

**Epping Forest District Council**  
**HOUSING SERVICE STRATEGY**  
**on the**  
**PRIVATE RENTED SECTOR**

**1. Introduction**

- 1.1 This Housing 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 Communities 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 Communities Directorate.
- 1.3 The Strategy sets out how the service will be delivered and monitored.
- 1.4 The Council's housing service is ISO 9001:2008 accredited and has received the Customer Service Excellence award.

**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. The Council has introduced a new Housing Allocations scheme in September 2013 in an attempt to achieve a fairer distribution of social housing.
- 2.3 The private rented sector plays an important part in meeting housing need. It is estimated that there are around 7,750 privately-rented dwellings in the District, with approximately 3,146 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 Communities Directorate's Homelessness Prevention Team within the Housing Options Section will among 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 Strategy and Empty Property Strategy.
- 4.2 The Council has adopted a Housing Charter, which sets out in simple, clear and precise terms its general approach to all its housing services.
- 4.3 The Local Plan sets out the Council's intentions to increase the provision of housing in the District whilst retaining its unique character.
- 4.4 This Strategy links in with the Council's Homelessness Strategy and the Service Strategy on Allocations and Homelessness.
- 4.5 The Council follows the requirements of the Equalities Act 2010
- 4.6 A booklet, Housing for single people, produced by the Communities 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.
- 4.7 The Housing Options Team make extensive use of the Shelter Legal on-line service which provides councils with information on tenant and landlord obligations which can then be passed onto customers.
- 4.8 More information about the private rented sector can be obtained from the Government website [www.gov.uk/private-renting](http://www.gov.uk/private-renting)
- 4.9 Information about services offered by the Communities 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) Liaising with local letting agencies to identify suitable privately rented accommodation for people at risk of becoming homeless;
- d) Arranging access to rent deposit guarantees through the Epping Forest Housing Aid Scheme (EFHAS);
- e) Referring prospective landlords to Genesis Housing Association private leasing scheme which leases properties to potentially homeless people in housing need;

- f) 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;
- g) Effectively liaising between the Council and external agencies;
- h) Ensuring staff are appropriately trained;
- i) Reviewing and updating the Council's procedures on an ongoing basis;
- j) Undertaking user surveys on the effectiveness of the service;
- k) Bringing back into use as many empty private sector properties in the District as is possible;
- l) Taking action to ensure that the condition of privately-rented accommodation meets the standards required by legislation and good practice; and,
- m) Licensing Houses in Multiple Occupation (HMOs)

## **6. Statutory Requirements**

6.1 The main legislation and regulations relating to this strategy are set out below:

- a) 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 HMOs.
- b) The Housing Act 1985 (as amended) contains the overcrowding standards and powers for Demolition Orders.
- c) The Public Health Act 1936 has various provisions for addressing public health issues that may affect privately rented properties such as premises that are filthy and verminous, leaking and overflowing cesspools, polluted water supplies, defective sanitary conveniences and removing 'noxious matter'.
- d) The Public Health Act 1961 contains powers to deal with blocked drains.
- e) The Building Act 1984 deals with defective premises.
- f) The Environmental Protection Act 1990 covers statutory nuisance (i.e. unreasonable interference with the enjoyment of another person's property).
- g) The Prevention of Damage by Pests Act 1949 relates to the control of rats and mice.
- h) Local Government (Miscellaneous Provisions) Act 1976 and 1982 includes the provisions for dealing with issues such as drainage and boarding up premises.
- l) The Accommodation Agencies Act 1953 regulates the way in which letting agencies operate. The Enterprise and Regulatory Reform Act 2013 contains the requirements for letting agents to have proper complaints procedures in place.
- j) The Protection from Eviction Act 1977 sets out safeguards to ensure that residential tenants are not unlawfully evicted.

- l) 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.
- m) 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.
- p) Personal information held by the Council is protected by the Data Protection Act 1998.
- q) 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).
- r) The Council must meet the requirements of the Equalities Act 2010

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

- 7.1. Service user surveys are undertaken to measure the effectiveness of the service.
- 7.2 The Council will provide up-to-date information sheets and booklets on renting in the private sector.
- 7.3 The Council has a Student Accommodation Accreditation Scheme (SAAS) which is operated in conjunction with the University of Essex and Colchester Borough Council for students of the East 15 Acting School in Loughton. The Scheme enables students of the Acting School to find accommodation to rent that meets the minimum legal requirements and landlords that comply with current management regulations. Through the Scheme both landlords and students can be provided with a variety of information on landlord and tenant matters.
- 7.4 Officers are currently working with other authorities across Essex to set up the Essex Landlord Accreditation Scheme (ELAS) in conjunction with the Fire Service. It is currently planned that this will be launched in September 2014. This will extend the benefits of landlord accreditation to all landlords operating within the District and will operate through a web-site that will provide landlords and tenants with information and include links to other useful web-sites.

