



Newcastle Housing Accreditation Scheme

Guidance Document for Houses in Multiple Occupation

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Introduction

Accreditation is awarded to those reaching a set of standards relating to the management and physical condition of privately rented dwellings. Many students and working people live in Houses in Multiple Occupation (HMOs) on a shared basis. It is this type of property and tenure which this scheme covers.

Newcastle City Council is committed to raising and maintaining good standards in private rented property in the city and seeks to recognise those landlords and managing agents who are willing to work in partnership to maintain those standards.

The Newcastle Shared Housing Accreditation Scheme is a voluntary scheme which is free to join. It is open to landlords and managing agents of HMOs within key areas of the city. Applications are welcomed for these properties whether or not they require a licence to operate.

The aim of the scheme is to:

- Set standards for safety and amenities for privately rented shared housing.
- Promote awareness of such standards with both landlords and tenants.
- Encourage and assist landlords to meet the accreditation standards.
- Give recognition to properties and landlords which meet the standards.
- Allow tenants to choose accredited accommodation.
- Improve communication and working relationships between landlords and Newcastle City Council.
- Work with universities to promote good quality private rented accommodation.

The Scheme helps to ensure that privately rented accommodation in Newcastle is safe, suitable, and well managed. The standards are designed to be fair, reasonable and appropriate. The property standards take account of:

- Gas, electrical and fire safety
- Provision of amenities: kitchen, bathrooms and WC's
- Security
- Furniture and furnishings
- Energy efficiency
- Property condition and decoration (external and internal)
- Property management

A Summary of how the scheme works

- Accredited properties will be listed on the Council website.
- Accreditation lasts for 5 years.

- Accreditation for a particular property is only valid for the landlord or agent making the application and cannot be transferred in the case of the property changing ownership or management arrangements.
- Landlords will be eligible for any scheme benefits while their property remains on the Scheme.
- A landlord may remove a property from the scheme by making a written request to the Council.
- Any complaints about the condition of a property on the scheme will result in an inspection. Any non-compliance will be brought to the notice of the landlord and must be attended to immediately. Accreditation may be revoked.
- All properties will be inspected prior to being accepted onto the scheme.
- Failure to comply with the standards and requirements will result in the property being removed from the scheme. An application for re-inclusion will not be accepted within 12 months of removal and until the standards are fully met and/or the landlord has carried out appropriate training.
- An appeal panel will be convened to arbitrate on any disputes.

How to join the scheme

Read the guidance to the scheme. If you are confident your property meets the accreditation scheme standards:

1. Complete the application form and checklist.
2. Provide a current, satisfactory electrical safety certificate.
3. Provide a current satisfactory gas safety certificate (CP12).
4. Provide a current energy performance certificate (EPC) with a rating of E or above.
5. Sign up to the Good Management Code of Practice with the Private Rented Service.
6. If a deposit has been taken at the start of the tenancy, provide evidence to demonstrate use of a government approved tenancy deposit scheme.
7. Provide a copy of a Disclosure and Barring Service (DBS) check or basic Disclosure Scotland Certificate which is less than 12 months old.

The Benefits of Accreditation

Accreditation provides reassurance that a property complies with the required safety standards and demonstrates that landlords and agents are reputable and committed to raising standards. Tenants get peace of mind that a property is safe, well maintained, suitable for the number of occupants, properly equipped and heated. It also gives reassurance that landlords are willing to be accountable for the way in which they run their business. For landlords there is a business advantage of advertising their accredited status evidencing good quality and well managed accommodation.

Landlord Training

Landlord training is offered through the Private Rented Service, with a discounted rate offered for landlords of accredited properties. The training available covers a wide range of subjects relating to landlord and tenant law, property management and HMO standards and regulations. Please call 01912771438 for further information regarding upcoming landlord training and details on how to book your place. The training offered will help you meet the requirement of 5 hours of housing related training each year.

Tenant Finder Service

The Private Rented Service offers a free advertising service for accredited properties which are available to tenants on the Rent Deposit Scheme. In addition to the free advertising and virtual bond, the Private Rented Service can offer help with the setting up of a tenancy such as providing sign up documents, tenancy agreements and a comprehensive tenant referencing service.

Empty Homes Grants

If you have an empty property that has been empty and unoccupied for at least 6 months then you may be eligible for a £2,000 empty homes incentive grant.

