

Post Scrutiny – Cabinet Response

Appendix 1

In Respect of: Scrutiny Review of Rogue Landlords

Date: 22nd November 2015

RECOMMENDATIONS	ACCEPTED/REJECTED	CABINET RESPONSE	HAS THE ACTION BEEN FULLY IMPLEMENTED? (If No, please state reasons/ report any progress to date in next column)	PROGRESS (Please indicate (1) the steps you have taken, (2) what remains to be done and (3) the anticipated date of full implementation)
1. That the Council produce a 'Fit and Proper Landlord Policy' which would allow the Council to have something to measure landlords against	Accepted	The Cabinet agreed that the introduction of such a Policy would be of benefit to private sector tenants and also act as a deterrent to poor landlords. We will ask officers to begin work to explore and develop such a policy and present it for consideration during 2015.	No / in part	1 – Research has been undertaken to find similar 'Fit and Proper' policies in place at other Councils. None have been found so far that exist independent of any 'reward' scheme for Landlords (such as Selective Licensing). Housing Benefit legislation currently exists which allows the Council to consider whether a Landlord

				<p>is a 'fit and proper person' to receive Housing Benefit.</p> <p>2 – we will aim to implement / publicise the HB legislation which considers whether a landlord/agent is a 'fit and proper' person to receive HB.</p> <p>3- March 2016</p>
<p>2. That information be made available to the public which would allow them to know which landlords have been prosecuted. This could also be made available on the Council's website.</p>	<p>Accepted</p>	<p>Cabinet agrees that this would be a useful source of information for residents considering private sector tenancies and we will look to address this during 2015.</p>	<p>Yes</p>	<p>1 – This will be implemented; however, no prosecutions have been secured against any landlords to date. The Rogue Landlord action we have taken against landlords currently is outside of the public domain and publicising names would infringe Data Protection Principles. The non-formal action we</p>

				<p>have taken against landlords, will be publicised on the 'Landlord' page of RBC's website but will not identify the landlord. It will explain the circumstances which brought about the action and the resulting consequence the landlord faced.</p> <p>2 – Once a successful prosecution action is taken, then the details will be publicised on the future 'Landlord & Tenant' webpages on the Council's website.</p> <p>3 – The 'Landlord/ Tenant' webpages are now active</p>
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3. That there should be more publicity for tenants so that clearer information is available on their 'rights'.	Accepted	Cabinet agree that this would be a useful source of information for private sector tenants and would look to address this during 2015.	Yes	<p>1 – 'Helpful advice to tenants' sheet has been developed. The content for the 'Tenants' webpage on the Council's website has been finalised.</p> <p>2 – We will distribute the 'Helpful advice to tenants' to Council offices, child centres, libraries, supermarkets and other places the public go.</p> <p>3 – Tenant webpage now active.</p>

<p>4. That publicity be produced for landlords to make them aware of penalties they can incur if they exploit their tenants.</p>	<p>Accepted</p>	<p>Cabinet agree that this would be a useful source of information for private sector landlords and will be looked at during 2015.</p>	<p>Yes</p>	<p>1 - The content for the 'Landlords' webpage on the Council's website has been finalised. This contains pages covering a wide range of advice for landlords (illegal eviction penalties, failure to have an Energy Performance certificate, valid gas safety, etc).</p> <p>2 – We will also distribute landlord information/advice to public agencies.</p> <p>3 – Landlord page on RBC website now active</p>
<p>5. Where the Council suspects that illegal activity is being undertaken within problem properties, they should work closely with the Police and other agencies to address this</p>	<p>Accept and already do this.</p>	<p>Cabinet agrees that joint working with other agencies is essential if we are to tackle such issues in the borough. Officers involved in this work area already work closely with the Police, HMRC, DWP and other agencies where our investigations indicate that other illegal activity may be taking place.</p>	<p>Yes</p>	<p>This is already part of the process.</p>
<p>6. Selective Licensing could be a future consideration of the Council, in partnership with other East Lancashire authorities, with additional funding being</p>	<p>Accepted for future consideration.</p>	<p>Cabinet agrees that selective licensing of the private rented sector could be a future consideration and that we could learn from the experience of other East Lancashire authorities of the advantages, disadvantages and costs of introducing such a scheme. This is an issue</p>	<p>No / in part</p>	<p>1 – Officers undertook a selective licensing visit to Hyndburn LA on 28/07/2014 with Councillors.</p>

<p>requested/made available from Central Government</p>		<p>that we will consider in more detail during 2015 and will ask officers to explore potential funding opportunities which may exist to support selective licensing</p>	<p>2 – Officers are monitoring Blackburn and Burnley current attempts to renew their selective licensing schemes for a further term and keeping abreast of Hyndburn LA's bid to bring in Selective Licensing - which has been challenged by the RLA (Residential Landlord Association) on various issues. Continuing to look and see if any funding for Selective Licensing is or will be available in future.</p> <p>3 – The potential for a selective licensing scheme in Rossendale will need to be considered alongside the Council's future priorities.</p>
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