

Sandwell
Metropolitan Borough Council



Sandwell Landlord Magazine (The Bugle)



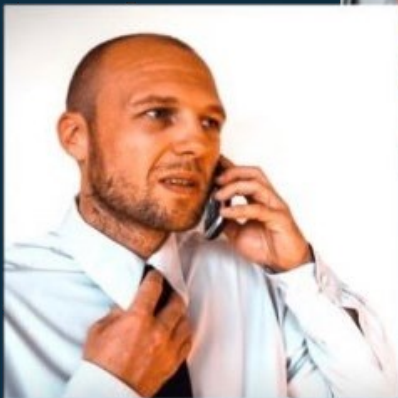
call



before



you



serve

A new free service for landlords

Inside: Housing for vulnerable people. What landlords need to know.

Welcome to our Spring Landlord Magazine

(Formerly known as the Landlord Bugle)

Gary Wright, Operations Manager, Citizen and Consumer Protection - Accommodation Team



You don't need me to tell you what a tough year has this been for landlords. Not only have you had to deal with all of the same personal and family issues that the COVID crisis has brought to everyone - but in your professional role as landlords you have had to cope with an endless stream of restrictions, new regulations, and problems. Being a landlord just gets more and more complicated. That's why we are so keen to make sure that the landlords we work with are kept up to date with what's going on. So I hope you find this magazine useful.

We cover a variety of topics here, but there is one that seems particularly important at present - the continuing growth of the specialist 'housing for vulnerable people' sector . We've dedicated a lot of

space in this issue to a lead article on the subject. If you're a landlord and you're not already familiar with the issue, I hope you can find ten minutes to read this.

Finally I'd just like to say that as the end of lockdown seems to be coming into sight, we are looking forward as a service to fully resuming all of our normal roles in supporting and maintaining high standards across the borough's private housing stock.

Gary Wright

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Electrical Safety

Landlords: If you are creating a new tenancy, you must have an electrical safety report prepared covering all electrical installations in the property . This must be prepared by a 'competent and qualified' person. From 1st April, these rules will also apply to existing tenancies.

You must;

supply a copy to prospective tenant before they move in or if asked for.

supply a copy of the report to an existing tenant within 28 days of the report being completed.

More information can be found on www.gov.uk under 'electrical safety.'



Housing for vulnerable people:

What's really going on?

Liz Mooney. Landlord Support and Development Officer.

We normally try and keep articles in this magazine or our landlord blog short and light; with practical basic advice landlords might need. But we have a growing and serious problem in private sector housing that justifies a more in-depth look. It's a problem that's already taken a grip in several cities across the country and parts of our region. All private sector landlords need to be aware of what's happening. Unless you intend to only let your properties yourself to individual households and would not under any circumstances consider letting your property through or jointly with any sort of housing services provider (unless it's the local authority), please take a few minutes to read this article. Especially, if you're keen to avoid problems with your insurance company and mortgage providers; you don't want to be left with damaged property or unpaid bills and a badly dented reputation in your community.

Every week, almost without fail, we're contacted by organisations offering specialist supported accommodation to 'vulnerable' people. Sometimes we've had five or six in the same week. All are either 'not for profit' companies, charities or housing associations. There are now a huge number of these organisations out there, including many in the West Midlands. They will contact landlords, offering, for your benefit, to run your properties for you. Or, for a substantial fee, to train you to set up your own housing association which would allow you to increase your rental income substantially by working with your local authority.

But are they safe to work with and what's really going on?

Setting up a charity or not-for-profit is a fairly simple



process and anyone can legally call themselves a housing association. But being one of these isn't always a guarantee of competence or even trustworthiness.

Certainly, there are some very genuine charitable, caring organisations providing specialist housing for people in need, as well as some straightforwardly commercial organisations that work to a high standard and are completely safe to deal with and new ones will sometimes emerge. That's great. They play an essential role in accommodating people who would struggle otherwise. But sadly – some aren't so well meaning. They're not doing anything criminal, but they are looking to take advantage of loopholes in the rules that limit the amounts of money that can be paid from public funds to house people. They want to charge rents far above normal benefit rates or the market rates achievable for non-benefit tenants. Sometimes the money made is not ploughed into looking after the interests of the tenants but goes in disguised profits to those who run the schemes.

