



**REPORTS FOR DECISION BY THE  
CABINET MEMBER FOR REGENERATION**

Date Issued: **04 June 2009**

**K** 1. Kent Landlord Accreditation Scheme

**Page Nos.**

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**K = Key Decision**

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## **MAIDSTONE BOROUGH COUNCIL**

### **CABINET MEMBER FOR REGENERATION**

#### **Report of the Assistant Director of Development & Community Strategy**

**Report prepared by Stuart White**

**Date Issued: 4 June 2009**

#### **1. KENT LANDLORD ACCREDITATION SCHEME (KLAS)**

##### **1.1 Issue for Decision**

- 1.1.1 To consider the setting up of a Landlord Accreditation scheme for private landlords, in partnership with other Kent authorities, to form the KLAS. The scheme will be modelled on and managed by the existing London Landlord Accreditation Scheme (LLAS). Membership of the proposed KLAS will be £2500pa per local authority for an initial period of 2 years. Funding at Maidstone will come from within existing budgets.

##### **1.2 Recommendation of Assistant Director of Development & Community Strategy**

- 1.2.1 That Cabinet Member agrees that Maidstone Borough Council set up a Landlord accreditation scheme, based on the existing London Landlord Accreditation Scheme.
- 1.2.2 That Cabinet Member agrees that we work in partnership with other Kent Authorities to form the Kent Landlord Accreditation Scheme (KLAS) Consortium.
- 1.2.3 That the operation of the scheme is reviewed and a report is given to the Cabinet Member at the end of the first year of the scheme.

##### **1.3 Reasons for Recommendation**

###### **1.3.1 Background and Introduction**

Accreditation is a set of standards (or code of conduct) relating to the management and/or physical condition of private sector rented accommodation. Landlords who join a scheme and abide by the standards are 'accredited'. Most schemes are run by local authorities and contain the following:

- i. Accreditation schemes may be either property based or landlord based;
- ii. Property based schemes involve the inspection of every property to be accredited and are thus staff resource intensive;
- iii. Landlord based schemes are based on landlords reaching/complying with certain standards of conduct. Inspection of their property does not form part of the accreditation process. This is seen to be less of a demand on local authority staff resource and is largely an administrative procedure.
  - a. Accreditation schemes are voluntary, and although there is no compulsion for landlords to join, there are many advantages including:
    - iv. The status of being publicly identified as a good landlord;
    - v. Distancing themselves from incompetent or unscrupulous landlords;
    - vi. The business advantage of advertising their accredited status to tenants who place emphasis on good quality and well managed accommodation;
    - vii. Involvement in consultation on proposals that may affect landlords, such as changes to legislation or local housing strategies;
    - viii. Where funding is available, possible preferred access to grants and loans or at an enhanced level to renovate properties to relevant standards set by the scheme.
    - ix. Discounts and group purchase on goods and services such as property insurance;
    - x. The overall aim of the accreditation scheme is to improve the condition and operation of the rented market and reduce the need for intervention for partner councils. It will also enable tenants to recognise private landlords and agents who are committed to providing good quality accommodation.

1.3.2 The objectives of an accreditation scheme are to:

- a) Promote good practice and improve standards of management in the private rented sector;
- b) Provide advice and support to landlords and agents on providing good quality, well-managed accommodation;

- c) Provide a channel for consultation between local authorities and the private rented sector on strategic issues, such as through questionnaires, forums and newsletters;
- d) Provide opportunities to inform landlords and agents about legislative proposals, policy or administrative changes, and other matters that might affect them;
- e) Enable landlords and agents to obtain better access to information from local authority staff and other sources;
- f) Reduce the number of landlord/tenant disputes needing intervention by local authority officers both in relation to property condition and tenancy issues;
- g) Improve relations between the private rented sector and local authorities;
- h) Encourage and assist landlords and agents to provide accommodation to the vulnerable and those seeking social housing;
- i) Improve the quality of accommodation available in the private rented sector;
- j) To be the model for regional accreditation;
- k) Assist in the prevention of Homelessness, by the provision of good quality private rented sector accommodation. ;
- l) Accreditation provides an additional tool to improve housing conditions in the private rented sector and can form part of the "carrot" to complement the "stick" of enforcement;

#### 1.3.2 The London Landlord Accreditation Scheme

1.3.3 The London Landlord Accreditation Scheme (LLAS), which has been operating successfully since 2004, is a landlord base scheme. It is administered by the London Borough of Camden and has 3,200 members. A steering group has been established to develop and provide strategic direction to the scheme, made up of representatives from all the partner organisations.

1.3.4 The scheme gives accreditation to landlords and agents who meet the requirements of the scheme including being "a fit and proper person", agreeing to follow the code of conduct and satisfactorily completing the development course run by the LLAS. After initial accreditation, requirements for ongoing training (CPD) apply. The London Landlord Accreditation Scheme Guidance Notes are attached at Appendix A.

