

Crisis response to the Ministry of Housing, Communities and Local Government consultation on 'Rogue Landlord Database Reform'

11 October 2019

Crisis is the national charity for homeless people. We are dedicated to ending homelessness by delivering life-changing services and campaigning for change.

Our innovative education, employment, housing and well-being services address individual needs and help homeless people to transform their lives. Our eleven UK Skylight Centres offer holistic support across a whole range of issues, including support to secure access to adequate and affordable housing and employment support to help people prepare for, find, sustain and progress in work. Ensuring that people who are homeless can get access to affordable, decent, secure housing is central to our services.

The private rented sector is increasingly important in helping to end homelessness. It is often the only viable housing option for people experiencing homelessness. However, Crisis services report that in areas where coaches have to rely on the private rented sector to support people out of, or prevent, homelessness, it is increasingly difficult to find properties that are affordable within the Local Housing Allowance (LHA) rates, and that what is available is often of very poor quality.

We strongly support the Government's commitment to open up access to the database of rogue landlords and property agents to tenants and expand the scope of the database so that it includes all relevant offences. This will allow prospective tenants to access important information about the landlord or agent that they would be entering into a contract with, so they can make a more informed decision before signing a tenancy agreement. This could help to improve property conditions within the sector if tenants are increasingly choosing not to rent from landlords who have a history of renting out substandard accommodation.

However, this alone will not necessarily lead to the improvement of conditions in all parts of the market, particularly for the most vulnerable tenants living at the lower end of the market. Tenants on a low income often have little or no choice about where they choose to rent so often very few properties will be available to them. Research carried out by Crisis and the Chartered Institute of Housing in 2018 has shown that underinvestment in LHA rates mean that 97 per cent of areas in England were unaffordable to single people or a couple or a small family in 2018.¹

On top of this, many private landlords are increasingly reluctant to rent properties to tenants who have been homeless or who are in receipt of Universal Credit. Research from the National Landlords Association found that only two in ten landlords are willing to let to tenants in receipt of housing benefit or Universal Credit.² Research carried out for Crisis found that only 18 per cent of landlords surveyed reported that they would be willing to let to homeless households.³ This means that tenants who are homeless and who rely on Universal Credit to help pay their rent

¹ Basran, J. (2019) *Cover the Cost: How gaps in Local Housing Allowance are impacting homelessness*. London: Crisis.

² Findings from the NLA Quarterly Landlord Panel Q2 2017 (780 respondents).

³ Gousy, H. (2016) *Home: No less will do*. Crisis: London.

often have a very limited choice of properties that are accessible to them. This means that even if they are aware that the landlord has previously failed to provide safe and decent accommodation they may have no choice but to rent from them anyway because it is the only property they can afford where the landlord is willing to accept them as a tenant.

It is therefore critical that this reform of the database of rogue landlords and property agents is part of a wider package of reforms that will help improve affordability, conditions and security of tenure within the private rented sector.

This must include investment in LHA rates so that they cover at least the cheapest third of the market. This gap between the supply and need for social housing has meant that councils are increasingly having to discharge their homelessness duties in the private rented sector. A properly funded welfare system is critical to preventing and resolving homelessness by helping people to cover the cost of their rent. A key component of this is LHA rates but currently these do not cover the cost of people's rents in most parts of the country. This leaves people at risk of homelessness, struggling to feed their family and pay their rent and bills. It also means councils are under pressure to fulfil statutory homelessness duties with few or no options for affordable housing. Until there are enough truly affordable social homes built, the housing element of Universal Credit will help keep people in their homes, reducing severe pressure on homelessness services and spending on temporary accommodation.

Research by Alma Economics, commissioned by Crisis, shows that restoring LHA rates to cover the cheapest third of private rents (the 30th percentile) will prevent more than 6,000 households from becoming homeless over three years, and lift 32,000 households out of poverty, including 35,000 children.⁴ This will significantly improve the ability of councils to support people to move on from homelessness and find a stable job and home. It is a crucial element of reducing homelessness, and of fulfilling the Westminster Government's commitment to end rough sleeping in England by 2027 and the duties placed on local authorities to prevent and relieve homelessness under the Homelessness Reduction Act (2017).