Parking Permits

A city-wide parking permit is available at a discounted rate of £200 per annum for landlords or agents of accredited properties. This permit must only be used in connection with the management of accredited properties. Landlords with accredited properties in the areas of the city where residents parking schemes are in operation will also receive a book of one-day parking permits. These can be used by landlords or contractors who need to park in these areas from time to time. Contact the Parking team on 0191 277 2757 for more information.

Accreditation Standards

To reach the Accreditation standard the property should be in good repair, provided with sufficient amenities, and have adequate and effective heating and insulation. The property should also not be overcrowded, and should be free from any Category 1 hazards as defined under the Housing Act 2004.

Each section below contains general information on each standard. In many cases, the standards are the minimum needed to comply with the law and, therefore, you should already meet them.

Where standards relate to possible hazards under the Housing Act 2004, they have been set at a level which will reduce the Hazard to below a category 1.

The Management of Houses in Multiple Occupation (England) Regulations 2006 apply to all HMOs whether they require a licence or not. These regulations set out the responsibility of landlords and tenants to maintain HMO's in a safe and clean condition. These standards have also been considered when setting the standards for accreditation.

Properties of 3 storeys or more **and** occupied by 5 or more tenants forming 2 or more households must be licensed. Failure to licence an HMO can result in a fine.

Property Management

Refuse

Suitable wheeled bins for the storage and disposal of refuse must be provided at the property. The bins must be kept within the boundary walls and placed out on the day of collection and returned to the property once they have been emptied. Landlords must work with the tenant to ensure bins are not left outside of the curtilage of the property longer than necessary.

Landlords / managing agents must advise tenants of the arrangements for the collection of waste and provide information regarding recycling of their waste. For further information regarding refuse collection and recycling please contact Envirocall on 0191 278 7878.

Bedrooms

Under the Housing Health and Safety Rating System (HHSRS) a lack of space can be linked to psychological distress and mental disorders. Crowded conditions can also be linked to an increased risk of accidents. Should you have any queries please contact a member of Private Rented Service team for further information.

To prevent overcrowding bedrooms may only be occupied by a certain number of people dependent on the size of the room, and the age and the gender of the occupants. Overcrowding will be assessed on a case by case basis.

Occupiers of HMOs and shared houses often need to keep all of their belongings in their bedroom, especially if they do not know other tenants. If a communal lounge is not provided in the house, the bedroom must be larger as the occupier will need to use it as their only living area.

Minimum bedroom sizes	
Property with communal lounge (excluding kitchen)	Minimum room size (see note below)
Bedroom for 1 person	6.5 m ²
Bedroom for 2 people	11 m ²
Property without communal lounge	Minimum room size (see note below)
Bedroom for 1 person	10 m ²
Bedroom for 2 people	15 m ²
Letting contains cooking facilities	Minimum room size (see note below)
Bedroom for 1 person	13 m ²

Only 'usable' space will be counted when calculating room size, so in attic bedrooms floor areas with less than 1.5m headroom will be discounted. If an attic bedroom is very slightly undersize the floor area with restricted head height may be taken into consideration. Please contact a member of the HMO team for advice for further information. Double bedrooms will only be acceptable for persons who are related and living as a couple.

Management of Houses in Multiple Occupation (England) Regulation 2006 require that at the beginning of a tenancy, bedrooms must be clean, safe and in good decorative condition.

Bathing and Toilet Facilities

In houses where a number of adults are sharing bathing and toilet facilities it is important that sufficient numbers of facilities are provided. In larger households it is advisable to have at least one separate toilet which will be available at times when all baths and showers are in use. To encourage good hygiene, all toilet compartments must be fitted with a wash basin.

All bathrooms and toilets must be properly maintained and provided with ventilation either by openable windows or mechanical extraction.

To allow privacy, rooms let as bed-sits must have a wash basin.

Number of occupiers	Minimum Number of Facilities required
1 – 4 persons	1 bath/ shower room containing a toilet
5 persons	1 bath/ shower room AND 1 separate toilet compartment
6 – 9 persons	2 bath/ shower rooms both containing a toilet OR 2 bath/shower rooms – one of which contains a toilet, AND 1 separate toilet compartment
10 persons	2 bath/shower rooms – one of which contains a toilet, AND 1 separate toilet compartment OR 2 bath/shower rooms AND 2 separate toilet compartments
11 – 14 persons	3 bath/shower rooms – at least two of which contain toilets, AND 1 separate toilet compartment OR 3 bath/shower rooms – at least one of which contains a toilet, AND 2 separate toilets
Definitions:	
Bath / shower room is a room containing a bath and/or a shower and a wash basin	
Separate toilet compartment is a room containing a toilet and wash basin	

The number and type of facilities depends on the number of people who will be expected to share. If any en-suite toilet or bathing facilities are provided you will only need to meet the standard set out below for the number of occupiers sharing.

