

London CIEH Housing Study Group CPD Day

Dealing with Rogue Landlords, sharing good practice

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The concept of 'rogue landlords' is now commonplace in both housing and policy circles and the provisions within the Housing and Planning Act 2016 are intended to deal with the worst offenders in order to improve the conditions for tenants.

Overview

- Steps in tackling rogue landlords
- Understanding the nature and extent of the problems in their area;
- Taking swift and decisive actions (includes licensing schemes) to stop rogue landlords using unsuitable accommodation;
- Prosecuting rogue landlords and deterring others by building effective cases and publicising prosecutions.

Steps in Tackling Rogue Landlord

- **Policy & Practice**
 - Housing Act 2004
 - Utilising the changes in the *Housing and Planning Act 2016* to tackle rogue landlords.
 - Delivering new extended mandatory licensing provisions
- **Strategic setting and delivery**
- **Join-up working**
- **Formal Enforcement** - prosecutions, CPNs, publicity
- **Government's (MHCLG & GLA) support to help councils to crack down on rogue landlords**

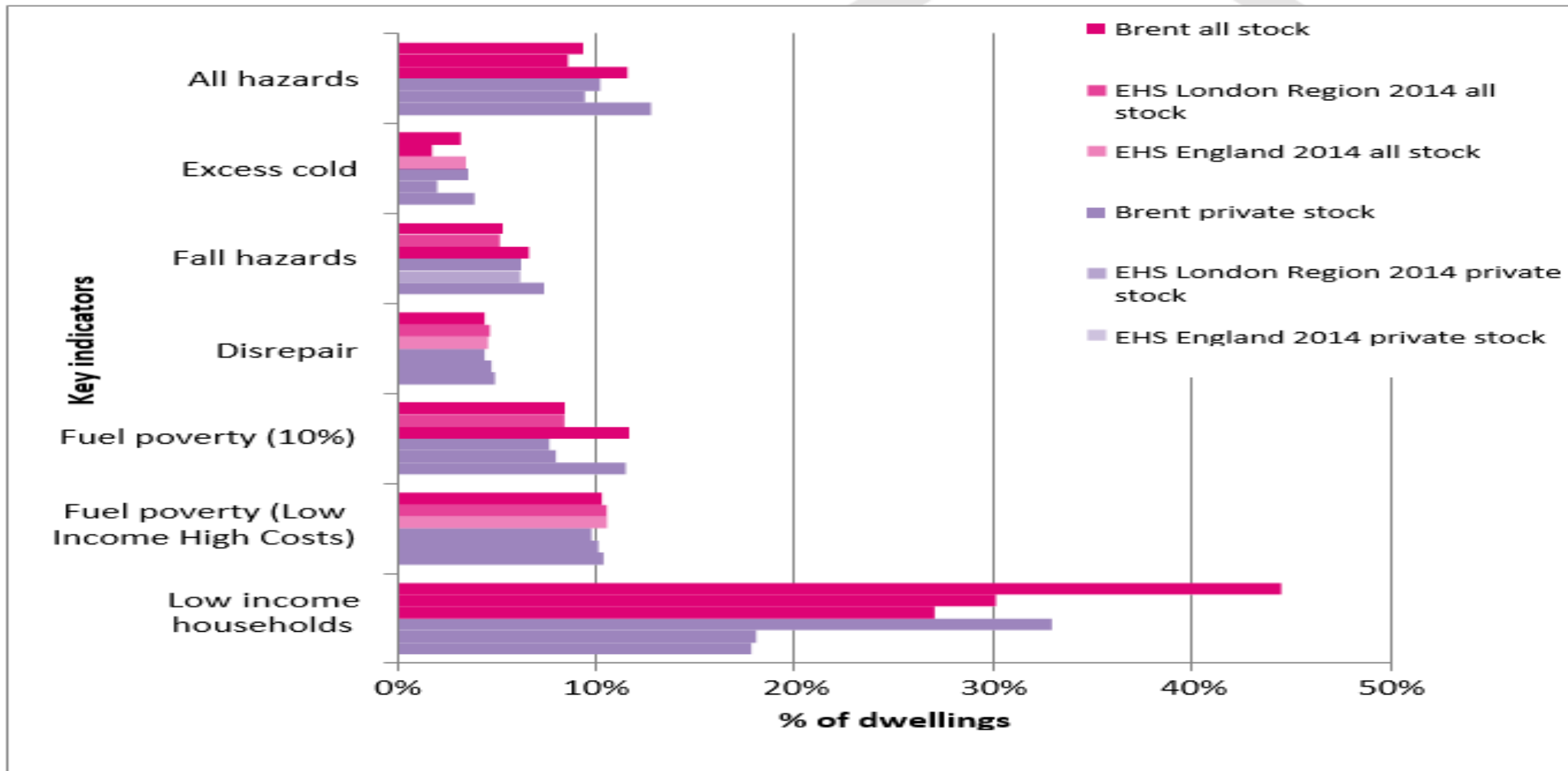
Tackling Rogue Landlords By Establishing Property Licensing Schemes (Selective and Additional)