Investment in LHA rates will help improve the stability and affordability of the private rented sector for people needing help to pay rent, but it is essential that these homes are of decent quality too. Across England homes in the private rented sector tend to be of poorer quality than homes in other tenures⁵, and poor conditions are concentrated at the lower-cost end of the market. This means people on low incomes, including people experiencing or at risk of homelessness, are disproportionately impacted by poor quality. In England, 14 per cent of homes in the private rented sector have a category one hazard, which means they pose an immediate risk to a person's health or safety.⁶

⁴ Basran, J. (2019) *Cover the Cost: Restoring Local Housing Allowance rates to prevent homelessness*. London: Crisis.

⁵ Ministry of Housing, Communities and Local Government (2018) *English Housing Survey: Headline report, 2017-18*. London: Ministry of Housing, Communities and Local Government.

⁶ Ministry of Housing, Communities and Local Government (2018) *English Housing Survey: Headline report, 2017-18*. London: Ministry of Housing, Communities and Local Government.

A comprehensive set of minimum standards is needed that clearly sets out what makes a property suitable to let out, and tenants and local authorities must be able to effectively challenge any instances where these standards are not being met. There is already a requirement that rented homes must be fit for human habitation, which was introduced through the Homes (Fitness for Human Habitation) Act (2018). However, the impact of this reform may be limited if tenants are deterred from taking legal action due to the associated costs. Legal aid is not available for disrepair cases and little assistance is available for tenants who cannot afford to pay the legal fees. Access to legal advice and support is crucial to allow tenants to take action to remedy poor conditions and ensure that the legislative standards are actually enforced.

An effective tenancy relations service would help to ensure that most problems are resolved outside the courts. This would allow renters to seek advice and take action to remedy poor conditions. As well as reducing demand on the legal system, having this support available would help to ensure most issues are resolved when they first arise so they do not escalate to the point where tenants are forced to endure long periods living in unacceptable and sometimes dangerous conditions. To avoid a postcode lottery of support for tenants, a statutory duty should be placed on local authorities to provide a tenancy relations service. This must be backed up by increased resources for enforcement to ensure local authorities can take effective action to improve conditions. This is essential to ensure that the expanded database of rogue landlords and property agents includes relevant and up to date data about landlords who are failing to provide safe and decent accommodation. If local authorities do not have the resources to take enforcement action when it is needed, then the database will not be able to provide this.

Together these reforms should have a significant impact on property conditions in the private rented sector and ensure that tenants and local authorities have the power to act when standards aren't being met. However, even with these changes the current regulatory regime still relies too heavily on tenants coming forward to complain and on local authorities to inspect and enforce. A recent comprehensive review of the private rented sector in England, carried out by Dr Julie Rugg and David Rhodes, recommends introducing a new MOT-style licensing system to help shift the burden of oversight so that local authorities can focus on the most serious infractions.⁷

The proposed new licensing system would require all rented properties to have a valid license confirming that they have been inspected and are fit to let. This would need to be updated annually, similar to the way cars are required to pass an annual MOT test. This information would be linked to a national landlord register to help local authorities identify when properties are being let without a license. The new property license would bring together the existing range of requirements, including electrical and gas safety, energy efficiency and minimum standards that ensure the property is fit to live in. The current standards used to determine whether a house is fit for human habitation should be reviewed, and a new minimum property standard should be established in consultation with all relevant stakeholders, including environmental health professionals and tenant representatives.

⁷ Rugg, J. and Rhodes, D. (2018) *The evolving private rented sector: Its contribution and potential* York: University of York.

We recommend that the Government explore the potential for introducing a new MOT-style licensing system linked to a national landlord register and undertake a thorough review of minimum property standards as part of a wider coordinated approach to address the problems in the private rented sector. This should include action to tackle the insecurity currently experienced by many private renters, and we welcome the Government's commitment to end no-fault evictions. This would give tenants much greater security and would be particularly important for people experiencing homelessness who need stability to help them rebuild their lives.