#### 1.3.5 Kent Landlord Accreditation Scheme

- 1.3.6 The Kent Group currently comprises the following local housing authorities, Gravesham, Dover, Maidstone, Medway, Shepway, Swale and Thanet with interest expressed from Ashford, Sevenoaks & Tonbridge & Malling. Two authorities – Tunbridge Wells and Canterbury City Council – operate their own schemes – see page 8.
- 1.3.7 There are great advantages of developing a common and consistent scheme in Kent. Such consistency will be advantageous for those landlords who operate across more than one authority area. Also a Kent wide scheme provides economies of scale.
- 1.3.8 However it is important to note that whilst officers are very positive, all these potential partners have yet to receive the necessary Management Team/Member approvals. So there is some degree of risk that not all will actually join the proposed partnership scheme.

It is proposed that the KLAS will be based on the existing LLAS scheme.

#### 1.3.9 Summary of the proposed Kent Landlord Accreditation Scheme

- 1.3.10 The proposed Kent Landlord Accreditation Scheme (KLAS) will be modelled on the London Landlord Accreditation Scheme described in 1.3.2 The intention is for it to be managed by the London Borough of Camden, which administers the London Landlord Accreditation Scheme, using LLAS's existing database and procedures.
- 1.3.11 The proposed KLAS will have its own web page on the LLAS website with links to each of the partner authorities' own websites. The KLAS will have full access to the LLAS Events and Prosecution database and individual member authorities may attend, participate and vote at the LLAS regular consultative committees (steering group) and will have the same rights and responsibilities as existing members of LLAS.
- 1.3.12 A draft Service Level Agreement with the London Borough of Camden has been prepared. (See Appendix B to this report). If the scheme is adopted, it will then be incorporated into the next Housing Strategy.

#### 1.3.13 Summary of service to be provided by London Landlord Accreditation Scheme

- The LLAS will provide a telephone service providing details of the scheme and answering queries and will also deal with written and online queries. Applications to join the scheme or enrol on development courses will be made online, although LLAS will send out

application forms to applicants not wishing to use the internet and will request applications for renewal of accreditation.

- LLAS will forward agreed standardised letters and documentation to applicants of KLAS; customised documentation for KLAS applications and correspondence may be agreed.
- LLAS will arrange, book and settle invoices for venues and trainers and process all relevant landlord development courses and LLAS will liaise with KLAS as necessary. Trainers are provided by the National Landlords Association. Landlords/agents attending development events are required to complete a test paper the end of the course.
- LLAS will issue, process and store all paperwork relating to the scheme and will collate and maintain appropriate and agreed statistics and data. Any formal investigative action taken either by LLAS or KLAS in respect of any landlords or agents involved in the scheme will be documented; any outcomes will be recorded in the LLAS Events and Prosecution database.
- Any issues not relating to the administration of the scheme, such as technical queries or issues specific to the proposed KLAS or to a particular authority will be forwarded to the appropriate authority.

#### 1.3.14 Requirements placed on Maidstone Borough Council

- Each participating authority will nominate one representative to be a member of the consultative committee which will provide the strategic and management direction for the scheme.
- As part of the service level agreement with LLAS, Maidstone Borough Council will agree to :
- Publicise the accreditation scheme to tenants, landlord and agents and encourage them to participate as well as within the authority and partner organizations.
- Publicise development courses operated by the scheme.
- Liaise with LLAS to decide where and when development courses are to be run for KLAS.
- Identify suitable venues for development courses and provide details to LLAS who will then book and pay for the venue, trainers and catering on behalf of KLAS.
- Provide contact details of a Lead Officer and deputy for KLAS.
- Comply with the terms of the LLAS Events and Prosecution Database data sharing protocol.

- The service level agreement will be reviewed annually between all parties involved. If either party wishes to end the agreement, they are required to give 12 months' notice; no party may withdraw from the agreement within 12 months of the commencement of the KLAS.

#### 1.3.15 Advantages for Maidstone Borough Council

- The main advantages for Maidstone BC of joining the proposed scheme would be financial and in terms of the minimal staff input which would be required.
- The proposed scheme should have the effect of informing landlords and improving practice and housing standards in the private rented sector as described in the objectives listed in paragraph 1.3 above.
- The proposed scheme compliments our enforcement strategy in providing a strategic route for the improvement of housing conditions for vulnerable persons.
- There are potential economies of scale including the ability to run the necessary training sessions at a sufficient frequency to be attractive to landlords; a lone authority may not be able to run courses frequently due to the smaller number of eligible landlords.
- The proposed KLAS is consistent with the Rugg report to improve the private rented sector with education and training of landlords
- The proposed KLAS is consistent with the Department for Business, Enterprise and Regulatory Reform/Local Better Regulation Office principles of Regulatory Reform in providing support and encouragement to a trade sector in order to work towards compliance and to make best use of limited resource in delivering an appropriate 'enforcement mix'.
- The proposed KLAS should contribute towards the aim of making Maidstone the place of choice in which to live.
- The Audit Commission specifically refers to a landlord accreditation scheme as being an example of an activity undertaken by a local authority exercising its strategic housing role and delivering an excellent service (Housing Inspectorate Key Lines of Enquiry).
- It demonstrates partnership working with other local authorities, landlord associations, etc.

#### 1.3.16 What Landlords have to do to become accredited:

- Satisfactory attendance at a one day development course, currently costing just under £80.00;



- Be a fit and proper person; and
- Agree to comply with a code of conduct.

