Welcome to the first edition of the Highland Council's Newsletter for Private Landlords. We hope to produce this newsletter at least 3 times a year. We will use it to provide you with useful information and advice on private sector housing and landlord issues. For example, we will include articles on legal changes and what you need to do to meet them; new services; and help for landlords and private tenants. We will also provide 'good practice' advice on letting and managing your property. A frequently asked questions section will cover issues relating to benefits, legal processes etc..

Let us know what you'd like to see in future editions. What information would you find useful? Email us with your suggestions, questions which you'd like us to answer in the newsletter, and any comments you have on housingandproperty@highland.gov.uk. Alternatively call us at the Council on 01349 886606.



DON'T MISS OUT! NA CAILL CÀIL!

Do you want to get this newsletter again?

Future issues of this newsletter will only be sent out by email to landlords to minimise costs. The money can then be used for other private landlord services.

We have set up a mailing list using the email addresses which landlords have given us whilst applying for landlord registration. We will use this mailing list to tell landlords across Highland about: free training and information sessions we will be holding; training sessions provided by others; grant funding offers (such as for energy improvement measures) as well as for issuing regular newsletters. It will only be used for this purpose.

If you have not yet given us your email address but want to get copies of this newsletter and other notifications, please send your name and email address to: housingandproperty@highland.gov.uk. We will add it to our mailing list. Please also let us know if you change your email address.

This newsletter can be made available in formats such as **large print** or another language.

NAIDHEACHDAN UACHDARAIN

Fiosrachadh do dh' uachdarain prìobhaideach air a' Ghàidhealtachd

TRAINING TRÈANADH

Training to Help you Manage Your Tenancy

Landlord Accreditation Scotland (LAS) is running a training event for private landlord & letting agents on Tuesday 20th September 2011 in Inverness. The training, on Tenancy Management, will cover topics such as:

- ◆ Pre-letting Procedures
- ◆ Communication with tenants
- ◆ Dealing with Disputes and Anti-Social Behaviour.
- ◆ Heating, Health, Safety & Home Security

This valuable and excellent training only costs £35. It is free if you're member of Scottish Association of Landlords (SAL) or Scottish Land & Estates. If you're accredited with Landlord Accreditation Scotland (LAS) it's much cheaper. Hurry though this training is on a 1st come 1st served basis and previous courses have been fully booked weeks in advance.

For more information on Landlord Accreditation Scotland or for a booking for contact:

**Landlord Accreditation
Scotland Office**
22 Forth Street
Edinburgh EH1 3LH

Email:
**booking@landlord
accreditationscotland.com**

Phone:
0131 553 2211

We help to let landlords know about training like this through regular emails. By adding your email address to The Highland Council's private landlord mailing list you can be sure to find out in plenty of time.

DEPOSITS GUARANTEED ÈARLAIS LE BARRANTAS

The Highland Council runs a Deposit Guarantee Scheme which means that we provide you with a 'guarantee' of the tenancy deposit. This is instead of your tenant providing you with an up front cash deposit. The Deposit Guarantee covers damage to your property by the tenant.

We know that sometimes the only thing preventing people, who would otherwise be ideal tenants, from renting privately is the challenge of finding enough money in one go to pay both the rent in advance and a deposit. It is aimed at people who can manage a tenancy successfully, with no or very little support, but who are unable to raise the deposit by their own means.

Our Deposit Guarantee is the equivalent of up to one months rent. Once it is in place we support your tenant to set up arrangements to repay you the deposit in 6 or 12 monthly instalments depending on the term of the lease. Once it has been repaid, we withdraw the Guarantee. We guarantee each deposit for the same period as your Short Assured Tenancy but are happy to review it again depending on the circumstances.

We expect landlords to manage their property responsibly including, for example, by providing a written tenancy agreement; jointly agreed inventory and accurate rent record.