The Management of Houses in Multiple Occupation (England) Regulation 2006 require that the water supply and drainage must be kept in good working condition; fixtures fittings and appliances must be maintained in good working order and repair; shared bathrooms must be in good repair.

Kitchen Facilities

When a number of adults share cooking facilities, care must be taken to ensure safety. This includes not only the safety of appliances such as cookers, microwaves etc. but also provision of food storage, fridges and freezers; sufficient sinks with hot and cold water; refuse storage and removal; and ease of cleaning the structure to prevent pests.

Number of occupiers	Minimum Kitchen Room size
Up to 4 persons	Adequate to ensure sufficient storage space and safe layout
5 or 6 persons	A floor area of at least 7m ² (measured wall to wall)
More than 6 persons	7m ² plus 1m ² / person in excess of 6 up to a maximum of 13m ²

Facilities for the preparation, cooking and storage of food must be safely and conveniently laid out in a kitchen of adequate size for the number of occupants. The following amenities must be provided:

- Adequate cupboard/drawer space for the storage of food and equipment.
- An adequate fixed work surface for the preparation of food, being non-absorbent and capable of being easily cleaned.
- A fixed sink comprising of at least a bowl and single drainer within a base unit, and provided with an adequate supply of hot and cold running water.
- Provision for the installation of a cooker, usually being a 30 amp electric cooker point or a gas point, and sufficient space available adjacent to the point to take an oven and hob. Ovens should be placed away from doorways and routes through the kitchen to reduce the chance of hot pans being knocked over or of someone accidentally touching hot surfaces. Work surface must be provided at each side of the oven so that hot pans and dishes do not need to be carried across the kitchen. Ovens must not be placed too near to anything which can burn such as wall cupboards or work surfaces which are higher than the top of the hob.
- Walls adjacent to preparation and cooking areas, floor and ceiling, to be capable of being easily cleaned.
- There should be sufficient space for the fitting of a refrigerator or fridge/freezer.
- All units and any appliances provided must be in good repair and in good working order.
- There should be an adequate number of suitably located electric power points for the safe use of kitchen appliances.
- There must be a suitable means of mechanical extract ventilation to the kitchen.

Management of Houses in Multiple Occupation (England) Regulation 2006 require that all shared facilities provided by the manager must be maintained in safe repair and in good working order; facilities and common rooms such as the kitchen must be in a good state of repair and be clean at the start of the tenancy.

Number of occupiers	Minimum Kitchen Facilities Required
1 – 6 persons	1 gas or electric cooker with a minimum of 4 burners/rings, grill and oven 1 sink with hot and cold water supply Fridge(s) with a capacity of 150 litres Separate freezer OR equivalent size fridge/freezer
7 – 12 persons	1 gas or electric cooker with at least 4 burners/rings, grill and oven plus 1 microwave OR 2 cookers as above. 1 sink with hot and cold water supply plus 1 dishwasher Fridge(s) with a capacity of 150 litres plus 20 litres per person in excess of 6 Separate freezer(s) OR equivalent size fridge/freezer

Space Heating and Energy Efficiency

Serious health risks can occur to occupiers of cold properties. In addition, cold surfaces leading to increased condensation, cause damage to the structure of the building and contents. Well insulated buildings are easier and cheaper to heat and tenants are increasingly looking for properties with higher energy performance.

An Energy Performance Certificate (EPC) must be provided to tenants (and prospective tenants) prior to the making of a new tenancy agreement. In anticipation of the changes in legislation in relation to Energy Performance Certificates in 2016 and 2018 all properties must reach an EPC rating of E or above. Properties obtaining ratings of F or G will be required to carry out remedial works to qualify for the accreditation scheme.

1. Properties must be free from excessive draughts.
2. All habitable rooms must be provided with adequate and suitable fixed space heating appliances or be heated via a controllable central heating system.
3. Any central heating system must be economical to run (please contact the HMO team for further information). If a hot water cylinder forms part of the heating system it must be properly lagged with a suitable jacket.
4. Loft insulation must be a minimum of at least 250 mm. Where there is any upgrade of loft insulation, a standard compatible with current Building Regulations should be met.