To get your cooperation and access to your properties they might make all sorts of tempting offers. Of course it's perfectly legitimate for you as a landlord to want to get the best return on your investment and maximise your income. So you might be interested if someone contacts you with ideas about increasing profits; but be very careful.

Some of these organisations have little or no concern for the interests of either tenants or landlords. They simply want to make as much money as possible and have no regard for anyone else. They can be experts at looking respectable

and doing a 'sales job.' But their real interest is how they can use the rules that allow for extra support for vulnerable people to make themselves very large sums of money from the tax-payer. Even if on the face of it, an organisation is 'not for profit,' clever accountancy or simply paying very high wages to 'managers' can create a nice income from being 'charitable.' Nothing illegal is necessarily taking place but it's not what public money is meant for..

Instead of providing the 'care and support' and decent housing that the tax-payer might think is being paid for (usually through the benefits system); tenants are often get no realistic help and are left more or less alone to cope with all sorts of difficulties in barely safe conditions. If you put people whose problems include alcohol, drugs, or mental illness together without adequate supervision there can be unfortunate consequences. This isn't being moralistic. It's simply recognising that when you house people with others who have similar behaviours, it often just encourages those behaviours. We hear stories from trustworthy sources of some housing units where the police or the ambulance service are turning up almost every day or even several times in one day, often because of how drink are drugs are being used on the premises.

Then you can have further issues with violence, bullying or financial exploitation between the tenants. I can think of one elderly man we once dealt with whose housemates used to march him to the cash-point on the days his benefit was paid. Except for a few pounds he might be left with, almost all of his money got taken to buy drugs for his "friends." Sadly that's not a rare occurrence. The impact on the communities affected can be huge. Petty crime, anti-social behaviour like litter or noise, even street prostitution have all been reported in association with this type of housing. .

Sometimes tenants will find themselves being housed in really quite dangerous situations I've dealt with one case of a distressed 18-year-old woman with learning difficulties being placed in an HMO with a group of older men. All of whom had 'problematic' behaviours; one was even on the sex-offenders register. There were no staff on the premises over night – I hate to think what might have happened if we hadn't got to hear about her and make sure she got rehoused quickly.

In fact vulnerable women now seem to be particularly open to exploitation by unscrupulous providers. A recent report from the housing charity

Vulnerable people need decent housing and compassion but concentrating them in narrow areas can create problems.



SHELTER has highlighted how domestic violence victims are being actively sought out as potential tenants for specialist hostels. Sometimes these turn out to be unsuitable HMOs, set up by people who simply see the women as a means to a fast profit. According to SHELTER, some of the providers completely lack knowledge or experience in helping people with the complex needs associated with domestic violence. What's more – the housing can be in unsuitable areas and the women, often accompanied by children are simply not physically safe. There have even been cases of victims

An NHS advertisement for handwashing. It features a young girl with pigtails, smiling, with soap suds on her hands. The text reads: "Washing my hands helps protect me." Below this, it says "And you. Regular handwashing wipes away the virus." In the top right corner is the NHS logo, and in the bottom right corner is a box that says "STAY ALERT CONTROL THE VIRUS SAVE LIVES". The HM Government logo is in the top left corner.

HM Government

NHS

Washing my hands helps protect me.

And you.
Regular handwashing
wipes away the virus.

STAY ALERT
CONTROL THE VIRUS
SAVE LIVES

moving back to their abusers as they've seen it as the less risky option.

If you're an ordinary decent landlord who just wants to fill a property and someone approaches you with one of these schemes; how do you tell the difference between legitimate and a less legitimate provider? (And I will stress again – there are some very reputable and decent organisations working with this type of housing arrangement).

There are no fixed rules on what to look for but you will need to think hard. Remember, it's easy to print attractive brochures or set up a website with pictures of caring staff and happy tenants. Sometimes you have to dig deeper than a few minutes of googling to get the real picture.

You might want to ask for business references or to see their accounts - if they are a charity, they shouldn't be offended, or you should be able to find their most recent accounts on the Charity Commissioner's website. Ask if you can see one of their existing projects and ask as many questions as you can about their business model.