It is also crucial that people who are experiencing or at risk of homelessness are not prevented from being able to access homes in the sector because they cannot afford the upfront costs that are often required, including deposits and rent in advance. We welcome the recent investment to support help to rent services, but this doesn't go far enough to meet the scale of need identified. A national rent deposit guarantee scheme should be introduced to ensure that no one who has been homeless is locked out of the private rented sector because they cannot afford a cash deposit.

To summarise, while we welcome and strongly support the Government's commitment to open up access to the database of rogue landlords and property agents to tenants and expand its scope, this reform must be part of a wider package of reforms that will help improve affordability, conditions and security of tenure within the private rented sector. This should include:

- Investment in LHA rates so that they cover at least the cheapest third of the market (realigning rates to the 30th percentile).
- A requirement for every local authority to provide a tenancy relations service. This would allow renters to seek advice and take action both to remedy poor conditions and obtain compensation for any damages suffered. A tenancy relations service would also play a key role in homelessness prevention by helping to resolve issues that may otherwise escalate to the point where the tenant chooses to leave or the landlord serves notice.
- Increased resources for enforcement to ensure local authorities can take effective action to improve conditions. This is essential to ensure the database includes relevant and up to date information about any landlords who are failing to provide safe and decent accommodation.
- A national landlord register that is linked to a set of comprehensive minimum standards that clearly sets out what makes a property suitable to let out. As part of this, the Government should consider the potential to introduce a new MOT-style licensing system.
- Ending no-fault evictions and introducing open-ended tenancies to help tackle the insecurity currently experienced by many private renters and ensure that the sector can provide much needed stability for people who have experienced homelessness.
- A national rent deposit guarantee scheme to ensure that no one who has been homeless is locked out of the private rented sector because they cannot afford a cash deposit.

Widening access to the database

3. Do you think that the database should allow tenants and potential tenants access to the details of rogue landlords and property agents contained within it?

Yes. We strongly support the intention set out in the consultation document to give current and prospective tenants the opportunity to view information held within the database of rogue landlords and property agents.

4. (If yes) Please give your reasons for allowing access to the database.

- Allows tenants to check they are not renting from a known rogue landlord or property agent.
- Allows tenants to make an informed choice.
- It will act as a deterrent to rogue landlords and property agents.
- For tenant protection.

All of the above are good reasons for allowing tenants access to the database. In our view, the primary reason why tenants should be able to access the database is so they can access vital information about the landlord or property agent they are intending to rent a property from, which will allow them to make an informed decision about whether to rent the property. This should allow them to avoid renting from a landlord or agent who has a history of renting out properties that do not meet minimum health and safety standards, or who have been convicted for another related offence. This should mean that fewer tenants are forced to live in substandard and potentially dangerous properties, so more tenants will be protected from the harm that this can cause.

We would expect this to act as a deterrent for most landlords and property agents, however it is likely that there will be a small minority who will not change their behaviour. In their review of the private rented sector Rugg and Rhodes identified a 'shadow' private rented sector with very high levels of criminality, which ranges from benefit fraud to organised crime.⁸ The risk of being included on the database is unlikely to deter landlords operating in this 'shadow' market as they are likely to be targeting vulnerable tenants, including those reliant on benefits who have very few other options, people with addiction difficulties or mental health problems and victims of trafficking or modern slavery. Tenants who fall into these groups are unlikely to access the database, and those that do are unlikely to be able to act on this information and find an alternative property to rent. The database by itself will not be sufficient to protect tenants who have very little choice of where to rent, because the majority of properties are not affordable to them.

