

**Epping Forest District Council**

**HOUSING DIRECTORATE  
SERVICE STRATEGY  
ON THE  
PRIVATE RENTED SECTOR**

**1. Introduction**

- 1.1 This Housing Directorate Service Strategy explains how the Council will work with and encourage private landlords to meet housing need in the District through the private rented sector. The Private Sector Team within the Housing Directorate will promote good tenant/landlord relations and help those in housing need to access and retain privately rented accommodation. The strategy links with the Homelessness Strategy, the Private Sector Housing Renewal Strategy and Empty Property +Strategy.
- 1.2 The Strategy will be implemented in partnership by both the Housing Options Section and the Private Sector Housing Team within the Housing Directorate.
- 1.3 The Strategy sets out how the service will be delivered and monitored.
- 1.4 The Council's Housing Directorate was accredited with the Investors in People Award in 2001. This was extended to all Council Services in 2002 and renewed in 2005 and 2008. Housing Services was originally accredited for the ISO 9001:2000 quality management system by Lloyds Register Quality Assurance in 2002 and was last renewed and extended to the new Housing Directorate in 2008. Housing Services also achieved Charter Mark status for the first time in 2004 which was renewed in 2007. The Housing Directorate is seeking to achieve accreditation for the successor award to Charter Mark in 2010, being Customer Service Excellence.
- 1.5 This Housing Directorate Service Strategy was formally approved by the Housing Portfolio Holder on xxxxxx.

**2. Background to the Service**

- 2.1 People are in housing need for many reasons, for example, they may have to leave their current accommodation because of relationship breakdown, or they may need accommodation with fewer stairs for health reasons, or they may be homeless on release from prison.
- 2.2 Many people in housing need may apply for inclusion on the Council's Housing Register but only a proportion will have realistic prospects of securing social housing. This is because demand far outstrips supply. At the time of writing the Strategy, the Council has almost 5,000 applicants on its Housing Register and a housing stock of around 6,600 properties.
- 2.3 The private rented sector plays an important part in meeting housing need. It is estimated that there are around 3,000 privately-rented dwellings in the District, with approximately 2,000 of these tenants receiving Housing Benefit.
- 2.4 There are no landlords with large property portfolios; many private sector landlords own just one, or a very small number of properties that they let.

**3. Coverage**

- 3.1 Private sector landlords may be assisted directly or indirectly through a number of Council services. The Housing Directorate's Homelessness Prevention Team, who

works in the Housing Options Section, will amongst other housing options, assist those faced with homelessness by helping them to secure accommodation in the private sector.

- 3.2 The Private Housing (Technical) Team will use the means at their disposal to maximise the provision of privately-rented properties that are of good quality and meet Statutory requirements.

#### **4. Relationship to other documents**

- 4.1 This Strategy forms part of the Council's overall approach to strategic housing, set out in its Housing Strategy, Private Sector Housing Renewal Strategy and Empty Property Strategy.

- 4.3 The Council has adopted a Housing Charter, which sets out in simple, clear and precise terms its general approach to all its housing services.

- 4.4 The Local Plan sets out the Council's intentions to increase the provision of housing in the District whilst retaining its unique character.

- 4.5 This Strategy links in with the Council's Homelessness Strategy and the Service Strategy on Allocations and Homelessness.

- 4.6 The Council follows the requirements of the Commission for Racial Equality's Code of Practice in Rented Housing.

- 4.7 A booklet, Housing for single people, produced by the Housing Directorate to assist single people seeking accommodation gives basic information on, amongst other matters, renting accommodation in the private sector. An information sheet, Private Accommodation, contains advice for the wider population.

- 4.8 The following guides are available from the Housing Directorate produced by the Communities and Local Government (CLG):

- Assured and assured short-hold tenancies – a guide for landlords
- Letting Rooms in your House
- Repairs - a Guide for Landlords and Tenants
- Assured and Shorthold tenancies - a Guide for Landlords
- Notice that You Must Leave
- My landlord wants me out - protection against Harassment

These can be obtained from the CLG web-site at [www.communities.gov.uk](http://www.communities.gov.uk)

- 4.9 The Local Authority Co-ordinator of Regulatory Services (LACORS) has also produced a guide called 'Thinking about Renting out your Home' which can be obtained from LACORS on [www.lacors.gov.uk](http://www.lacors.gov.uk).