## **8. General**

- 8.1 Property owners occasionally contact the Communities 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), Genesis Housing Association 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.
- 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 from the Private Sector Housing Team 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 liaise with their landlord, where appropriate taking enforcement action, 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 Strategy and the Empty Property Strategy.
- 8.9 The Housing Options Manager and Private Housing Manager (Technical team) will attend EFHAS meetings to monitor the success of referrals and the Director of Communities 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 keep procedures under review and ensure staff receive appropriate training.
- 8.12 From time to time the Council will undertake service user surveys to measure the effectiveness of the service.
- 8.13 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>
<ul style="list-style-type: none"> <li>• Private Sector Stock Condition Survey and Housing Needs Survey provide solid information.</li> <li>• ‘Homes and neighbourhoods’ a corporate priority.</li> <li>• Good relationships between Housing Services and Genesis, local letting agencies and EFHAS.</li> <li>• Quality homelessness prevention service with well trained staff.</li> <li>• ‘User friendly’ housing advice.</li> <li>• Performance monitoring.</li> <li>• Student Accommodation Accreditation Scheme (SAAS).</li> </ul>	<ul style="list-style-type: none"> <li>• No large portfolios of privately rented accommodation.</li> <li>• Existing resources do not allow consistent, proactive engagement with private landlords.</li> </ul>
<b>Opportunities</b>	<b>Threats</b>
<ul style="list-style-type: none"> <li>• Empty Properties initiative being undertaken.</li> <li>• Continuation of rental loan scheme.</li> <li>• Development of Housing Allocations Leasing Scheme (HALS) with Genesis.</li> <li>• Additional financial support offered to EFHAS.</li> <li>• Development of Essex-wide Landlord Accreditation Scheme (ELAS).</li> </ul>	<ul style="list-style-type: none"> <li>• Alienation of private landlords by possible compulsory leasing of properties empty for more than 6 months.</li> <li>• Retaliatory evictions following tenants complaints.</li> <li>• Increase in property values may reduce attractiveness of letting accommodation to tenants on Housing Benefit.</li> <li>• Council not able to issue any more rental loans.</li> <li>• Payment of Housing Benefit directly to tenants discourages landlords from accepting benefit claimants as tenants.</li> </ul>

## 10. Action Plan

Action	Lead Officer(s)	Timescale	Resources
1. 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)	Progress reviewed quarterly	Within existing
2. Monitor success of Rent Deposit Guarantee Scheme and take action as appropriate	Housing Options Manager	September 2014 and bi-monthly thereafter	Within existing
3. Ensure that information provided to the public is up to date and user friendly	Housing Options Manager/ Private Housing Manager (Technical)	Reviewed: <ul style="list-style-type: none"> <li>• when stocks of leaflets etc run low;</li> <li>• when there are changes in legislation/ guidance;</li> <li>• annually - next review Aug 2015.</li> </ul>	Within Existing
4. Ensure staff are well trained and motivated	Housing Options Manager/ Private Housing Manager (Technical)	Reviewed quarterly at Customer Improvement Meetings and annually through PDR process.	Within Existing
5. Help to implement and promote the Essex Landlord's Accreditation scheme (ELAS).	Private Housing Manager (Technical)	Launch in Sept 2014. Subject to quarterly review	Within Existing
6. Carry out Equality Analysis on the following activities: <ul style="list-style-type: none"> <li>• Addressing property defects in the private sector;</li> <li>• Investigating harassment and illegal evictions;</li> <li>• Mandatory HMO licensing;</li> <li>• Bringing empty properties back into use.</li> </ul>	Private Housing Manager (Technical)	April 2015  April 2015  April 2017 April 2017	Within Existing

## 11. Resourcing the Strategy

11.1 Private sector housing (technical) team is funded by the General fund and income generated from the New Homes bonus and the Licensing of HMOs and Park Homes

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>2014/15</b>	<b>2015/16</b>	<b>2016/17</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>1.9</b>	<b>1.9</b>	<b>1.9</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 attended by the Private Housing Managers and the Assistant Director (Private Sector Housing and Communities Resources) where a range of targets and performance monitoring matters are considered.

## **13. Reviewing the Strategy**

13.1 This Strategy will be reviewed in July 2017.