We interview all interested applicants to find out if the Guarantee is appropriate, the rent affordable and whether they can sustain a tenancy. They must also provide references, including one from their previous landlord. You, of course, have the final say on whether to offer them a tenancy or not. We give them help to complete benefit and other forms. If they need a small amount of support with managing their tenancy, for example with budgeting their money, we arrange a housing support worker for them. This helps to make sure that the tenancy runs smoothly. We also regularly check that there are no problems. If any difficulties arise we are happy to help for example, by providing mediation between you and your tenant(s) to reach a solution.

Many tenants contact private landlords themselves to tell them about this Council Scheme and find out whether they would be willing to accept a Deposit Guarantee. Alternatively, we will speak to you on their behalf.

If you want to find out more about this Scheme, please contact:
The Council's Homeless Prevention Team

Email: **homeless.prevention@highland.gov.uk**
Phone: **01349 886606**

HIGHLAND'S HOMELESS PREVENTION TEAM SGIOBA CASG DÌTH DACHAIGH NA Gàidhealtachd

Highland's Homeless Prevention Team - How we can help you

As the Council's Homeless Prevention Team we work with people trying to resolve their housing situation and source accommodation, often in the private sector. We help clients find somewhere suitable to stay. We also continue to work with them to make sure that they avoid problems with their tenancy - and that any difficulties are quickly resolved. This avoids possible homeless situations.

If you have a property which you think may be available for renting in the near future, please contact the Team. We may be able to help you source a suitable tenant for your property. Alternatively if you have an existing tenant who is at risk of becoming homeless, for example through rent arrears or any other tenancy issue, the Team would like to hear from you as we may be able to help you and your tenant to resolve these matters.



Email us on: homeless.prevention@highland.gov.uk
or call the Council's Service Centre on **01349 886606** and ask for the **Homeless Prevention Team**

ASSISTING PRIVATE RENTING IN HIGHLAND A' CUIDEACHADH LE TAIGHEADAS AIR MHÀ SA GHÀIDHEALTACHD

Our Strategy to Assist Private Renting in Highland

We at the Council recognise that private renting is a valuable source of housing across the Highlands either at particular stages in people's life or as a long term home. It also plays an important role in housing in-coming workers and is important to our economy. Given the pressure on our council and housing association housing, it is also increasingly important for helping people who are unlikely to be allocated social rented housing. And, moreover, it is crucial that we help tenants and landlords to avoid problems which could lead to homelessness. For all these reasons we want to help the private rented sector to play an even greater role in providing good quality housing.

Our Housing Strategy is therefore committed to working with landlords and tenants to:

1. Ensure private tenants have access to decent, safe, settled and well managed homes.
2. Increase the supply of good quality private rented housing that people in housing need can afford and access.
3. Increase the number of properties achieving Repair Standard; Tolerable Standard and good energy-efficiency levels.
4. Make sure private rented housing provides settled accommodation for households at risk of, or who have experienced, homelessness.

We have an action plan in place. We will give you information on our activities in future newsletters. We are also setting up a Partners Group which will share information on private renting and take forward the action plan. Its members will include bodies which represent landlords, and a range of Council services.

HIGHLAND'S PRIVATE RENTING HOUSING ACTION PLAN

1. Take more proactive action including enforcement, to identify and register unregistered private & HMO landlords.
2. Make sure HMO licensing arrangements are effective by updating standards and processes
3. Improve joint working, communication and liaison with private landlords through newsletters; information and training sessions and promoting Landlord Accreditation.
4. Encourage and support private landlords to provide good quality housing that, at a minimum meets the Repairing Standard.
5. Reduce fuel poverty by promoting initiatives and making sure that landlords and tenants are aware of advice and assistance.
6. Increase tenants' awareness of rights and responsibilities and support them, with advice and assistance, to sustain their tenancies successfully.
7. Increase the supply of private rented housing which meets housing needs.
8. Improve access to private renting for households in housing need and who are homeless by:
 - ◆ providing housing options advice;
 - ◆ increasing the number of council privately leased properties;
 - ◆ building on the Rent Deposit Guarantee Scheme;
 - ◆ promoting shared tenancies and rent a room schemes; and,
 - ◆ promoting allocation policies amongst estate landlords etc..
9. Make sure the housing benefits system does not discourage landlords or tenants – with processes improved and landlord understanding increased.
10. Help to deliver the Cairngorm National Park Authority / Scottish Rural & Property Business Association (SRPBA) Action Plan.