#### 1.3.17 Advantages for Landlords:

- The scheme would be free for landlords to join (apart from the cost of training courses), it would be simple to administer with the facility to apply for accreditation, to enrol for development events and to enter and amend landlord and property details on-line.
- Landlords will be accredited for a period of five years; they will be required to gain points through continuing professional development (CPD) including attendance at development events run by LLAS; landlords must gain at least 60 points over the five years of their accreditation with a minimum of 10 points in any one year. CPD Points will be awarded by attending our regular Landlords Forums and recognised Landlord Association events.
- KLAS accredited Landlords can apply to be placed on accredited list of other scheme (such as LLAS).
- Kent landlords would be eligible to attend the London training sessions (currently held at a frequency of 4 per week) as well as those organised by the Kent partners.
- Through the development courses run by KLAS, landlords and letting agents will be better informed about good practice, legal requirements and developments affecting the private rented housing sector.
- Landlords can advertise that they are accredited.
- The Scheme is supported by the Landlords Associations who encourage their members to join.
- Reduced need for intervention by local authorities.
- Access to local authority grants and loans where funds permit. At the present time we can offer all landlords some financial assistance, we are considering whether it is possible to only allow accredited landlords access to assistance or whether they should be able to access a higher level of assistance.

#### 1.3.18 Advantages for Tenants:

- The main benefit for tenants will be in the raising of standards in the private rented sector which should result from the accreditation scheme.

- Prospective tenants can check if the landlord of a property they are interested in renting is accredited.

#### 1.4 Alternative courses of action and why not recommended

- 1.4.1 The Borough Council could opt to join the Tunbridge Wells scheme but as this is very labour intensive additional resources would be required within the Housing Service for its administration. In the current climate of financial restraint this is not possible. It is generally thought that the Tunbridge Wells scheme is an ideal and one or two of the London Authorities are introducing a property based accreditation scheme to complement the existing landlord accreditation scheme. This is something that the Borough Council along with its Kent partners could consider in the future.
- 1.4.2 The Borough Council could opt to do nothing. In this scenario the Council could be the only one in Kent that did not have a scheme. With many landlords owning properties across Council boundaries this leads to confusion and possible differing standards between Boroughs. By taking the opportunity to join in with a Kent wide scheme it allows a consistent approach to be taken.
- 1.4.3 Canterbury City Council has set up and manages an accreditation scheme for landlords of student housing. This scheme is sector-specific and is not suitable for Maidstone Borough Council's needs.

#### 1.5 Impact on Corporate Objectives

- 1.5.1 Decent housing is a key theme of the Sustainable Community Strategy and of our Housing Strategy and is a corporate objective. By accrediting landlords and informing them of standards required and through better practices, standards in the private rented sector will be improved.

#### 1.6 Risk Management

- 1.6.1 The proposed landlord accreditation scheme/KLAS is a low cost, low staff resource initiative which has the potential to reward and encourage good landlords within the borough, and within partner authorities in Kent. By building on an already successful scheme (i.e. LLAS) there is a greater chance of success without having to 'reinvent the wheel'.
- 1.6.2 The ability to remove 'poor' landlords from the proposed KLAS register strengthens the protection to tenants and the credibility of the scheme. Other accreditation schemes (for example a property based scheme) could be accommodated under the KLAS scheme at a later stage.

1.7 Other Implications [Insert an 'X' in the boxes below to indicate if the recommendations will have any implications in the specified area]

1.7.1

1.	Financial	<input checked="" type="checkbox"/>
2.	Staffing	<input type="checkbox"/>
3.	Legal	<input type="checkbox"/>
4.	Equality Impact Needs Assessment	<input type="checkbox"/>
5.	Environmental/Sustainable Development	<input type="checkbox"/>
6.	Community Safety	<input type="checkbox"/>
7.	Human Rights Act	<input type="checkbox"/>
8.	Procurement	<input type="checkbox"/>
9.	Asset Management	<input type="checkbox"/>

1.7.2 There is a financial implication for the Council of £2500 per annum during the pilot period of two years, which can be funded from the additional grant awarded for the same period by the Regional Housing Board to promote housing standards in the private sector.

1.8 Conclusions

1.9 This is a good opportunity for Maidstone Borough Council along with other Kent councils to introduce a scheme that has been tested in London and through training of Landlords will result in improving standards in the private rented sector.

1.10 Background Documents

None

**NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED**

Is this a Key Decision?      Yes      ☒      No      ☐

If yes, when did it appear in the Forward Plan? May 2009

Is this an Urgent Key Decision?      Yes      ☐      No      ☒

**Reason for Urgency**

[State why the decision is urgent and cannot wait until the next issue of the forward plan.]

**How to Comment**

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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# London Landlord Accreditation Scheme



## Guidance Notes

Administered by London Borough of Camden on  
behalf of the Partnership

*Updated 20080401*



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Administered by London Borough of Camden on  
behalf of the Partnership



## **Forward**

Accreditation is a voluntary scheme where by good landlords and agents join and agree to abide by a set of standards, known as a code of conduct.

The scheme is an initiative to raise standards and recognise good practice in the private rented market. It is a partnership between the private rented sector, local authorities, landlord associations, tenant groups and university and health authority accommodation units.