It is essential that local authorities have sufficient resources for enforcement, so they can take action against criminal landlords and prevent vulnerable tenants from being forced to live in substandard and often dangerous conditions. Local authority environmental health teams have a

⁸ Rugg, J. and Rhodes, D. (2018) *The evolving private rented sector: Its contribution and potential*. York: University of York.

central role to play in this, however many are significantly under resourced. Although local authorities can retain the proceeds from civil penalties to fund enforcement action, which can help increase their financial capacity, local authorities also report that they struggle to recruit sufficiently qualified and experienced environmental health professionals.⁹ Without effective enforcement action, the database will not be able to provide a comprehensive source of information for tenants and local authorities. This will reduce the impact that it is able to have.

5. (If tenant protection) Why do you think it is necessary for their protection (there is a limit of 750 characters)?

6. Do you think access to the database of rogue landlords and property agents would be a useful tool for tenants and potential tenants in making a decision on properties to rent?

Yes. It is Crisis' view that the database would be a useful tool for tenants and potential tenants who are making decisions about where to rent. For many tenants, access to this information would allow them to avoid landlords and letting agents who have committed relevant offences and have previously let out substandard and unsafe accommodation.

However, it is important to note that access to the database will not be sufficient to allow all tenants the opportunity to choose to rent a different property from a landlord or agent who is not listed on the database. As highlighted earlier in this response, some tenants have very little choice of properties because there are very few properties available that they can afford and where the landlord is willing to accept them as a tenant. The [Bureau of Investigative Journalism](#) found that of more than 62,000 two-bed rental properties across England, Wales and Scotland that were advertised on a single day, only 5.6% would actually be affordable on housing benefit. They also found that landlords' refusal to let to people on benefits is making the shortage even worse. Reporters from the Bureau contacted the landlords of 180 two-bed properties that would have been affordable on housing benefit. Half of those landlords said definitively that they would not let to anyone on benefits. Of the remaining landlords, most said they would only consider letting their property if the family could fulfil further conditions, such as paying six months' rent in advance or providing a guarantor.¹⁰ For most people reliant on housing benefit these conditions will be impossible to meet.

This is especially the case for people who are homeless or at risk of becoming homeless. This is reflected strongly in the findings of the Sustain research, which looked at the long-term outcomes and wellbeing for vulnerable homeless households who moved into the private rented sector. Participants felt quite strongly that they had limited options to resolve problems with their accommodation or find a more suitable property as a result of a lack of availability of properties

⁹ CIH and CIEH (2019) *A licence to rent: A joint research project between Chartered Institute of Environmental Health and Chartered Institute of Housing*, Rugg, J. and Rhodes, D. (2018) *The evolving private rented sector: Its contribution and potential*. York: University of York.

¹⁰ McClenaghan, M., Boutaud, C., Blount, T. and Maher, C. (2019) 'Locked out: How Britain keeps people homeless', *The Bureau of Investigative Journalism*, 4 October.
<https://www.thebureauinvestigates.com/stories/2019-10-04/locked-out-how-britain-keeps-people-homeless>

which were affordable or which the landlord would be willing to rent to someone on housing benefit.¹¹

7. (If yes) Under what circumstances do you think a potential tenant would make use of the database prior to a tenancy?

- Only if a tenant had concerns about the property.
- If a tenant had concerns about a landlord.
- As a matter of course (due diligence).

These are all circumstances where a tenant may choose to make use of the database prior to entering a tenancy. Ideally, all tenants would check the database as a matter of course. This would help to ensure that tenants are always entering into a tenancy agreement with as much information as possible about the landlord or property agent they are renting from, reducing the risk that problems will arise later that could have been avoided if the tenant had been aware of a landlord or agent's previous offences.

8. Under what circumstances do you think a tenant would make use of the database during a tenancy?

- Only after attempting to have the landlord/agent rectify the issue.
- As soon as the issue arises.
- At the same time as complaining to the local authority.

These are all times where a tenant may choose to make use of the database during a tenancy, and when they use it may depend on when they become aware of it.

9. Why do you think a tenant would not make use of the database?

- Would complain to the local authority about the issue.
- The information held on the database would not rectify the issue.
- Other - please provide further information.