- 4.10 Information about services offered by the Housing Directorate can be obtained through the Council's Website: [www.eppingforestdc.gov.uk/housing](http://www.eppingforestdc.gov.uk/housing)

## **5. Aims & Objectives**

5.1 The aim of this Strategy is;

“To promote good tenant and landlord relations in private sector housing and to maximise the availability of good quality private rented accommodation in the District for people in housing need”.

5.2 This aim will be met by:

- a) Providing advice and support to private landlords to encourage the retention of suitable accommodation in the private rented sector;
- b) Helping to resolve disputes between landlords and tenants before they escalate into eviction proceedings;
- c) Attracting new landlords into the sector through the Finders Fee scheme;
- d) Liaising with local letting agencies to identify suitable privately rented accommodation for people at risk of becoming homeless;
- e) Arranging access to rent deposit guarantees through the Epping Forest Housing Aid Scheme (EFHAS);
- f) Referring prospective landlords to the Fresh START private leasing scheme which are leased to potentially homeless people in housing need;
- g) Providing up to date information and easily understood guidance relating to providing and obtaining accommodation in the private sector, together with details of agencies who may be able to offer additional help;
- h) Effectively liaising between Council Directorates and external agencies;
- i) Ensuring staff are appropriately trained;
- j) Reviewing and updating the Council’s procedures on an ongoing basis;
- k) Undertaking user surveys on the effectiveness of the service;
- l) Bringing back into use as many empty private sector properties in the District as is possible; and,
- m) Taking action to ensure that the condition of privately-rented accommodation meets the standards required by legislation and good practice.

## **6. Statutory Requirements**

6.1 Legislation and regulations relating to this strategy are set out below:

- a) The Accommodation Agencies Act 1953 regulates the way in which letting agencies operate.
- b) The Health and Safety at Work Act 1974 sets out the responsibilities of the Council as an employer in respect of the health and safety of staff.
- c) The Protection from Eviction Act 1977 sets out safeguards to ensure that residential tenants are not unlawfully evicted.

- d) The Landlord and Tenant Act 1985 provides private sector tenants with a number of rights and sets out landlords' responsibilities in respect of housing repairs.
- e) The Local Government & Housing Act 1989 sets out the framework for the funding of Council Services.
- f) The Housing Grants, Construction and Regeneration Act 1996 makes provision for financial grants in certain circumstances, for instance, for adaptations for disabled people.
- g) The Housing Act 1996 as amended by the Homelessness Act 2004, together with associated regulations, sets out the Council's powers and duties relating to homelessness and housing advice.
- h) Personal information held by the Council is protected by the Data Protection Act 1998.
- i) The Human Rights Act 1998 is most likely to be cited in respect of housing issues in Articles 8 and 14. These relate to private and family life, home and correspondence (confidentiality) and discrimination (equal opportunities).
- j) The Council must be mindful of the requirements of the Sex Discrimination Act 1975, Race Relations Act 1976, Disability Discrimination Act 1995 and the Code of Practice in Rented Housing.
- k) The Housing Act 2004 requires the Council to keep local housing conditions under review and to take have policies in place to direct resources where they are most needed. It specifies the standards to be used in the assessment of the condition of dwellings (the Housing Health and Safety Rating System, or HHSRS) and a range of enforcement measures to ensure that all private sector residential properties meet the required standard. It also includes the licensing provisions for Houses in Multiple Occupation.
- l) The Housing Act 1985 (as amended) contains the overcrowding standards and powers for Demolition Orders.
- m) The Public Health Act 1936 has various provisions for addressing public health issues that may affect privately rented properties such as; dealing with filthy and verminous premises, leaking and overflowing cesspools, closure of polluted water supply, defective sanitary conveniences and removal of noxious matter.
- n) The Public Health Act 1961 contains powers to deal with blocked drains.
- o) The Building Act 1984 deals with defective premises.
- p) The Environmental Protection Act 1990 covers statutory nuisance (i.e. unreasonable interference with the enjoyment of another person's property).
- q) The Prevention of Damage by Pests Act 1949 relates to the control of rats and mice.
- r) Local Government (Miscellaneous Provisions) Act 1976 and 1982 includes the provisions for dealing with issues such as drainage and boarding up premises.