MAKING RENTING EASIER A' DÈANAMH GABHAIL THAIGHEAN AIR MHÀL NAS FHASA

Making renting easier for you - what we can do to help

The Highland Council runs a leasing scheme which makes life easier for the owners of private rented housing and helps to us provide housing to people on Highland's housing register. We now have over 280 leased properties which we use either as permanent or temporary housing.

Generally lease agreements are for between 3 and 10 years - most last for about 5 years. Whilst negotiating the lease with you we also negotiate the rental charge. This takes into account of advice from the District Valuer on average local market rents for similar properties.

There are lots of benefits for owners. If you lease your property to us:

- ◆ You will have a guaranteed rental income - paid direct from us 6 months in advance. We pay this to you whether your property is occupied or not.
- ◆ We take on all responsibility for its day to day management and maintenance including: repairs; finding tenants; collecting rents; and, dealing with any tenancy problems. We meet the extra costs associated with letting a property such as insurance; and carrying out gas and electricity checks.
- ◆ We guarantee to give your property back in the same condition (except for fair 'wear and tear'), at no cost to you.

We generally only lease properties which meet our minimum standards. If your property needs work done to it to meet these standards, we will tell you what is required. For example it should have an Energy Performance rating of D or above.

We are particularly keen to bring under-used housing (such as empty or holiday homes) back into use in places where we have a shortage of housing. If your property is empty and needs work to bring it back into use, we may be able to help you with the cost of this.

If you are interested in the leasing scheme or want to know more, call us on **01349 886606** to speak to your local Housing & Property Office.

Alternatively email us at

housingandproperty@highland.gov.uk

We can then tell you whether we need the type of property you have, in that area.

REGISTRATION RECORDS CLÀRAN CLÀRAIDH

KEEPING YOUR RECORDS UP TO DATE

Remember to update your landlord registration records when you:

- ◆ sell or buy a property or let another one
- ◆ change your address (including email address) or personal details
- ◆ change or appoint an agent

You can easily check and update your records online at:

www.landlordregistrationscotland.gov.uk

If you have forgotten your user name and password to access your online registration, please get in touch with our Landlord Registration Team. Email:

landlord.registration@highland.gov.uk
or call **01349 868525**

If you are unable to update online, please notify us, in writing, of any changes.

We understand why landlords might forget about their registration after they have been approved. But it is a legal requirement to keep your registration records up to date.

INSULATION MEASURES CÒMHDACH-BLÀTHACHAIDH

Do you own properties in West/North West Highland or Nairn? If so, we are hoping to provide everyone there with free insulation measures.

We have submitted a bid to the Scottish Government for funding under their universal home insulation scheme (UHS2). It covers communities in North, West and Central Sutherland; Wester Ross; Strathpeffer; Lochalsh and Nairn. These are areas where we know there is a great need for measures to improve energy efficiency. If this bid is successful then **all** private owners and renters who live in these areas will be eligible for loft and cavity wall insulation and draught proofing measures. Your tenants must get your permission.

We are hoping that, with this funding, we can help to improve private rented properties. This is because we know that many have poor energy efficiency. Last year over 1,600 households in other parts of Highland had UHS funded measures installed. Watch out for more information in your local media about the Universal Home Insulation Scheme (UHS2) later this year. Help is provided on a 'first come first served' basis so make sure private renters take advantage of these free measures.

