

Stockton Rental Standard Guidance Document



Stockton-on-Tees
BOROUGH COUNCIL

Environment and Housing

Big plans for our places and open spaces

How to use this Guidance Document

This guidance is designed to provide additional detail on how landlords* can meet and maintain the **Stockton Rental Standard**. Landlords are expected to read through this guidance and where necessary follow the links provided to ensure they fully understand their responsibilities.

As detailed in the **Stockton Rental Standard**, the use of the word 'must' indicates a legal requirement while the word 'should' indicates best practice. Where a landlord 'should' do something and has not, they will need to justify their reasons for not doing it.

**Throughout this document where a reference is made to a "landlord" it includes their agents or representatives.*

Useful information:

In September 2014 the Government published the Royal Institution of Chartered Surveyors Private Rented Sector Code of Practice. This cross-industry code is intended to promote best practice in the letting and management of private rented sector housing in England which landlords should familiarise themselves with. The full document can be viewed by visiting www.rics.org and entering 'Private Rented Sector Code' into the search box.

Landlords are particularly encouraged to review the Landlords Checklist on page 25 of the Code of Practice.

Additionally in September 2014 the Government published a model tenancy agreement for use in the private rented sector where a shorthold tenancy is being entered into. That tenancy agreement and the accompanying guidance is available from www.gov.uk by entering the words 'model tenancy agreement' into the search box.

Property Standards

Complying with statutory responsibilities

All landlords must comply with their statutory responsibilities by ensuring their properties provide a safe and healthy environment for all occupants and visitors. Any landlord who fails to address any identified defects may be open to enforcement action.

Guidance is available in the: '**Housing health and safety rating system (HHSRS): guidance for landlords and property-related professionals**' booklet, a copy can be viewed by visiting www.gov.uk and by entering 'HHSRS' into the search box.

Fire safety risk assessments

A full fire risk assessment will help to ensure that landlords are complying with their statutory obligations and should be conducted on each property taking into consideration the occupants. Further guidance can be found in the 'LACORS Housing – Fire Safety' booklet via this link:

www.rla.org.uk/docs/LACORSFSguideApril62009.PDF

Carbon Monoxide detection

Carbon Monoxide detectors are strongly recommended in private rented properties and are a **must** in rooms with solid fuel burning appliances. Further information can be found via the HSE website www.hse.gov.uk/gas/domestic/co.htm

Electrical installations

Landlords **must** ensure that all electrical installations and appliances provided are maintained in a safe condition with an adequate number of sockets to prevent overloading. This can be verified by obtaining an Electrical Safety Certificate from a competent electrician who is a member of a nationally recognised body (i.e. NICEIC). The report may specify how often the installation must be re-inspected which must be followed. To meet the Stockton Rental Standard this **must** be at least every five years.

Furniture and furnishings

All furniture and furnishings supplied **must** carry a manufacturers label provided at the point of sale, which must be non-detachable. Landlords *should* keep all receipts to be able to prove that the furniture is compliant (for example if the non-detachable labels get ripped off/detached). For further information the full legislation can be viewed at www.legislation.gov.uk/uksi/1988/1324/note/made

Management Standards

Gas Safety

The Gas Safety (Installation and Use) Regulations 1998 deal with landlords duties to make sure gas appliances, fittings and flues provided for tenants are safe. Gas Safety checks **must** be completed annually by a Gas Safe registered engineer and any advice notices **must** be complied with. A copy of the certificate **must** be provided to the occupants and the landlord must retain their copy for a period of two years. Landlords can find a Gas Safe Registered engineer via the Gas Safe website www.gassaferegister.co.uk/

Energy Performance Certificates (EPC's)

Energy Performance Certificates (EPC's) are valid for ten years and **must** be made available to prospective tenants when marketing a property. As EPC's are transferable recently purchased properties may already have one in place.

Landlords can use the EPC register to check if a property has a current EPC or to find a Domestic Energy Assessor by visiting www.epcregister.com/

Landlords can receive a fixed penalty of £200 per dwelling for not having a current EPC when required.

Deposits

Landlords **must** protect any deposit received in a Government approved Tenancy Deposit Protection scheme and the prescribed information given to the tenant within 30 days of receipt. Failure to do so could result in landlords being ordered by the courts to pay up to 3 times the deposit amount to the tenants and being restricted from using a Section 21 notice for possession. Further information and links to the various scheme providers can be found at www.gov.uk by entering the words 'tenancy deposit' into the search box.

Emergency repairs

Repair response times will vary dependent on a number of factors but any Emergency repairs (repairs required to avoid imminent danger to health, risk to the safety of the occupants or serious damage to the building or internal contents) *should* be addressed within 24 hours of report of the defect. An example of an emergency repair is an interruption to the supply of water or heating.

Non-emergency repairs, outside of issues to be addressed as part of ongoing maintenance, *should* be addressed within a reasonable time period, usually between one and four weeks.

Tenancy agreements

Tenants **must** be supplied with a point of contact in case of emergencies as part of a written tenancy agreement. Landlords *should* also provide a written inventory at the start each new tenancy.

Ending a tenancy

Landlords are advised to act with diligence and caution to protect themselves against accusations of Harassment or Illegal Eviction. In all cases the correct legal procedure to acquire possession **must** be followed. Landlords should seek legal advice if in any doubt.

Landlord Accreditation Scheme

All landlords operating in the Borough are encouraged to join our **free** voluntary scheme. We will actively support landlords to gain accreditation status and offer support and advice on queries related to the private rented sector and landlord/tenant matters.

Accredited landlords can access a range of benefits including advertising their properties for **free** on COMPASS, the Tees Valley choice based lettings system. For further information or to apply please visit www.stockton.gov.uk/landlordaccreditation

Tenant referencing

Landlords *should* conduct tenant referencing on all prospective tenants to help protect themselves, their property and neighbours of the rental property. The Council offers a **free** tenant referencing service through the Landlord Liaison Scheme. Reference information provided will detail any previous antisocial behavior, rent arrears, breach or abandonment of tenancy agreements and abandonment of a property. For further information or to apply please visit www.stockton.gov.uk/landlordliaison

Should you have any queries regarding the Stockton Rental Standard please contact:

Stockton-on-Tees Borough Council
Private Sector Housing Division
16 Church Road
Stockton-on-Tees
TS18 1TX

Telephone: 01642 527797

Fax: 01642 526541

Email: privatesectorhousing@stockton.gov.uk