- Require landlords to demonstrate their compliance to effectively manage a property
- Embed the property licensing conditions into housing inspection programme, including follow-up actions by a multi-agency team;
- Assess the impact property licensing schemes will have on tackling rogue landlords, improving the quality of properties, and educating tenants
- Ensure transparency between and enforcement

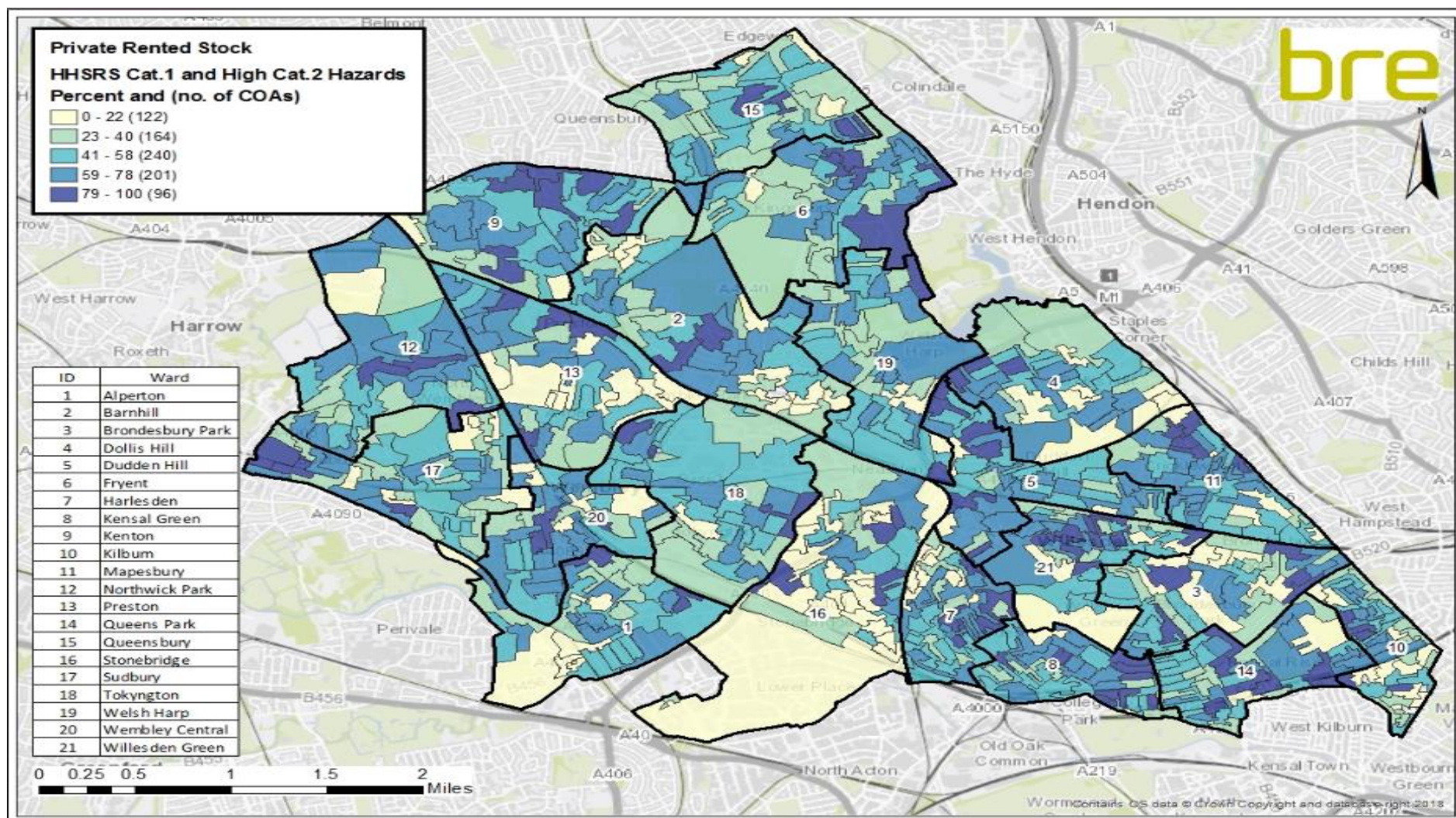
Area Analysis

- 121,250 dwellings in Brent, 37% private rented.
- Approx.10% of properties in the PRS have category 1 hazards.
- 4.4% of PRS dwellings are estimated to have EPC < band E.
- The total cost of mitigating Cat1 hazards in PRS estimated at £13.6m.
- Our research shows positive correlations with ASB, poor property conditions, deprivation, migration and crime at ward level. 36 LSOAs in Brent fall into the 20% most deprived areas in England.
- Since January 2015, 12,375 licences (8,915 selective licensing across 8 wards; plus 3,460 HMOs borough-wide)

Key Indicators in Brent compared to regional data and England



Potential areas for Selective Licensing



Selective Licensing and Rogue landlords

Local Area?:-

- **ASB:** Reduction/elimination of problems caused by anti-social behaviour.
- **Property conditions:** Improvement in general housing conditions through inspections and enforcement.
- **Migration:** Contribute to an improvement in the social or economic conditions.
- **Crime:** Reduction in crime levels for the benefit of those living in the area.

Rogue behaviours?:-

- targeting vulnerable people, placing them in overcrowded or poor quality accommodation.
- Failing to carry out repairs
- Entering the property without permission or prior warning
- Not protecting tenant's deposit
- Illegal evictions

Case Study - Tackling a Rogue Landlord