ARE YOU READY FOR THE CHANGES?

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The Private Rented Housing (Scotland) Act 2011 - Are you Ready for the Changes?

Private landlords face a number of legal changes. This Act strengthens the regulation of the private rented sector. It was given royal assent earlier this year and parts of it have just come into force. The changes, which are summarised here, aim to support responsible landlords and address the problems caused by those who act unlawfully. We will provide more information on what these changes mean in practice in future newsletters.

Registration of Private Landlords

- ◆ Expansion of the fit and proper person test to include previous convictions including relating to landlord registration or HMO licensing; breaches of the Repairing Standard; non-payment of repair or factoring costs; antisocial behaviour and also information which comes to an authority's attention e.g. when investigating noise complaints or carrying out environmental health inspections.
- ◆ Local authorities' can ask for a criminal record certificate to verify information.
- ◆ An increase in the maximum fine for offences (up to £50,000) and a ban of up to five years on a convicted landlord.
- ◆ Private landlords are required to display their registration numbers on property adverts.
- ◆ Local authorities will have powers to obtain information from tenants and letting agents to identify unregistered landlords.

Houses in Multiple Occupation

- ◆ A local authority can refuse HMO licence applications if it considers that there would be a breach of planning control; or over-provision in the locality.
- ◆ The maximum fine for offences such as operating an unlicensed HMO is up to £50,000. Failure to provide information or providing false information would be seen as an offence.

Other Regulations

- ◆ A local authority can serve an overcrowding statutory notice where it considers that the overcrowding was having a negative effect on occupants, neighbours or community.
- ◆ Landlords are to provide their tenant with an information pack (including specified information) at the start of the tenancy or incur a fine. Guidance is still to be issued on this.
- ◆ Clarification of the notices to be served when a landlord seeks possession of a house after a short assured tenancy has reached its contractual end.
- ◆ Landlords are able to apply to the Private Rented Housing Panel (PRHP) to gain access to a property when they have been unable to do so to carry out repairs.

MULTIPLE OCCUPATION PLANNING CONSULTATION

CO-CHOMHAIRLE DEALBHAI DH AIRSON IOMA-CHÒMHNAIDH

The Council wants your views on Planning for Houses in Multiple Occupation

Houses in Multiple Occupation (HMOs) form a very important part of the Highland's housing stock and help to support economic growth. For nearly three years the Highland Council has had a planning policy in place, accompanied by planning guidance. It aims to manage the concentration of HMOs and the additional pressures that they potentially can have on communities, whilst recognising their importance. In light of the forthcoming licensing changes, new Scottish Government guidance and local pressures, we are currently reviewing our HMO planning guidance. This review has a focus on future provision of HMOs within Inverness City Centre.

We are keen to gather views on the proposed options. Please make sure that you let us know what you think. You can view the consultation document online at: www.highland.gov.uk/developmentplans or at your local Highland Council Service Point or library.

Please send your comments to:

Development Plans Team, Council Headquarters, Glenurquhart Road, Inverness, IV3 5NX
or Email: devplans@highland.gov.uk

The closing date for comments is **26th September 2011**. If you have any questions, please contact Simon Hindson, Planning & Development Services on **(01463) 702261**

HELP WITH ENERGY EFFICIENCY CUIDEACHADH LE LÙTH-ÈIFEACHDAS

MAKING YOUR PROPERTIES WARMER AND CHEAPER TO HEAT

As fuel prices rise and temperatures reach record lows, everyone is becoming much more aware of energy efficiency. Improving the energy efficiency of your properties has many advantages such as to:

- ◆ Improve the desirability of your properties
- ◆ Improve your reputation as a Landlord
- ◆ Increase the value of the property
- ◆ Satisfy your tenants leading to more secure tenancies
- ◆ Reduce void periods
- ◆ Lower carbon emissions from the property
- ◆ Produce Energy Performance Certificates (EPC's) with good scores

Your tenants will benefit from improved thermal comfort and more affordable energy bills. Struggling to pay for a gas or an electricity bill means that tenants will ultimately struggle to pay their rent.