Private landlords and their agents provide accommodation to those attending further education, to those attracted into the area by the vibrant employment market and to the many households who cannot afford, or do not wish to buy in the highly priced property market. The private rented sector is continuing to grow and is also becoming increasingly important in providing accommodation for the vulnerable as the supply of suitable properties in the social sector decreases.

Whilst many private landlords and agents provide good quality, well-managed properties, the sector as a whole continues to be in a poorer condition than the rest of the housing market. Many private landlords and agents do not have the knowledge or professional expertise to manage their property in a professional way. Some landlords, particularly those who have recently entered the rental market, have been attracted by the investment potential of the sector, but have done little or no research into their legal responsibility and liabilities.

The accreditation scheme will recognise good landlords and agents who have the necessary knowledge and skills to satisfactorily manage their properties.

The London Landlord Accreditation Scheme (LLAS) was formally launched at the London Landlords Day on 9 July 2004. The Greater London Authority (GLA), the Association of London Government (ALG) and Government of London (GOL) have supported the Scheme financially, in addition to all partner local authorities.

## Introduction

This guidance sets out the policies and procedures for the Accreditation Scheme. It explains how the accreditation scheme will operate, who can apply and the requirements of the code of conduct, which accredited private landlords and agents must meet.

The overall aim of the accreditation scheme is to improve the condition and operation of the rented market and reduce the need for intervention for partner councils. It will also enable tenants to recognise private landlords and agents who are committed to providing good quality accommodation.

The London Borough of Camden financially and contractually administers the scheme, on behalf of the partnership. A steering group has been established to develop and provide strategic direction to the scheme and is made up of representatives from all the partner organisations.



# 1. Aims and Objectives

## 1.1 AIM

To provide landlords and agents with information and professional development opportunities to: -

- 1.1.1 allow them to operate a successful business;
- 1.1.2 provide their tenants with safe and high quality accommodation;
- 1.1.3 reduce the need for intervention from local authorities;

and to accredit those who attain the required standards.

## 1.2 OBJECTIVES

To: -

- 1.2.1 promote good practice and improve standards of management in the private rented sector;
- 1.2.2 provide advice and support to landlords and agents on providing good quality well managed accommodation;
- 1.2.3 provide a channel for consultation between local authorities and the private rented sector on strategic issues, such as through questionnaires, forums, and newsletters;
- 1.2.4 provide opportunities to inform landlords and agents about legislative proposals, policy or administrative changes, and other matters that might affect them;
- 1.2.5 enable landlords and agents to obtain better access to information from local authority staff and other sources;
- 1.2.6 reduce the number of landlord/tenant disputes needing intervention by local authority officers both in relation to property condition and tenancy issues;
- 1.2.7 improve relations between the private rented sector and local authorities; and
- 1.2.8 encourage and assist landlords and agents to provide accommodation to the vulnerable and those seeking social housing
- 1.2.9 improve the quality of accommodation available in the private rented sector.



## **2. Outline of the Accreditation Scheme**

- 2.1 The scheme accredits the landlord or agent, and not the individual property.
- 2.2 Landlords and agents attend a one day development course where they are informed of all significant issues affecting their rental business. By providing information on the standards their properties must reach and how to foster good landlord-tenant relationships, they are able to operate their portfolio with more confidence and success.
- 2.3 There is no requirement that the landlord or agent discloses the addresses of their properties for them to become accredited. If a property is advertised using the Scheme's logo then the full address of the property must be submitted to the scheme before the property is advertised. The Scheme will pass the details to the local authority, in which the property is situated.
- 2.4 The Scheme complements any local authority accreditation schemes which accredit the property.
- 2.5 An applicant for the scheme may be: -
  - 2.5.1 Any individual private landlord or agent;
  - 2.5.2 Any person who proposes to become a private landlord in the near future; or
  - 2.5.3 A limited company or partnership.
- 2.6 There are three elements which must be satisfied before an applicant can become a member: -
  - 2.6.2 Satisfactory attendance at a one day development course;
  - 2.6.3 Be a fit and proper person; and
  - 2.6.4 Agree to comply with a code of conduct.
- 2.7 Provided the applicant satisfies these three elements he/she will be accredited under the scheme.
- 2.8 The accreditation normally lasts for 5 years provided there is no reason to remove the landlord or agent.

- 2.9 Situations may occur where an applicant is accredited for a period of less than 5 years. Such situations would be where there had been a history of non-compliance with the law or good practice, prior to the application.
- 2.10 The landlord and agent will be expected throughout this period to maintain their knowledge and to keep up to date with changes to the rules and regulations affecting the private rental sector.
- 2.11 This is known as continuing professional development and points are awarded for attending certain events and membership of relevant organisations. A minimum of 12 points per year, and 60 points over a five year period must be obtained.
- 2.12 Landlords and agents may be removed from accreditation if they fail to meet the requirements of the code of conduct.

### **3. Fees**

- 3.1 There are no fees for accreditation; however landlords and agents must pay to attend the development courses. The fees for the development courses are used to fund the costs associated with the development courses and the reference manual, leaflets and other literature.