We've been fortunate in Sandwell, many of the more dubious operators seem to have avoided our borough. However, the problem is spreading quickly. We've seen reports from other authorities where

whole streets or neighbourhoods have been virtually taken over by this sort of accommodation. The housing involved is typically 'houses-in-multiple' occupation or HMOs. Each can contain anything up to ten or twelve residents or even more, all with their own difficulties so hundreds of vulnerable people can all end up living in the same small area creating real difficulties for the host community. It's not disrespectful to those who deserve our support and compassion to point out that this is in nobody's best interests. We absolutely must not demonise the people being housed—but we are failing them as well as the communities they live in if we ignore the issues that can arise.

So if you're a landlord and someone wants to get involved with your properties - be careful. You might be getting something quite different from what you expected. You face all sorts of hazards; here are a few more that we've seen.

Sometimes, the organisations go bust. It might just be poor management; it might even be contrived so that an unscrupulous company can escape its liabilities. If this happens, the actual property owner who's innocent of any bad behaviour can be left with substantial and unrecoverable rent arrears. Good luck trying to get money back from a company that's gone out of business.



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www.sandwell.gov.uk/counciltax

DIRECT Debit 

And you could be left with people still in occupation with whom you have no formal agreement; which causes all sorts of complications in taking back control of your property.

Sometimes these companies quit the scene leaving not just arrears, but badly damaged properties. You get left with the repairs bill. A bill which your insurance company might quite legally refuse to help you with unless you've taken out expensive specialised cover to take account of the way your property is being used. You should of course tell your insurer about how your property is being used but be aware; many will simply refuse to cover you, while those that do will often want a very substantial hike in your premiums. Insurers are very cautious about the sort of tenants they find acceptable. And if you don't tell your insurer and then try to make a claim, no prizes for guessing what they will tell you.

If you have a mortgage in place, a further complication is that your mortgage company might be very unhappy about this sort of use. They can be very strict about exactly who is in a property. If you do have a mortgage, speak to the provider before considering any change and don't be surprised if they give you an emphatic no. And remember that the consequences of breaking your mortgage terms can be extremely serious.

To make it worse, even though you didn't run the HMO, in local eyes, it's still associated with you and any problems suffered by neighbours will be put against your good name. And despite your lack of involvement, you could even be fined for allowing an unlicensed HMO. Especially if you haven't been sufficiently cautious in the contract you have signed with the housing organisation. They might have left

you all kinds of disguised liabilities that you're not fully aware of and remember, they will probably have far more experience in drawing up contracts than you do.

Over my time, I've dealt with decent landlords who have lost huge sums through this sort of arrangement going wrong. The only help I'm able to offer after the event is sympathy and a cup of tea.

I must stress again I'm not condemning all housing providers who work with the vulnerable. There are some fantastic people out there, both commercial and non-commercial who take the tenants no-one else wants. They can do a really good job and they have my respect and gratitude. We must be really careful that the good guys don't get lumped in with the not-so-good guys.

I'm just asking landlords to show appropriate caution towards anyone promising either a big boost in rental income or who offers to manage the property for them and substantially decrease overheads or responsibilities. The more attractive the offer, the more diligence you should show.

The official regulatory body for social housing is now looking into the whole subject which is increasingly receiving media attention as communities start to protest about the problems they are seeing. We know the government is taking an interest and we do expect to see them actually start to take action soon. As always we will keep you informed of developments.

Liz Mooney



A recent report has highlighted how the victims of domestic violence are often receiving particularly poor service in housing of this type.

A new service for landlords



Call before you serve: council intervention to save tenancies.

A new council initiative 'Call B4 you Serve' or CB4YS can help landlords resolve problems with tenants; protecting both the landlord's rental income and peace of mind.

Up to now, landlords have often felt unsupported by local authorities over problems when their tenancies start to go wrong. Most services seem to be for tenants - not landlords. Tenants can get help or advice from agencies like Citizens Advice, but landlords struggle to find help. As a result landlords often feel that they have no choice but to ask tenants to leave. CB4YS encourages landlords to report problems within their tenancy at the earliest stage and where appropriate, receive support and advice from CB4YS officers who will work out practical solutions by working with the tenants to get the tenancy back on track. CB4YS started 18 months ago working with many other local authorities and was adopted by Sandwell in November 2020. Although this is a specialist advice service for landlords and letting agents like you, by helping landlords it will also help prevent homelessness.

