



Part 1 Housing (Wales) Act 2014

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Background

- From 2011 Census approx. 14% (185,000) properties in PRS
- Around 130,000 private landlords; majority operate one property (but no-one knows true picture)
- Important Housing Option
- Poorest standards of management and conditions; often due to lack of understanding
- In 2011 National Assembly for Wales granted ability to make new primary Housing legislation
- Housing White Paper for Better Lives and Communities, May 2012



Introduction of Legislation

- Given Royal Assent in September 2014
- Majority of Part 1 to come into force in Autumn 2015
- Enforcement to commence from Autumn 2016

The screenshot shows the National Assembly for Wales website. The main heading is "Housing (Wales) Bill". Below it, there are tabs for "Details", "History", "Decisions", and "Meetings". A paragraph states: "A Government Bill, introduced by Carl Sargeant, Minister for Housing and Regeneration. The Business Committee has remitted the Bill to the Communities, Equality and Local Government Committee."

The screenshot shows the legislation.gov.uk website. The main heading is "Housing (Wales) Act 2014". Below it, there are tabs for "Table of Contents", "Content", "Explanatory Notes", and "More Resources". The "Content" tab is selected. The page displays the Royal Coat of Arms and the text: "Housing (Wales) Act 2014" and "2014 anaw 7". A description of the Act is provided: "An Act of the National Assembly for Wales to provide for the regulation of private rented housing; to reform the law relating to homelessness; to provide for assessment of the accommodation needs of Gypsies and Travellers and to require local authorities to meet those needs; to make provision about the standards of housing provided by local authorities; to abolish housing revenue account subsidy; to allow fully mutual housing associations to grant assured tenancies; to make provision about council tax payable for empty dwellings; and for other housing purposes."



Housing (Wales) Act Part 1

- Act introduces a legal requirement for all **landlords** to register themselves and their rental addresses
- **Landlords** and **agents** who act on their behalf who **let** and/or **manage** rental properties must become licensed
- Licensing based on training (no property inspection)
- Applicable to Assured, Assured Shorthold and Regulated tenancies within Wales
- Exempts Residential Social Landlords from registration; however if RSL does letting and management work on behalf of a PRS landlord they must be licensed
- Most other exemptions come about from the fact that certain people cannot grant ASTs (e.g. university owned accommodation, owner occupiers with lodgers, etc)



Overview of Requirements

Registration:

Landlord Registers:

- Correspondence Info
- Address of all rental properties
- Pays a fee
- Identifies who does letting and management at property

On-line process (including fee payment)

Simple, quick and automated

Register is not public; but tenants can verify landlords

Once registered:

- Obligation to keep information on register up to date
- Every 5 years a fee for continued registration



Licensing

Persons who 'let' or 'manage' a rental property must apply for a licence.

Applicant must :

- Be fit and proper
- Have undertaken approved training (will include online training)
- Have paid a fee

'Letting' and 'managing' defined in the Act

Applicant could be landlord, commercial letting & management agent, family member

All staff of applicant doing letting and management work to be trained

Once licenced:

- Lasts 5 years. Licensee must comply with licensing authority imposed conditions (including adhering to WG Code of Practice) and continue to be fit & proper; otherwise licence can be revoked.
- Renewal process, including additional fee



How will the system be administered?

- The Welsh Ministers have designated a single licensing authority to administer the system for all of Wales (under s.3)
- Cardiff Council designated as Single Licensing Authority from 1 April 2015
- Licensing authority will maintain register and administer and grant registrations and licences (central website & database)
- Landlords and agents will have one application to cover them for whole country.



Points to note:

- ✓ No mention of Accreditation in the Act; it is now licensing.
- ✓ Not all landlords must have a licence; if agent does all letting and property management work then only agent needs to be licensed.
- ✓ BUT some properties will have a licensed landlord and agent (split of roles, e.g. let only agent then landlord does management)
- ✓ AND all landlords will still have to register (can be 'lead' landlord)
- ✓ One licence covers the agent/landlord for any property in Wales; it is the landlord that registers each individual address and states the licensee(s)
- ✓ No need to provide Scots Disclosure/DBS check for 'fit and proper' check – self declaration
- ✓ If property has an HMO licence, landlord still needs to register and have a licensed person in place to let and manage it



What about LAW (Landlord Accreditation Wales)

- People already part of LAW should have little to do in order to register and get a licence (no decision of fee levels yet).
- All training under LAW already done by a landlord (or agent) will be recognised under Act
- Information from LAW database will be transferred into new database
- If landlord interested in training currently, please attend LAW training. Training still recommended
- **www.welshlandlords.org.uk**



Update

- Regulations have been consulted on regarding Information, Training, Fees, Code of Practice. Consultations now closed
- Central website, logo and brand name being developed
- Will be launched by the Minister, Lesley Griffiths AM in early July
- Communications strategy (including local authorities disseminating information) currently being developed by Welsh Government



What now?

- ✓ There is a Strategic Project Board overseeing project (WG Chair, Cardiff and local authority reps & WLGA)
- ✓ **Single Licensing Authority is now establishing itself and starting recruitment process**
- ✓ Local authorities and licensing authority will then create procedural and enforcement protocols
- ✓ Website/Database being created (using Rocktime Ltd; updating LAW website so won't lose current functions e.g. forum advertising, etc.)



What can't be answered at this point

- Exactly how much the fees will be
 - Licensing Authority to set the fees. About £50 to register and £100 to licence was indicated during Bill process but not necessarily the fee.
- What the exact training requirements will be
 - Licensing Authority will set requirements. Likely to be landlord course content (equivalent to LAW syllabus) and agent content (not yet set).
- What conditions will be on licences
 - It is for the Licensing Authority to set conditions; although they must include a condition to meet the Code of Practice.



Where can I find more information?

- On the Welsh Government webpages. Search “Housing Wales Act” <http://gov.wales/topics/housing-and-regeneration/legislation/housing-act/?lang=en>
- By contacting Anne Rowland via PrivateSectorHousingMailbox@wales.gsi.gov.uk
- More information will be publicised on the new scheme’s website once it is up and running
- Links to information will also be on Newport City Council’s website in due course