The main reason why tenants may not make use of the database, either before or during a tenancy, is if they are not aware of its existence. The Government should take steps to increase awareness of the database among prospective and current tenants when access to it is extended. If tenants are not made aware of the existence of the database, then the potential benefits of extending access to tenants will not be realised. Awareness of the database could be increased through an advertising campaign, by adding information about the database to the 'How to rent' guide and by introducing a requirement for landlords and property agents to make tenants aware of the database before they enter into a tenancy agreement.

¹¹ Smith, M., Albanese, F and Truder, J. (2014) *A Roof Over My Head: The Final Report of the Sustain Project. Sustain: A longitudinal study of housing outcomes and wellbeing in private rented accommodation*. Big Lottery Funded, London: Shelter and Crisis.

Where someone is already a tenant, they may feel that knowledge about a landlord's previous offences will not help to resolve the current issue they are dealing with, and therefore feel that it is not worth checking the database. However, the database would be a very useful source of information that they could use to check landlords and property agents that they are considering renting from in future to hopefully avoid similar issues occurring in a different property.

10. Who else might benefit from access to the database? Please also provide your reasons (there is a limit of 750 characters)

Help to Rent schemes, homelessness charities and any other organisations who are supporting people who are homeless or at risk of homelessness to access the private rented sector would all benefit from being able to access the database. This would allow them to check that the landlords they are working with have not had enforcement action taken against them because they have failed to provide safe and decent accommodation. This information is vital so that organisations who are supporting people who have been homeless into the private rented sector can have the confidence that the landlords and agents they are working with have not previously rented out substandard accommodation or committed any other relevant offences. People who have been homeless need a safe and stable base to rebuild their lives and should not be put at risk of becoming homeless again because their landlord fails to meet their legal obligations to provide accommodation that meets minimum health and safety standards.

11. To meet data protection requirements the database would require an access portal, which of the following options do you think would be appropriate?

- Sign up with an email address.

It is important to make sure that the database is accessible to all prospective and current tenants so any registration that is required to meet data protection requirements should be as minimal as possible. Providing a property address should not be a requirement of registration because this could exclude people who are homeless. As prospective tenants are one of the main groups who will benefit from widened access to the database, it does not feel appropriate to require people to provide an address to access the database.

If registration is required than an email address seems likely to be the most appropriate and least restrictive option, however it must be made clear that it is acceptable for someone to register on behalf of a prospective tenant so that people without an email address are not excluded. Ideally no registration would be required to access the database, and the information would be searchable by anyone who needs it. The GLA's Rogue Landlord and Agent Checker does not require any registration to access and has been well used by tenants in London, with around 75,000 records accessed in the first year.

12. Should a redacted version of the landlord/agent's address be viewable to tenants, for example the local authority area, town, street and partial postcode?

- Yes

13. (If yes) Please provide reasons why a redacted version of the landlord/agent's address should be viewable to tenants (there is a limit of 750 characters)

It is important that sufficient information is included to enable tenants to identify that the landlord or agent listed on the database is the same landlord or agent that they are considering or already renting from.

14. (If no) Please provide reasons why a redacted version of the landlord/agent's address should not be viewable to tenants (there is a limit of 750 characters).

15. Should potential or existing tenants be able to view the landlord/agent's full name?

- Yes

16. (If yes) Please provide reasons why a potential or existing tenant should be able to view the landlord/agent's full name? (there is a limit of 750 characters)

As stated above, it is important that sufficient information is provided to allow prospective and current tenants to be confident that the landlord or agent listed on the database is the same landlord or agent that they are considering renting from. This also provides protection for landlords who have not committed any offences but have a name that is similar to someone who is included in the database.

17. Do you think a landlord or agent should be required to disclose to an existing or prospective tenant that they are included on the database?

- Yes

18. (If yes) Please give your reasons for why a landlord or agent should be required to disclose to an existing or prospective tenant that they are included on the database.

- Landlords are already required to provide other information such as energy performance certificates and gas safety certificates.
- Provides additional level of tenant protection.
- Other - please specify (there is a limit of 750 characters).