Support can include

- A personalised support plan agreed with the tenant and the local authority
- Addressing rent arrears where possible

- A financial assessment of tenants to maximise income
- Referrals to specialist services for more long-term support should the need be identified
- A mediation service between landlords, tenants and support
- Support and guidance on how to serve a legal notice
- A dedicated email and mobile number for landlords for all tenancy related issues

It should be stressed that CB4YS officers do not have any special legal powers. However, we know from landlord feedback that official interventions of this sort often prove very effective. And the service is completely free to landlords. If you need help, please contact

cb4ys@sandwell.gov.uk
07123456789

Come to our virtual Landlord Forums

If you're a landlord and you want to keep up to date with local landlord issues - come to our online landlord forums. Our guest speakers and experts tackle the issues you want to hear about. All our forums are advertised via our landlord blog at

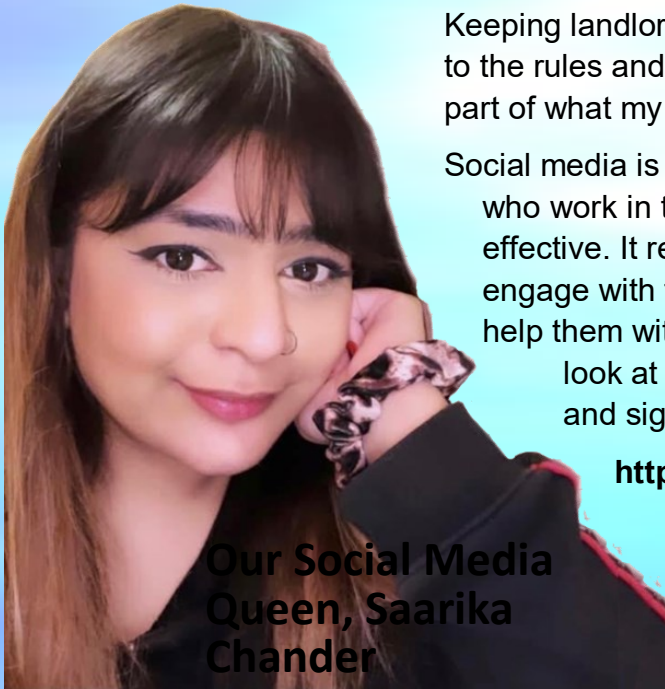
www.sandwelllandlords.wordpress.com

so please keep a look out for announcements



Free parking - tea, coffee and biscuits optional

Follow us on social media



Keeping landlords up-to-date about housing issues and changes to the rules and regulations they need to work under is a huge part of what my job is about.

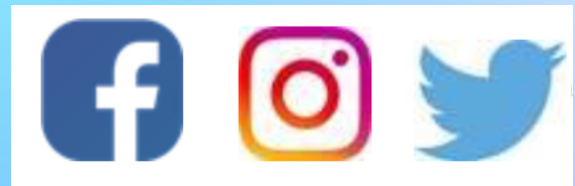
Social media is probably the biggest tool that I and my colleagues who work in this area have. It's quick, informal and cost effective. It reaches people who might not usually want to engage with the council or realise there are things we can help them with. If you don't follow us already, please have a look at our Twitter, Instagram and Facebook accounts and sign up as a follower to our landlord blog.

<https://twitter.com/PrivateHousing>

<https://www.facebook.com/privatehousing/>

https://www.instagram.com/sandwell_privatehousing/

Saarika



Housing Benefit Landlord Portal

If you're a landlord and you receive direct payments of Housing Benefit or Discretionary Housing Payment for tenants in Sandwell, sign up to our landlord portal.

This will give you online access 24/7 to your payment information. You will be able to see:

- details of the tenants who you have received payments for, the amounts for each tenant and the dates that the

payments cover. This can be downloaded as an Excel spreadsheet;

- payment histories for individual tenants;
- claim status for individual tenants, i.e. whether their claim is in payment, suspended or cancelled.

