

London Landlord Accreditation Scheme



Guidance Notes

Administered by London Borough of Camden on
behalf of the Partnership

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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:

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London Borough of Camden
Town Hall
Argyle Street
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