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# Part 1 Housing (Wales) Act 2014

Presented by Anne Rowland, Programme Manager



## Background

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- Approx. 14% (185,000) in PRS
- Over 100,000 private landlords; majority one property
- 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



# Passage of Legislation

Cynull ad Cenedlaethol Cymru National Assembly for Wales

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## Housing (Wales) Bill

Details History Decisions Meetings

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.

About the Bill

The key purposes of the Bill are to:

- > Introduce a compulsory registration and licensing scheme for private rented sector landlords and letting and management agents;
- > Reform homelessness law, including placing a stronger duty on local authorities to prevent homelessness and allowing them to use suitable accommodation in the private sector;
- > Place a duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified.
- > Introduce standards for local authorities on rents, service charges and quality of accommodation;
- > Reform the Housing Revenue Account Subsidy system;
- > Give local authorities the power to charge 50% more than the standard rate of council tax on homes that have been empty for a year or more; and
- > Assist the provision of housing by Co-operative Housing Associations.

Current Stage

The Bill is currently at Stage 2. An explanation of the various stages of Assembly Bills can be found [here](#).

Record of Passage in the National Assembly for Wales

The following table sets out the dates for each stage of the Bill's passage through the National Assembly for Wales.

| Stage                              | Documents                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bill introduced - 18 November 2013 | <a href="#">Housing (Wales) Bill, as introduced</a><br><a href="#">Explanatory Memorandum</a><br><a href="#">Presiding Officer's Statement: 18 November 2013</a><br><a href="#">Business Committee's Report on the timetable for consideration of the Bill: 18 November 2013</a><br><a href="#">Plenary statement: Introduction of the Housing (Wales) Bill: 19 November 2013</a><br><a href="#">Research Service Bill Summary</a><br><a href="#">Legislative Glossary - Housing (Wales) Bill (Welsh language version)</a> |

- Introduced on 18<sup>th</sup> November 2013
- Passed in Assembly 8<sup>th</sup> July 2014
- Royal Assent 17<sup>th</sup> September 2014
- Majority of Part 1 to come into force by September 2015



# Housing (Wales) Act 2014 Part 1

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- Introduces legal obligation for all landlords to register themselves and their rental addresses in Wales
- Agents and landlords who let and manage rental properties must become licensed under new licensing regime
- Applicable to Assured, Assured Shorthold and Regulated tenancies
- A few additional exemptions:
  - A residential social landlord from needing to register;
  - a local housing authority acting as an 'authorised agent' needing to have a licence



# Housing (Wales) Act 2014 Part 1

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- Welsh Ministers will designate a licensing authority
- Preliminary agreement that Cardiff will be central licensing authority for all Welsh LHAs
- Licensing authority will maintain register and administer and grant registrations and licences
- Enforcement by LHAs (or can be done by Licensing Authority)
- Suite of enforcement tools:
  - Prosecutions
  - Fixed Penalty Notices
  - Rent Stopping Orders
  - Rent Repayment Orders
  - Restriction on terminating tenancies (no s.21)



# Overview of Requirements

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## Registration:

### Landlord Registers:

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

Aim for majority of applications (including fee payment) on-line

Registration number sent via e-mail where possible

Not all info public; but way for tenants to verify peoples registrations

### **Why registration?**

- Identifies rented properties (mapping)
- Contact details (including e-mails and phone numbers) for landlords
- Easy way to keep landlords informed
- Statistics to inform policy





# Licensing

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

Landlord, commercial letting and management agent, family member

To get a licence applicant must:

- Be fit and proper
  - Have undertaken approved training
  - Have paid a fee
- Once licenced it lasts 5 years. Licensee must comply with conditions and continue to be fit and proper; otherwise licence can be revoked.

## Why licensing?

- People dealing day to day with all rentals are fit & proper
- Gives knowledge to those persons who need it
- Makes people letting & managing accountable; including agents



## Myths dispelled:

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### All landlords and agents have to get accredited.

- ✓ There is no mention of accreditation in the Bill; it is now licensing
- ✓ Not all landlords have to get a licence; if an agent does all the defined letting and property management work then only agent needs to be licensed.
- ✓ Some rentals will have a licensed landlord and agent





## Myths dispelled:

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### The Code of Practice will create new legal obligations on Landlords and Agents

- ✓ The Code will be issued by the Welsh Ministers
- ✓ It will set standards relating to letting and management; not property standards
- ✓ It is being developed with stakeholders and will be consulted on



## Myths dispelled:

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There will only be one option for training in the sector

- ✓ Course syllabuses are being created with stakeholders and will be consulted on
- ✓ Requirements in relation to training will be specified in or under regulations made by the Welsh Ministers
- ✓ Many options for landlords and agents to satisfy training requirement of licence
- ✓ All relevant agency staff will need to be trained



## What now?

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- ✓ WG are working on Statutory Instruments and Guidance needed to implement Part 1
- ✓ Drafting Code of Practice and looking at Training Syllabuses
- ✓ WG leading communications work and rebranding of Landlord Accreditation Wales



## What now?

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- ✓ Local authorities in Wales working on certain details including: fee structures, processes and procedures, enforcement protocols, LAW transitional arrangements, etc
- ✓ Under new brand LAs collaboratively intend to, as they do now through LAW:
  - Advertise forums/events/news
  - Distribute newsletters, e-mail alerts, tweets, Facebook updates, etc
  - Assist with Housing Option messages
  - Offer tenant guidance pages and documents (tenant pack)
  - Offer landlord and agent guidance and documents



## In summary:

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- Industry needs information, advice and support from central point. Should look to modernise the sector; landlords & agents should take role seriously, be engaged & be valued
- Having a better picture of sector will mean resources can be better directed (e.g assist with tenant placement, bring empties back into use, direct grant assistance, etc)
- All about **greater co-ordination** in the sector; **improving knowledge** and **raising tenant confidence** (& landlord confidence in tenants)



# Anne Rowland

**Tel: 0300 062 8444**

**[Anne.Rowland1@wales.gsi.gov.uk](mailto:Anne.Rowland1@wales.gsi.gov.uk)**

**Interested in Landlord Accreditation Wales**

**[www.welshlandlords.org.uk](http://www.welshlandlords.org.uk)**

**02920871815**

**[info@welshlandlords.org.uk](mailto:info@welshlandlords.org.uk)**