### **4. Limited Companies and Partnerships**

- 4.1 Organisations are eligible to apply for accreditation under the Scheme if:
  - 4.1.1 At least two thirds (67%) (rounded up) of their Directors or Partners have successfully undertaken the developmental course. This ratio only applies to those Directors or Partners who have an active involvement in letting business; and
  - 4.1.2 If employees are employed then two thirds of those employees that directly deal on a day-by-day basis with the letting of private residential properties must also have completed the development course; and
  - 4.1.3 ALL Partners and Directors, not just those directly involved in the day to day management of the business, are fit and proper persons and agree to comply with the code of conduct.
- 4.2 Partners, Directors and employees of organisations will be accredited in their own name, provided they satisfy the requirements of the scheme, irrespective of whether the organisation is accredited.



## 5. Applying for Accreditation

- 5.1 Interested applicants may obtain information from the website, partner organisations or the Scheme directly.
- 5.2 If the applicant wishes to proceed, the application process can take place on line or the application form can be completed and returned.
- 5.3 The applicant can book and pay on line to attend a development course or forward a cheque and confirmation of the course attendance. The applicant cannot be considered for membership until they have completed a development course satisfactorily.
- 5.4 An applicant will be accredited provided they are a fit and proper person, agree to follow the code of conduct and have satisfactorily completed the development course. Checks may be made to ensure the landlord or agent is a fit and proper person and all relevant details are correct.
- 5.5 An applicant's details will be entered onto the accreditation database and membership of the Scheme will be granted.
- 5.6 Applicants who are prospective landlords or agents, i.e. do not at the time of application own, let or manage a private dwelling, are welcome to apply.



## 6. Membership

- 6.1 On being accredited members will be sent: -
  - 6.1.1 Membership Registration Number;
  - 6.1.2 Membership Certificate;
  - 6.1.3 Compact Disc containing the Scheme's logos;
  - 6.1.4 Guidance on the use of the logo;
  - 6.1.5 Property notification form and guidance, where the Scheme's logo is to be used on property advertisement.
  - 6.1.6 A CD containing the LLAS Landlord Manual
- 6.2 Members will be able to continue to be members of the accreditation scheme unless they are removed from the scheme or they fail to reapply for re-accreditation.
- 6.3 If an applicant fails to attend a development course, or fails to satisfy the course validation, or is not a fit and proper person or does not comply with the code of conduct, the applicant may be refused membership of the scheme, or be removed from the scheme if they are already a member.

- 6.4 The member must ensure that any relevant changes of circumstance or of their personal details are notified to the Scheme. This can be either by updating their details on web database in writing to the Scheme at the address given at the end of this guidance.
- 6.5 If the applicant disagrees with the decision to refuse membership, they may appeal to the Scrutiny Panel within 15 working days. The panel will hear and assess the case.

## **7. Development Courses**

- 7.1 The development course is an important element of the accreditation scheme. The course provides applicants with an outline of the main issues and a detailed manual is provided, which will act as a reference and working document.
- 7.2 The course is one full day. A reference manual will be supplied on a CD format .
- 7.3 The training covers all the main areas that landlords and agents should know in order to operate a successful business: -
  - 7.3.1 The preliminary requirement;
  - 7.3.2 How to set up a tenancy;
  - 7.3.3 How to prevent problems occurring during a tenancy; and
  - 7.3.4 What do if things go wrong and what to do at the end of the tenancy?
- 7.4 Independent trainers are contracted to deliver the courses and they are very experienced in private rented sector issues. Approximately half of the course time is spent dealing with landlord-tenancy issues e.g. contract, rent arrears, gaining possession etc. and the other half concentrates on property standards and health and safety issues e.g. disrepair, health and safety rating system, licensing etc.
- 7.5 An applicant must satisfactorily complete a validation exercise. If the applicant fails to reach the required standard, the validation exercise may be repeated. If the second attempt is unsuccessful, the applicant must attend a further development course, at his/her own expense, and satisfactorily complete a validation exercise.

## **8. Fit and Proper Person**

- 8.1 To become a member of the scheme the applicant must be a fit and proper person. The application process requires that any issue that may affect whether the applicant is fit and proper must be disclosed. Checks and enquiries are made to ensure that all details and statements are correct.
- 8.2 In deciding whether a person is fit and proper regard is taken of any previous convictions relating to violence, drugs, fraud, or housing and landlord-tenant offences and whether there has been unlawful discrimination.
- 8.3 The definition of fit and proper person for the accreditation scheme is based on the definition detailed in the Housing Act 2005.

## 9. Code of Conduct

- 9.1 The Scheme's Code of Conduct is based on that adopted by the National Federation of Residential Landlords and the National Landlords Association. The code requires the landlord and agent to comply with the law and all national and local standards.
- 9.2 If at the time of applying for accreditation a landlord's portfolio is not up to standard then a schedule must be prepared detailing how the properties will be improved and a reasonable timescale for doing such must be prepared and made available for inspection to any local authority officer. Agents must take reasonable steps to ensure their clients' properties are up to standard.
- 9.3 It is not a prerequisite of accreditation that the addresses of a member's properties are disclosed to the scheme. However, if the landlord or agent wishes to use the scheme's logo to advertise a property the member must provide to the scheme, in writing, the full address to the property.
- 9.4 Upon notification in writing of a property's address from a landlord or agent the scheme will inform the relevant local authority.
- 9.5 The Code of Code can be divided into two areas: -
  - 9.5.1 All tenants will be treated with appropriate courtesy and respect; and
  - 9.5.2 Landlords and agents will provide the tenant with accommodation that complies with all current relevant legal requirements
- 9.6 Further details of the standards can be found in the Code of Conduct attached to the application form. A copy of the code is provided for the applicant's reference with the application form.
- 9.7 To become a member of the accreditation scheme landlords and agents must agree to the Code of Standards, which sets out standards with which accredited landlords and agents will comply.
- 9.8 The Accreditation Scheme will not normally consider a complaint unless and until it is satisfied that the complainant has exhausted a member's own complaints procedure, nor will it investigate while the matters are subject to formal legal action.
- 9.9 Complaints sent to the scheme must be in writing and can be made by any existing, previous or prospective tenant or by any local authority officers who have been involved with the landlord, agent or one of their properties. The complaint must state: -:
  - 9.9.1 Address of property, if appropriate;