Landlords are already required to provide certain information to tenants at the start of the tenancy to confirm that the property meets required standards and to ensure the tenant is aware of their rights and responsibilities. This includes a copy of the 'How to rent' guide, a gas safety certificate, deposit paperwork to confirm that the tenant's deposit has been protected and the energy performance certificate for the property. In addition to this, landlords and agents should be required to notify prospective tenants if they are included in the database. This would ensure that prospective tenants who are not aware of the database are not disadvantaged and would ensure that all tenants have the relevant information about a landlord before they sign a contract. This provides an additional level of protection for tenants. All landlords and agents, regardless of whether they are included on the database, should be required to make tenants aware of the database at the start of the tenancy so they can choose to check it if they want to.

19. (If no) Please give your reasons for why a landlord or agent should not be required to disclose to an existing or prospective tenant that they are included on the database.

- This is unnecessary if tenants have access to the database.
- Other - please specify (there is a limit of 750 characters).

20. Should full details of the offence a landlord or agent has been convicted of, including nature of the offence be viewable?

- Yes

The database should provide all relevant information about the offence and the sentence received. This information is currently available to people renting in London through the GLA's Rogue Landlord and Agent Checker and it should be made available to tenants across England through the widening of access to the database of rogue landlords and property agents.

21. (If no) Which of the following options should be included?

- No details other than that an offence was committed.
- Just the legislation that has been breached.
- The legislation that has been breached with a link to a glossary giving more detail on what could be covered.
- Full details of the offence as at question 20 and the sentence received.

22. How long should a landlord remain on the database?

- As long as the conviction remains unspent and in line with the Rehabilitation of Offenders Act.

Widening the scope of the database

23. Do you agree with the list proposed additional offences contained at in annex B? (there is a limit of 1000 characters)

The list of proposed additional offences contained in annex B appears comprehensive and we would welcome the inclusion of these additional offences in the database. It is important that the database includes all housing related offences, any offence involving fraud, violence, drugs or sexual assault which was committed at any residential premises; and offences committed against a tenant. This will ensure that it is a comprehensive source of information for tenants and landlords and will help to ensure that the benefits of extended access to the database are realised.

In its current form, two or more Civil Penalties within a 12-month period are required for a landlord to be included on the database.

24. Do you think that landlords/agents who receive a single civil penalty notice should be included on the database?

- Yes

If a landlord or agent receives a civil penalty notice this means they have committed an offence under the Housing Act (2004), which could include failing to comply with an improvement notice, contravening an overcrowding offence or failing to comply with the regulations for managing a House in Multiple Occupation (HMO). In any of these cases the landlord or agent are failing to meet their legal obligations and are renting out substandard accommodation that may be putting tenants' lives in danger. Local authorities are required to serve a notice of intent before they issue a civil penalty, which gives the landlord or agent 28 days to respond, before the local authority makes a decision about whether to issue a civil penalty. This means that any landlord or agent who has received a civil penalty notice has had the opportunity to respond and take action to rectify the problem.

There is no reason why landlords or agents should be left off the database if they have only received one civil penalty notice in a 12-month period, as they have still committed an offence and failed to fulfil their responsibility as a landlord to provide safe and decent accommodation.

Where a property is not up to the required standard a local authority can issue an improvement notice. An improvement notice is issued when a property contains serious hazards such as a category 1 or 2 hazard/s under the Housing Health and Safety Rating System (HHSRS) requiring the landlord to take remedial action in relation to the hazard. The notice will detail what the hazard is, what is causing it and the action required to remedy the hazard.

25. Where a landlord/agent has been issued with an improvement notice, should they be included on the database?

- Yes

26. (If yes) Please give your reasons why a landlord who has been issued with an improvement notice should be included on the database (there is a limit of 750 characters).

If an improvement notice has been served, then it means that the property does not meet minimum health and safety standards and there is a hazard in the property that is putting the tenant at risk. Local authorities will only issue improvement notices if the landlord has already been made aware of the problem and failed to act on it.

The annexes contain serious housing related offences. We are interested to know if minor housing related breaches should be included on the database. This includes less serious hazards or defects where the local authority does not have a duty to take enforcement action, but that still may suggest poor management.