## **7. Client Consultation, Information & Involvement**

7.1. Service user surveys are undertaken to measure the effectiveness of the service.

## **8. General Principles**

- 8.1 Property owners occasionally contact the Housing Directorate with a view to leasing their property to the Council. The Council no longer enters into agreements to lease properties directly but works in partnership with a Registered Social Landlord (RSL), East Thames Housing Group (ETHG), to operate a three-year leasing scheme. The RSL leases up to 20 properties at any one time and these are then allocated on an Assured Short-hold Tenancy to homeless households nominated by the Council. Rent levels are within local reference rents for Housing Benefit purposes. The project is known as the Fresh START Scheme. The Council pays a small weekly management fee to the East Thames for each property.
- 8.2 When private sector tenants breach their tenancy conditions, the Council may become involved in a number of ways. As part of the Council's homelessness prevention service, the Housing Options Section will contact landlords who are considering evicting their tenant, to identify their reasons for doing so and to offer assistance in resolving problems. For example, in cases of rent arrears, should there be difficulties with housing benefit claims, homelessness prevention officers may consider applying for a Discretionary Housing Payment (DHP) through the Benefit's Division. The Assistant Housing Options Manager (Homelessness) is a member of the DHP Panel.
- 8.3 Where potentially homeless applicants have identified a suitable private property to rent but do not have the means to meet the rent deposit guarantee required by the landlord, the Homelessness Prevention Team will liaise with the Epping Forest Housing Aid Scheme (EFHAS), which is a registered charity supported by the Council, that provides rent deposit guarantees which are issued to the landlord to cover any potential damage, theft and loss of rent. The value of the guarantee is normally equal to one month's rent. In addition, the Council operates a rental loan scheme funded by Government grants where in appropriate cases, applicants can be loaned the first months advance rental payment repayable interest free over a 24-month period. All properties are inspected by Environmental Health Officers to ensure they meet the relevant standards.
- 8.4 In situations where people are at risk of becoming homeless, the homeless prevention team will work with local letting agencies to identify suitable privately-rented accommodation for them.
- 8.5 Where existing private tenants have concerns about their housing conditions, Officers in the Private Housing Teams can advise them on their options and, where appropriate, liaise their landlord to make sure that any necessary remedial work is carried out.
- 8.6 Staff promote good relations between landlords and tenants, facilitating resolutions to difficulties whenever possible and endeavouring to prevent the loss of privately-rented accommodation.
- 8.7 The homelessness prevention team liaise with local lettings agencies in order to identify suitable properties for people at risk of becoming homeless.
- 8.8 Housing staff will work with other Council services to meet the objectives of this Strategy, the Private Sector Housing Renewal Strategy and the Empty Property Strategy.
- 8.9 The Senior Homelessness Prevention Officer will attend EFHAS meetings to monitor the success of referrals and the Director of Housing will receive quarterly reports from the scheme's secretary, in order to protect the Council's financial interest in the scheme.
- 8.10 Housing advice will be offered as appropriate to the needs of the individual and in accordance with the principles of equal opportunities.

- 8.11 The Council will provide up-to-date information sheets and booklets on renting in the private sector.
- 8.12 The Council will keep procedures under review and ensure staff receive appropriate training.
- 8.13 From time to time the Council will undertake service user surveys to measure the effectiveness of the service.
- 8.14 Any Complaints received will be dealt with in accordance with the Council's Corporate Compliments and Complaints Procedure.