Many properties, especially older properties suffer from poor energy efficiency which can be caused by insufficient insulation in the loft and walls, single glazed windows which are draughty, and heating systems which are old and inefficient. Fortunately there are ways to improve these and funding available to help with the costs. For example energy efficiency can be improved by installing:

- ◆ Cavity Wall Insulation
- ◆ Loft and pipe insulation
- ◆ Hot water tank insulation
- ◆ Under floor or solid wall insulation (e.g. insulated 'wall-paper') and draught proofing

There are a number of grants and funding measures to help pay for installing these measures. To find out more about the help which is available call the **Energy Saving Scotland** advice centre who can be contacted on **freephone 0800 512 012**, Monday to Friday 9-5pm. They provide free independent impartial advice.

LANDLORD'S ENERGY SAVING ALLOWANCE (LESA)

This tax allowance is available to Landlords who pay income tax and who improve the energy efficiency of their property by installing these measures. It is currently available up to 2015. Under section 312, Income Tax (Trading and Other Income) Act 2005 (ITTOIA), landlords who pay income tax may claim a deduction, the LESA, against profits for expenditure on installing the above measures in a property which they let. The maximum amount which can be claimed is limited to £1,500 per property. For further information please contact **HM Revenue and Customs** by logging onto **www.hmrc.gov.uk** Alternatively look at the Energy Savings Trust website through the link below.

ENERGY ASSISTANCE PACKAGE - CALL THE HOME ENERGY HOTLINE

The help from this Scottish Government funded scheme is open to everyone. There are different levels of free advice and support depending on your tenants' circumstances. If they are receiving certain benefits they may be eligible for help to improve your property. Help with, for example, installing insulation or even new central heating or a new boiler. If they are old or disabled or have children under 16 they may be able to get the maximum levels of assistance. If they qualify, the local Energy Saving Scotland Advice Centre (ESSac) can organise grants for up to £4,000 worth of work, or sometimes even up to £6,500. This funding even covers residential mobile homes.

Tenants must get your permission before measures are installed. Make sure your tenants know about what help they may be due. Encourage them to call the **ESSac freephone advice line** on **0800 512 012**, (From a mobile call 0300 456 2655 to be charged at your local network rate.) Monday to Friday 9-5pm. Alternatively get their permission so that you can call the advice line on their behalf.

An added bonus from calling this freephone is that your tenants can also get help with finding out about any benefits which they may be eligible for. More information about the Energy Assistance Package is on this website: **www.energysavingtrust.org.uk**

INTEREST FREE LOANS

Energy Savings Scotland's 0% fixed rate small business loans of £1,000 to £100,000 help businesses to install renewable energy technologies or measures that reduce energy consumption. Some technologies are eligible for Enhanced Capital Allowances. Funded by the Scottish Government, the scheme aims to support businesses, including private sector landlords. There are a range of measures eligible for funding - including:

- ◆ Boiler replacements
- ◆ Heating controls
- ◆ Building and pipe work insulation
- ◆ Technology such Solar photovoltaic, hydro-electric, wind, wood fuel heating systems (boilers and room heaters/stoves), heat pumps.
- ◆ Improved lighting and controls

The list is not exhaustive. For more information see the **Energy Savings Trust's** website: www.energysavingtrust.org.uk/scotland/Scotland-Welcome-page/Business-and-Public-Sector-in-Scotland/Private-Sector-Landlords or call **0800 512 012**.

SUPPORT FOR GAS CONNECTION COSTS

Support towards the cost of gas connections is available from suppliers for some households at risk of fuel poverty. Also connections can often be provided at no charge through the Energy Assistance Package.

I'M CONFUSED BUT INTERESTED - WHERE CAN I FIND OUT MORE?