- 9.9.2 What breach of the code has been made;
  - 9.9.3 An indication of the timescale involved concerning a particular problem;
  - 9.9.4 A contact address and telephone number for the person making the complaint; and
  - 9.9.5 Any other relevant information.
- 9.10 Upon receiving the complaint the scheme will acknowledge the correspondence and acknowledge receipt of the complaint within 10 working days.
- 9.11 Once a complaint is received the landlord or agent of the property will receive a letter from the scheme, informing them of the complaint and giving them 15 working days in which to respond.
- 9.12 Where an alleged breach of the code has been made and is being investigated, landlords and agents must co-operate with the investigation.
- 9.13 Following the investigation, where reasonable recommendations to rectify an apparent breach have been made, the landlord or agent will comply with these recommendations.
- 9.14 The accreditation scheme may take any of the following actions, or a combination of them, if a complaint is found to be justified or it is resolved that the applicant may be entitled to membership: -
- 9.14.1 To allow an applicant to be granted membership of the scheme. This may be granted with or without conditions;
  - 9.14.2 To recommend that the member apologise, in writing, to the appropriate person for the relevant conduct, action or omission;
  - 9.14.3 To remind the member of their legal duties;
  - 9.14.4 To caution the member against repeating the conduct, action or omission;
  - 9.14.5 To recommend that the member change their procedures or documentation where found to be incorrect;
  - 9.14.6 To recommend to the parties other, more appropriate, ways of resolving the complaint or dispute including mediation;
  - 9.14.7 To reprimand or severely reprimand the member for their conduct, action or omission;
  - 9.14.8 To suspend the member from membership of the accreditation scheme for such time as the scheme decides;
  - 9.14.9 To remove the member from the accreditation scheme.

## 10. Appeals

- 10.1 The scrutiny panel investigates refusals to accredit and complaints that cannot be resolved by the accreditation scheme staff.
- 10.2 The scrutiny panel is made up of three representatives from the Scheme partners, where:
  - 10.2.1 At least one representative is from a Landlord's Association;
  - 10.2.2 At least one representative is from a Local Authority partner
- 10.3 The applicant or member is invited to attend a hearing and may make representations, either verbal or in writing.
- 10.4 If the landlord or agent is not satisfied with the decision of the Scrutiny Panel they may appeal to Accreditation Network UK [ANUK] who will meet to hear the appeal from the scrutiny panel.
- 10.5 The scrutiny panel will investigate complaints that cannot be resolved by the Accreditation scheme staff.
- 10.6 The landlord or agent is invited to attend a hearing and to put their case forward. All parties concerned have the opportunity to ask questions of those appearing
- 10.7 In deciding which is most appropriate in any appeal case against a breach of the code of conduct the scheme staff and scrutiny panel will take into account whether the issue is: -
  - 10.7.1 Persistent problems;
  - 10.7.2 Serious Management Problems; or
  - 10.7.3 Serious health and safety problems.
- 10.3 Following the outcome of the investigation, a response from the landlord or agent will be required within 15 working days. The scheme may also decide to pass the complaint over to other authorities.
- 10.4 Failure to respond to complaints or to comply with the recommendations in a reasonable and satisfactory manner may constitute grounds for disqualifying a member from the accreditation scheme.
- 10.5 Any unlawful action by a landlord or agent may constitute grounds for disqualification from the accreditation scheme.
- 10.6 The scrutiny panel or ANUK appeals panel may uphold the decision, vary or quash the decision of a scheme officer etc. All options in item 9.14 are available to either of the panels.

- 10.7 The member will be notified of this in writing within 10 working days of a decision being made. A member who loses their accredited status will no longer be participants of or eligible for any of the benefits of the scheme.
- 10.8 The removal of any member from the scheme will be advertised on the website and all relevant persons shall be advised of the disqualification.
- 10.9 Disciplinary action will be reported in an open and transparent way to demonstrate that the scheme is being enforced.

