

News & Legislative Update May 2019



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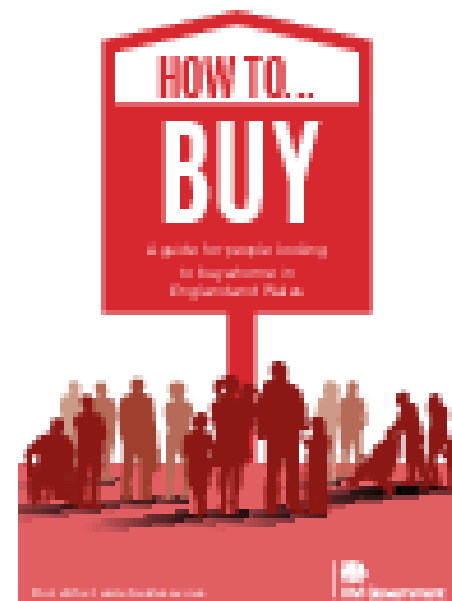
New How-to Guides Published

- **How to Buy a Home**

Information and guidance on buying a home

- **How to Sell a Home**

Information and guidance on selling a home



Government to end 'unfair' evictions (I)

- New Government proposals to abolish Section 21.
- Section 8 grounds and court system to be reformed – landlords will need specific grounds to evict.
- NLA warn of chaos if changes are rushed and badly thought through
- The Govt will consult on the changes shortly (expected in May)

Government to end 'unfair' evictions (II)

- Abolition of S21 will not apply retrospectively i.e. will only apply to new tenancies signed when the legislation is in force
- Proposed changes to S8 to allow new grounds of selling or landlord moving into the property and speed up the court process
- Similar proposals in Wales
- Vital we speak with a single voice to Govt and have strong evidence of the impact – send case studies to contact@landlords.org.uk

Caridon Property LTD vs Monty Shooltz

- Any Section 21 notice is invalid if a gas safety certificate is not served **before** the start of the tenancy (England only)
- Cannot rectify this at a later date
- Your AST would effectively be treated as an Assured Tenancy
- Keep a detailed records of dates, times and correspondence with the tenant
- Will continue to press Government for change and clarification



Right to Rent High Court Ruling

- The High Court scheme contravenes the European Convention on Human Rights' prohibition of discrimination.
- Judge rules it causes Landlords to discriminate
- Case brought by the Joint Council for the Welfare of Immigrants (JCWI)
- Right-to-Rent remains in force unless and until Parliament changes the law.

Tenant Fees Act

- Bans all fees from letting agents *and* landlords to tenants. Will be implemented 01/06/19.
- Gives exemptions for payments arising because of the action of the tenant ('in default').
- Will impose a cap on security deposits of **5 weeks' rent** and a cap on holding deposits of **1 week's rent**.
- Creates a civil offence with a fine of **£5,000**.
- Creates a criminal offence for repeat offenders.
- Allows civil penalties of up to **£30,000**.



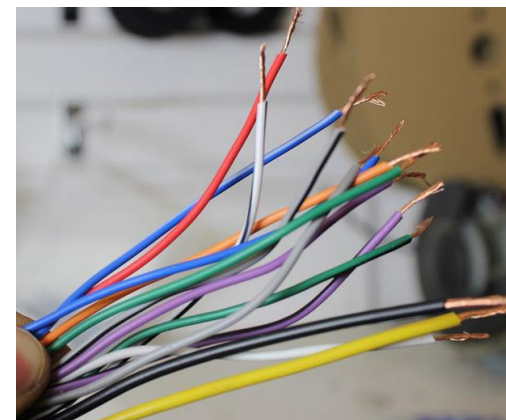
Landlords Legally Required to Join Redress Scheme

- New [Housing Complaints Resolution Service](#) will make it easier to claim compensation
- Landlords fined **up to £5,000** if they do not join.
- We do **NOT** expect this to be implemented in 2019
- A working group will now be formed to flesh out dates and conditions




Five Year Electrical Safety Checks now Compulsory

- Banning orders for repeated or serious offences
- Landlords fined **up to £30,000** if found to be in breach
- **NO DATE** has been announced for the implementation
- Landlords need to ensure inspectors have necessary skills and competence



Gaskin vs London Borough of Richmond

- Has major implications for landlords and councils across the country
 - Councils are reconsidering the way they structure HMO licensing fees
 - The High Court found that Richmond's licensing fee was levied unlawfully as it breached EU regulation.
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- The logo for HMO Licensing is a black silhouette of a house with a gabled roof. Inside the house shape, the words "HMO" are written in large, bold, white capital letters, and the word "Licensing" is written in a smaller, bold, white sans-serif font below it.
- The Court found that Mr Gaskin was a “service provider”, meaning the administration of an authorisation scheme was unlawful.

Why join the NLA?

Join now and get £14 off using my rep code



- ✓ Advice line
- ✓ Online library
- ✓ Online members register
- ✓ NLA Forms
- ✓ UK Landlord Magazine
- ✓ NLA Licensing 365
- ✓ Free tax investigation insurance
- ✓ NLA Accreditation and CPD
- ✓ NLA Membership card
- ✓ NLA Membership logo

- ✓ Discounts on commercial services:
 - NLA Property Insurance
 - NLA Property Repossession
 - NLA Rent Recovery
 - NLA Tenant Check
 - NLA Rent Protect
 - NLA Inventories
 - NLA Landlord Vision
 - NLA Rent on Time
 - NLA Mortgages
 - myDeposits
 - NLA e-newsletter



Thank You

Any questions?

National Landlords Association

2nd Floor, 200 Union Street
London SE1 0LX

020 7840 8900

www.landlords.org.uk