## 9. Future Developments

- 9.1 The following analysis of strengths, weaknesses, opportunities, and threats (SWOT analysis) forms the foundation for future action:

<b>Strengths</b>	<b>Weakness</b>
<p>Private Sector Stock Condition Survey and Housing Needs Survey provide solid information.</p> <p>'Homes and neighbourhoods' a corporate priority.</p> <p>Good relationships between Housing Services and ETHG, local letting agencies and EFHAS.</p> <p>Quality homelessness prevention service with well trained staff.</p> <p>'User friendly' housing advice.</p> <p>Performance monitoring.</p>	<p>No large portfolios of privately rented accommodation.</p> <p>Homelessness prevention staff funded by CLG until 2011 but future funding arrangements are uncertain.</p> <p>Available resources do not allow proactive, systematic engagement with private landlords.</p>
<b>Opportunities</b>	<b>Threats</b>
<p>Empty Properties initiative being undertaken.</p> <p>Continuation of rental loan scheme.</p> <p>Development of Housing Allocations Leasing Scheme (HALS) with Pathmeads.</p> <p>Additional financial support offered to EFHAS.</p>	<p>Alienation of private landlords by possible compulsory leasing of properties empty for more than 6 months.</p> <p>The small number of dwellings leased directly to the Council may no longer be made available.</p> <p>Increase in property values may reduce attractiveness of letting accommodation to tenants on Housing Benefit.</p> <p>Council not able to issue any more rental loans.</p> <p>Payment of Housing Benefit directly to tenants discourages landlords from accepting benefit claimants as tenants.</p>

## 10. Action Plan

Action	Lead Officer(s)	Timescale	Resources
Private Sector Housing and Allocations teams to work in liaison to maximise the advantage of Empty Properties Strategy	Housing Options Manager/ Private Housing Manager (Technical)	Ongoing	Within existing
Promote HALS with Pathmeads	Housing Options Manager	August 2010	Within Housing Benefit allowances
Monitor success of Rent Deposit Guarantee Scheme and take action as appropriate	Housing Options Manager	Ongoing	Within existing
Continue to ensure that information provided to the public is up to date and user friendly	Housing Options Manager/ Private Housing Manager (Technical)	Ongoing	Within Existing
Continue to ensure staff are well trained and motivated	Housing Options Manager/ Private Housing Manager (Technical)	Ongoing	Within Existing
Make proposed budget provision against potential loss of government funding for homelessness prevention	Director of Housing	Sept 2010	Within Existing
Ensure the small number of dwellings leased by the Council continue to be available to people in housing need	Director of Housing	Ongoing	Within Existing
Maintain database of private landlords operating in the District.	Private Housing Manager (Technical)	Ongoing	Within Existing
Implement initiatives to improve consultation with private landlords.	Private Housing Manager (Technical)	Ongoing	Within Existing

## 11. Resourcing the Strategy

11.1 The homelessness prevention service will continue to be funded largely by central government until March 2011.

11.2 Other staff in the Housing Needs Section will be funded from the General Fund in respect of homelessness and the Housing Revenue Account in respect of allocations.

11.3 Staffing resources will be as follows:

<b>Staff Resource Projections.</b>			
	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>
<b>Staff to provide the service (FTE p/a)</b>	<b>11.3</b>	<b>11.3</b>	<b>11.3</b>

<b>Staff Resource Breakdown</b>			
<b>Housing Options Manager</b>	<b>.15</b>	<b>.15</b>	<b>.15</b>
<b>Asst. Housing Options Manager (Allocations)</b>	<b>.15</b>	<b>.15</b>	<b>.15</b>
<b>Asst. Housing Options Manager (Homelessness)</b>	<b>.3</b>	<b>.3</b>	<b>.3</b>
<b>Homelessness Prevention Officers</b>	<b>6.1</b>	<b>6.1</b>	<b>6.1</b>
<b>Housing Officers</b>	<b>.15</b>	<b>.15</b>	<b>.15</b>
<b>Housing Assistants</b>	<b>.15</b>	<b>.15</b>	<b>.15</b>
<b>Environmental Health Officers</b>	<b>2.5</b>	<b>2.5</b>	<b>2.5</b>
<b>Private Sector Housing Technical Officers</b>	<b>1.8</b>	<b>1.8</b>	<b>1.8</b>

## **12. Key Targets and Performance Monitoring**

12.1 The Director of Housing chairs quarterly Continuous Improvement meetings attend by the Private Housing Managers and the Assistant Director of Housing (Private Sector and Resources) where a range of targets and performance monitoring matters are considered.

12.2 The Housing Options Manager monitors the effectiveness of the Fresh START scheme.

## **13. Reviewing the Strategy**

13.1 This strategy will be reviewed in July 2013.