27. Are there any other offences not listed in the annexes that should be included? Please specify and give your reasons for inclusion (there is a limit of 750 characters).

28. Should landlord/agents who fail a fit and proper person test be included on the database?

- Yes

- No

29. (if yes) Please give your reasons why landlords/agents who fail a fit and proper person test should be included on the database (there is a limit of 750 characters).

30. Should the reason for failing the fit and proper person test be included and viewable?

- No
- Yes, please give reasons (there is a limit of 750 characters).

Local authorities currently have discretion on how they assess who is a fit and proper person. The functioning of the fit and proper person test will not be addressed directly as part of this consultation. However, we are interested in your views as they relate to the question of inclusion of failure of the test in the database.

31. Would it be helpful to introduce a standardised fit and proper person test?

- Yes

32. (If yes) Please provide further detail on why you think it would be helpful to introduce a standardised fit and proper person test (there is a limit of 750 characters).

It would be useful to have standardised guidance across the sector that sets out what requirements someone has to meet to be considered a fit and proper person. This would ensure that standards are consistent across the country and a landlord cannot move their business to another area if they fail the fit and proper person test in one local authority area.

33. (If no) Please provide further detail on why you think it would not be helpful to introduce a standardised fit and proper person test (there is a limit of 750 characters).

Selective Licensing Scheme

The following questions relate to landlords and agents whose properties are subject to a local authority's licensing scheme such as a house in multiple occupation, or selective licensing within a particular area.

34. Where a landlord/agent has a licence to let a House in Multiple Occupation, or a property subject to selective licensing denied or revoked, should the landlord or agent be included on the database?

- Yes

35. (If yes) Please give your reasons why a landlord/agent who has had a licence to let a House in Multiple Occupation or a property subject to selective licensing denied or revoked should be included on the database. (there is a limit of 750 characters)

If a landlord or agent has had their licence denied or revoked, either for a House in Multiple Occupation or for a property subject to selective licensing, then this shows that they have failed to

meet the required health and safety standards. This information is important for tenants so they can make informed decision about whether to rent a property from a landlord or agent that has failed to meet licencing requirements. It is important information for local authorities in other areas to be aware of so they can target enforcement activity appropriately, as there is a risk that landlords or agents may choose to operate in a different area after being denied a licence in one local authority area.

36. Should the reason for a licence being denied or revoked be viewable?

- Yes, to all users

37. In relation to question 34, please give further details (there is a limit of 750 characters).

Under the Housing Act 2004 a local housing authority can make management orders in respect of houses in multiple occupation and other privately rented property. These include certain conditions that need to be met that are linked to the conditions and management of a property.

38. Should a landlord or agent whose property is subject to a management order be included on the database?

- Yes
- No

39. (If yes) Please give your reasons why a landlord or agent whose property is subject to a management order should be included on the database (there is a limit of 750 characters).

From 1 October 2014 all property agents have been required to belong to a redress scheme. Government intends to make membership of a redress scheme mandatory for all private landlords when parliamentary time allows.

40. Should landlords and property agents who are expelled from a redress scheme be included on the database?

- Yes

41. (If yes) Please give your reasons why landlords and property agents who are expelled from a redress scheme should be included on the database (there is a limit of 750 characters).

If a landlord or property agent has been expelled from a redress scheme, then this shows that they have failed to meet the requirements of the scheme. This could mean that they have let out homes that do not meet minimum health and safety requirements or that they have failed to fulfil their responsibilities as a landlord. This information is important for tenants, so they can make an informed decision about whether to rent a property from a landlord or agent that has failed to meet the requirements of the scheme or comply with a decision made by a redress scheme.

Local Authority Access

42. Should local authorities retain access to information held on the database after it is no longer available for tenant access, for specific purposes such as legal and/ or audit?

- Yes
- No

43. Please provide further detail for your answer to question 42 (there is a limit of 750 characters).

Any further comments

44. Is there anything else you would like to add? (there is a limit of 1500 characters)