## 11. Benefits of the Scheme

The following incentives will be available to members:

- 11.1 **Marketing Advantage:** The Scheme will provide public recognition for landlords and agents who maintain good standards in their properties.
- 11.2 **Financial Assistance:** Grant assistance for accredited landlords is available from some local authorities to bring a property up to standard. Discounts are available to members including discounted membership of landlord organisations, insurance premiums, materials etc.
- 11.3 **HMO Licensing:** Local authorities offer discounts on the cost of HMO licensing for the Scheme's members who operate licensable HMOs.
- 11.4 **Branding:** This allows members to distinguish themselves from the less well intentioned or less competent landlords and agents who often attract media attention.
- 11.5 **Information:** Members will receive via e-mail, periodic newsletters, and updates of reference manual and notification of additional training events provided by the scheme. This enables them to keep them up to date with developments in the sector and in the legal requirements affecting the rented private sector.
- 11.6 **Advertising:** The scheme will be advertised in the press and on partner websites, newsletters etc.

## 12. Further Information

For further information on accreditation contact:

London Landlord Accreditation Scheme  
Private Sector Housing Team  
London Borough of Camden  
Town Hall  
Argyle Street  
London  
WC1H 8EQ

Phone: 020 7974 1970  
E-mail: [LLAS@camden.gov.uk](mailto:LLAS@camden.gov.uk)

**Service Level Agreement**  
**between**  
**Xxxx Borough Council Landlord Accreditation Scheme (XLAS), and**  
**London Landlord Accreditation Scheme (LLAS), which is administered**  
**by the London Borough of Camden.**

1. The purpose of this agreement is to provide a framework for the provision of the service by the London Landlord Accreditation Scheme (LLAS) on behalf of Xxxx Borough Council (XBC).
2. The LLAS is administered by the London Borough of Camden and the XLAS is operated by XBC.
3. The LLAS will provide the service detailed below, and also provides help and advice to the XLAS as requested, within the timescales set out in this document. In return, XBC will pay the fee, agreed annually by the consultation committee and take all reasonable steps to comply with their requirements as stated in this agreement.
  - 3.1. Within 28 days of the anniversary of this Agreement and each subsequent anniversary, the Service Provider shall submit to the Customer a VAT invoice correctly rendered, together with all necessary substantiating documentation which is reasonably required by the Customer.
  - 3.2. An annual fee of £2,500 has been agreed. Should LAS propose to increase this fee then they must notify XB in writing of its intention. Any fee increase must be agreed by XB and must not exceed 5% in any year or the current RPI at one month prior to the anniversary of the contract (whichever is the lesser). Should agreement be reached this must be documented in writing. Where an agreement can not be reached then dispute resolution procedures must be followed. see clause 14.
4. This document is intended to promote good practice and provide a basis for facilitating continuous improvement in service delivery. It does not represent a legally binding agreement between the parties.
5. The administration of the scheme will be undertaken by the LLAS using their existing database and procedures in operation for their course and the administration of the XLAS will mirror the operation of the LLAS, except where different arrangements are agreed in writing between the parties. There is no intention for the LLAS to amend its existing scheme.
6. XBC may attend, participate and vote at the LLAS regular consultative committees (steering group) and will have the same rights and responsibilities as existing members.

7. XBC will have full access to the LLAS “Events and Prosecution Database”, at not additional cost, subject to signing the data sharing protocol
8. Further guidance on the operation of the scheme is available in the document XXXXX.
9. All data and information held by the service provider (LLAS) concerning organisations and persons accredited under the KLAS scheme shall remain the intellectual property of XBC and the participating members of KLAS. This data (at the request of the XBC and at no cost) shall be made available to XBC, in suitable electronic form for interrogation in an electronic database.
10. Where, in connection with the provision of the Services by the LLAS, the LLAS uses any Intellectual Property which is owned by the LLAS, the LLAS shall grant to XBC, or shall procure that XBC is granted (without charge) to XBC and for the benefit of the XBC a perpetual, non-exclusive, royalty-free licence to use, adapt, maintain and support such Intellectual Property, which licence shall include the right for any person providing services to XBC to use, adapt, maintain and support such Intellectual Property for the benefit of XBC.

#### **11. Service provided by the LLAS**

- 11.1. operate a workday telephone service from 9am to 5pm providing details of the scheme and answering queries relating to the scheme.
- 11.2. answer general telephone calls and queries using a standard general greeting for both schemes
- 11.3. return calls and/or answer phone messages from the general public within 1 working day.
- 11.4. deal with written and oral queries and/or complaints in relation to the administration of the scheme.
- 11.5. forward application forms to applicants not wishing to use the internet to apply for membership.
- 11.6. forward to the appropriate local authority scheme within 3 working days any issues not relating to the administration of the scheme such as technical, specific XLAS or council issues, these may include issue relating to whether an applicant is “fit and proper”,
- 11.7. reply to written correspondence within 10 working days.
- 11.8. issue, process and store all paperwork relating to the scheme, including request any additional information and issue certificates.
- 11.9. arrange, book and settle invoices for venues and trainers, and process all relevant landlord development courses.
- 11.10. liaise with Xxxx Borough Council, when necessary and in line with any agreed procedures.
- 11.11. request applications for renewal of accreditation from all landlords/agents 6 months before the expiry of their accreditation period..

- 11.12. forward agreed standardised letters and documentation to applicants of the XLAS.
- 11.13. collate and maintain appropriate and agreed statistics and data.
- 11.14. where practicable, use XLAS personalised documentation in the processing of XLAS applications and correspondence. Any such documentation to be agreed separately.
- 11.15. inform the XLAS if any course has to be cancelled due to insufficient number of attendees etc.
- 11.16. Issue a certificate and successful accreditation letter to landlords when they become accredited.
- 11.17. To provide quarterly data/statistics, as requested by the Customer.