- Justifying the need for stronger enforcement
 - Complaint & Prosecution history
 - The Licences
 - POCA
 - Media and public interest
- Resourcing the complex issues
- Supporting to Raise Housing Standards
- Building Relationships
 - Legal Services
 - Other Regulatory services/agencies
 - Orders e.g. RRO*/IMO/Closure Order

Case Study - Tackling a Rogue Landlord

Guardian and ITV News 23 October 2018



Banned but still in business: law fails to stop rogue landlords

[→ Read more](#)

- Convicted, failed FPP, in receipt of HB payments,
- Multi million property empire mainly across Brent and several other LAs
- Mix of solutions achieved on a case by case basis
- No longer manages properties in Brent directly receiving HB payments

Rogue Landlord Action Plan

1. Preparation

- a) Setting up
- b) Plan development

2. Case Coordination

- a) MOU of the councils action and services available
- b) Awareness of rogue landlord database inputs
- c) Administration – TENs, Revocations, new applications in accordance with sch.5

3. Project End Project reporting

- a) Report scope
- b) Informing relevant partners e.g. Homelessness Team, ASC, Housing Benefits, other LAs

4. Sustaining the outcomes

- a) Review, follow up inspections, media messages

Summary and further action

- Recognise that there are barriers to tackling rogue landlords
- Committed to available tools and resources
- Examining cases for the use of banning orders
- Use of RROs (internal policy?)
- Impact the national database and Rent Repayment Orders since their introduction in April 2018
- Using 2019 MHCLG successful Rogue Landlord Enforcement bid fund
- Renewing and extending discretionary licensing

Thank you for listening.

Questions at the end of the session please

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