To sign up for the portal please go to www.sandwell.gov.uk/landlordportal

Coming Soon: New offer to Landlords

We have launched a new initiative 'Secure and Sustain.' This is an offer to landlords who can provide us with properties to house our clients. The owner stays as landlord but we find the tenant and offer the landlord a list of benefits and support. The services we'll give landlords for free would cost a substantial amount if you paid a commercial lettings agency; but we don't want your money, we just want your house!

The benefits to landlords include:

- we will find you a tenant although you can veto any potential tenant you are not happy with;
- if a tenant leaves, we will work hard to find you a new one and minimise void periods;
- We will check and reference tenants;
- working with the tenant to make sure they have the means in place to pay their rent in full;
- completion of initial legal paperwork at the start of the tenancy including the tenancy agreement ;
- free insurance against rent arrears or damage;
- inspection and risk assessments to make sure your property is fit for the market. This includes free initial gas and electrical inspections.
- support and advice should things go wrong including developing a support plan and working



with tenants to address the issues. There will be a dedicated person who helps you and the tenant address the issues

All of this is free and you'll get the full market rent. We are still working on exactly what the package will include and it will vary slightly according to the agreements we reach with individual landlords. We'll announce a date for the scheme shortly and will then register interest from landlords with properties to fill. Keep an eye on our social media, in particular the Landlord Blog for more information. I know from the preparatory work we've done that Sandwell has some excellent private landlords, I'm very much looking forward to working with them on our new scheme.

Karl Robinson
Housing Manager

Contacting Revenues and Benefits

If you're a landlord and you need to talk to us about your tenant, please remember, we are severely constrained by data protection rules about the information we can share with you. If you need information about your tenant's Council Tax or Housing Benefit, always talk to them first.

If you do need information from us, we can only talk to you if we have up-to-date permission from your tenant, confirmed on our data protection waiver form available at

www.sandwell.gov.uk/dataprotectionwaiver

Ending a tenancy?

Stay on the right side of the law.

There are many reasons why a landlord might need a tenant to leave. If it's because of rent arrears or problem behaviour please see the article on page 5 about our new service 'Call B4 you serve' before taking action. We might be able to help resolve the problem. But whatever the reason, if you really do need your tenant to leave, please make sure you understand the rules on doing this legally.

There have always been restrictions on how you can end a tenancy, whether through a Section 8 or a Section 21 notice, (the only legal routes to do so).

You must follow the correct procedures and an illegal eviction can even be a criminal offence. And although it's rare landlords have even been sent to prison for illegal evictions. What might seem a minor error in following housing rules can legally prevent you from repossessing your property through a section 21. For example:

- not giving the tenant a current copy of the 'How to rent' guide at the start of a tenancy';
- not securing a deposit correctly;
- failure to use the correct form;
- serving a notice too early.

This is not a complete list. Please check your legal position and responsibilities carefully before serving notice. Be aware that the courts and advice agencies helping tenants can scrutinise notices and landlord actions very closely so make sure you have followed all relevant procedures scrupulously.



Crucially, remember that currently, you must normally give your tenant SIX MONTH'S notice if you wish to serve a section 21. (Although some exceptions apply in cases of anti-social behaviour or significant rent arrears). Full guidance is available online at Gov.uk or from the various professional landlord organisations.

Also be aware that the government is considering proposals to completely abolish Section 21. So that landlords could only get possession of their property back under limited circumstances. This is still only a proposal; we'll put any more news about this on our landlord www.sandwelllandlords.wordpress.com

If you have to serve notice; be careful to record all actions and communication with your tenant. Harassing a tenant can also be a criminal offence and you should be aware of the possibility that you might have to defend your actions in court.

You should also be aware that during the COVID-19 pandemic, the government has changed the law on evictions several times in line with the changing lockdown and economic situation. Landlords are advised to make sure they stay up to date on any changes.



**Someone new in your property?
If someone has moved in or out
of your property, tell us straight
away so we can get your Council
Tax Bill right.**

www.sandwell.gov.uk/tenancychanges





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Landlords - did you know that if your tenant fits our eligibility criteria, there might be financial help available to make your property more fuel efficient?

Visit us online to find out more. It could be worth your while.

applyforleap.org.uk