## **12. Service Provided by XLAS/XBC**

- 12.1. take reasonable steps to publicise the scheme to private sector tenants, landlords and agents and encourage landlords and agents to participate.
- 12.2. to publicise specific development courses operating by the scheme
- 12.3. to publicise the scheme to all departments, public services, their partners and private rented sector organisations within their district and encourage them to recognise accredited members and to utilise the scheme to benefit any services they provide
- 12.4. to liaise with the LLAS to decide when and where the development courses are to be run for the XLAS.
- 12.5. to identify a suitable venue for any development course for the XLAS and provide the LLAS with contact details for the venue. (The LLAS will book and pay for the venue, trainers and catering on behalf of the XLAS)
- 12.6. provide contact details of the Lead Officer and a deputy Lead Officer for the XLAS.
- 12.7. comply with the terms of the LLAS "Events and Prosecution Database" data sharing protocol.

## **13. Liaison, Monitoring and review**

- 13.1. The services as detailed in this Service Level Agreement will operate from the launch of the XLAS.
- 13.2. The Service agreement will be reviewed annually at an annual meeting which will take place between all parties involved in the administration and delivery of the XLAS to review progress, working arrangements and agree any alterations to the partnership to be implemented. Minutes will be taken of these meetings.
- 13.3. No party may withdraw from the agreement within 12 months of the commencement of the XLAS.
- 13.4. If either party wish to end the agreement a 12 months notice in writing of their intention to withdraw must be given to the other party.

**14. Administration Method**

- 14.1. Subject to the following clause, all applications (excluding postal applications) to join the scheme and to enrol on development courses are to be completed on line via the LLAS web site.
- 14.2. Provided there is no detriment to the LLAS website/database, the XLAS may establish a separate webpage template and/or website which links with LLAS website. The cost of establishing this service, if required, will be paid for by XLAS/XBC and it is agreed that any work which may be necessary to the LLAS website/database in order to facilitate the setting up of templates, website etc. will also be paid for by the XLAS/XBC.
- 14.3. Landlord development and/or continuous development courses will be arranged on behalf of the XLAS by LLAS.
- 14.4. The LLAS will be responsible as to whether a specific course is to run based on whether the proposed course will operate at a financial loss. Should the XLAS wish any course to continue where such a loss is likely they must agree in writing to make good any financial shortfall resulting from the running of the course.
- 14.5. Any formal investigative action by either the LLAS or XBC in respect of any landlords or agents involved in the scheme will be documented. If undertaken by the LLAS a copy will be sent to the Lead Officer at XBC. XBC will ensure any outcomes are recorded on the LLAS "Events and Prosecution Database" in accordance with the data sharing protocol.
- 14.6. The LLAS, LB of Camden private sector teams and XBC private sector teams will advise their staff of the contents of this agreement and of any subsequent changes in procedures.

**15. Key Performance Targets**

<b>Key Performance</b>	<b>Target %</b>
Problems with applications and/or paperwork such as convictions, not fit and proper persons are alerted to the Lead Officer at Xxxx Borough Council within 10 working days of receipt	90
Return calls/answer phone messages within 1 working day (excluding weekends)	90
To reply to written correspondence within 10 working days	95
To forward problems/queries to relevant Local Authority within 3 working days.	90



**16. Default arrangements**

17. Any disputes in the first instance will be dealt with by nominated representatives or Chair of the LLAS and equivalent representative of XLAS who will discuss problems and agree ways to overcome these. There will be an expectation that any problems will be rectified.
18. If the dispute cannot be rectified the issue will escalate to a secondary level, where a review meeting will take place between all parties involved in the partnership to discuss, produce and agree a recovery plan.
19. On further significant failures or a failure to implement the rectification plan, a second review meeting will take place between all parties.
20. If agreement cannot be found then the dispute will be referred to an arbiter agreed by both parties, whose decision will be binding on both parties.

**21. Invoicing and payment**

22. The current annual contributions are £2500 per authority.
23. The contributions for the current year will be paid in full, pro rata, from the launch date of the scheme to the commencement of the following financial year (on or thereabouts of 5th April) and thereafter annually for each subsequent financial year.
24. The annual fees may be varied annually by the LLAS consultative committee (steering group) any increase shall be limited as set out in paragraph 3.2 above.
25. The service level agreement terms and cost will be reviewed yearly by all parties for future agreement relating to the administrative functions of the service by the LLAS on behalf of the XLAS.

**26. Variations**

27. Any amendments to the level of service to be provided in this agreement will be required in writing and agreed by LLAS and XBC prior to implementation.

**28. Special Clauses**

29. Nothing in this agreement shall prevent the parties agreeing to settle any difference or dispute arising out of the contract without recourse to arbitration.

**30. Signatories to Agreement**

31. The Service Level Agreement and its terms and conditions contained therein are acceptable to The London Borough of Camden:

32. Signed:

33. Date:

34. Position of Signatory:

35. The Service Level Agreement and its terms and conditions contained therein are acceptable to: Xxxx Borough Council

36. Signed:

37. Date:

38. Position of Signatory:

Appendix 1

Contact officers for the XLAS.