For more information on what help is available for private landlord and tenants, see the **Energy Savings Trust** website: www.energysavingtrust.org.uk/scotland/Scotland-Welcome-page/Business-and-Public-Sector-in-Scotland/Private-Sector-Landlords

You can also download a copy of the Private Sector Landlords booklet from here. Alternatively call our local **ESSAC's** one-stop advice shop on **0800 512 012**.

HELPING YOUR TENANTS WITH THEIR FINANCES A' CUIDEACHADH UR LUCHD-MÀIL LEN CUID IONMHAIS

We know that many people aren't claiming all the money and entitlements due to them. There is free, confidential and impartial help available from the Council to help them. Last year we helped almost 1,000 people who gained, in total, an additional £1.7m. We do this through our Customer Income Maximisation Team. They can advise your tenants about all the entitlements that are available, undertake benefit checks and help them complete the relevant forms.

Many benefits are means tested. However others, such as Disability Living Allowance, don't take income and capital into account. These act as a gateway to other types of help including additional premiums in benefits or tax credits assessment (which potentially increase the money they receive) and a wide range of concessions. We think it is important that Highland's landlords know about this because many private renters are older or disabled and therefore could qualify.

The Income Maximisation Team can also assist your tenant with advice and support if their benefit application is turned down or they don't receive the amount they were expecting. We can help them to appeal against the decision.

Make sure your tenant knows about the Council's Customer Income Maximisation Team and their services. They can be contacted on:

freephone: **0800 090 1004**

E-mail: income.maximisation@highland.gov.uk

By post: **PO Box 5650, Inverness, IV3 5YX**

Leaflets about this service are available from the Council on request. Why don't you give one to any new tenants or include one in any correspondence you are sending them?

WELFARE REFORM ATH-LEASACHADH SHOCHAIREAN

There are changes to the welfare system that may have a significant impact on the amount of benefits that your tenant may receive or be entitled to. From 01 April 2011 the Government has:

- ◆ Ended the maximum £15 weekly Housing Benefit excess that some customers received under Local Housing Allowance (LHA).
- ◆ Amended Housing Benefit regulations to allow Local Authorities to have additional discretion to make direct payments to landlords, this will apply to cases where the local authority considers that by making payment direct it will help to secure or retain a tenancy.
- ◆ Removed the 5 bedroom LHA rate so that the maximum level is for a 4 bedroom property.
- ◆ Introduced capped limits for LHA - at present this does not affect any properties within the Highlands as rent levels are below these rates.
- ◆ Reduced all LHA rates so that about 3 in 10 properties for rent in the area should be affordable to people on Housing Benefit (previously 5 in 10 properties). Transitional protection for up to 9 months is available for some tenants who have seen a reduction in their eligible rent.
- ◆ Increased Non-Dependant deductions in Housing Benefit where there is another person in the property over the age of 18 who is a household member. Depending on circumstances the increase will be one of the rates between £2 and £11.70 a week.

Disabled private renters who are Housing Benefit claimants are now entitled to funding for an additional bedroom when they have a non-resident carer when criteria are met.

From 2012 there will be further changes to welfare benefits. We will cover these and some of the changes above, in more depth in future newsletters.

WORKING WITH AND SUPPORTING LANDLORDS AG OBAIR LE IS A' TOIRT TAIC DO DH'UACHDARAIN

We are hoping to organise regular Private Landlord Information Days for Private Landlords across Highland. These will be forums for sharing information and consulting with you as well as providing 'training' and advice sessions.

They will be open to all landlords and agents. As well involvement from Council services (such as Finance, Housing and Environmental Health), we hope to get input from other agencies such as the Citizens Advice Bureaux and Police.

Similar sessions have been held in the past and have been very popular.

If you are interested in taking part,
please email your contact details to:
housingandproperty@highland.gov.uk

Please also let us know what topic
you'd like to be covered.