In addition, **two** of the following energy efficient measures must be provided:

1. Double glazing
2. Energy efficient central heating boiler
3. Cavity wall insulation
4. Draught-proofing
5. Radiator thermostats
6. Low energy light bulbs throughout. (It is the licence holder's responsibility to provide replacement energy efficient light bulbs)

Management of Houses in Multiple Occupation (England) Regulation 2006 – HMOs must be kept in good repair; windows and/or other means of ventilation must be kept in good repair.

Security

HMOs are statistically more likely to be burgled than other homes. This is especially true for properties occupied by students which may be targeted on more than one occasion.

The following must be provided to ensure the property is maintained in a safe and secure condition:

1. All entry doors must be of sound construction and well fitted.
2. The front door must be fitted with a secure and substantial lock which can be opened from inside without the use of a key.
3. It may be necessary to fit additional security to prevent access to the locks via a letterbox or window.
4. Front doors must be fitted with a security viewer and chain.
5. The rear door (if any) must be fitted with a mortice lock in addition to a barrel bolt OR a shoot bolt locking mechanism.
6. All ground floor and other accessible windows must be fitted with suitable locks.
7. Keys to window locks must be readily available to tenants at all times.
8. If the property is let on a 'room by room' basis to tenants, each bedroom must be fitted with a suitable secure lock which can be opened from inside the room without the use of a key.
9. Hedges and/or fences to the front must not provide a hiding place for intruders.
10. The gate from the rear yard to the lane must be provided with additional security by fitting a slam latch lock or hasp and padlock and the keys provided to the occupiers.

Other security provisions may be accepted if the same level of security can be provided. Contact the Private Rented Service team for further advice and guidance.

In addition to providing secure locks to doors and windows it is important to keep the

outside of the property in good repair and in a tidy condition as this has been shown to deter intruders. Anything left in gardens or yards could be used to aid access either by being used to climb to upper windows or to break glass in windows or doors. Security must always be considered in conjunction with fire safety.

Although the likelihood of injuries being caused by an intruder is relatively low, the stress caused by a burglary can be high. Fear of a possible burglary or of a recurrence can also cause high levels of stress.

Gas Safety

1. All gas appliances must have a safety check carried out every 12 months by a Gas Safe registered engineer. A copy of a current, satisfactory certificate must be provided with the application form.
2. A record of this safety check must be given to tenants within 28 days or to a new tenant when they move in.
3. A copy of the safety check must be kept for two years.
4. A long life tamper proof Carbon Monoxide detector must be provided in a suitable location within the property.

Electrical Safety

1. The electrical installation must be inspected by an approved contractor at least once every 5 years. A copy of a current, satisfactory certificate must be provided with the application form.
2. Any alterations to the electrical system must be made in accordance with Building Regulations and the current guidance on electrical safety.
3. The landlord must carry out a visual inspection at the beginning of a tenancy and at least annually thereafter. This inspection should cover all electrical items including socket outlets, light switches and distribution boards. Arrangements must be made to rectify any defects immediately.
4. With the exception of new appliances less than 12 months old, all electrical appliances provided by the landlord must be tested annually to determine electrical safety. A copy of the test must be submitted with the application form, and retained by the landlord. This is to ensure that all electrical equipment is in a safe condition which will minimise the risks of fire or electrocution.

Safety of Furniture and Furnishings

All furniture and furnishings provided by the landlord must meet the requirements of the Furniture and Furnishings (Fire) (Safety) Regulations 1988. All new furniture must carry a permanent label describing the fire resistance of all the materials used. Unless a clause is included within the tenancy agreement this does not apply to furniture

provided by the tenant. Provision of furnishings and fittings which do not comply with the above regulations will be referred to Trading Standards, and may result in legal action being taken against the owner, managing agent, and/or licence holder.

Fire Safety

The likelihood of serious injury or death due to fire is substantially higher in HMOs compared to properties occupied by a single family. This likelihood increases when there is a longer distance to travel to get out of the property to a place of safety.

Early detection, alerting occupiers to danger and the provision of a safe route out of the building to a place of safety are the best means of preventing or reducing injury. To maintain the escape route, the structure of the property will need to protect against the spread of smoke and fire. The level of protection needed will depend on the size of property and length of this escape route.

Management of Houses in Multiple Occupation (England) Regulation 2006 requires that all means of escape in case of fire must be kept free from obstruction and maintained in good order and repair; fire-fighting equipment and alarms must be maintained in good working order.

Early detection and alarms

Heat and smoke detectors must be fitted in accordance with the table below. All units must be hard wired and interlinked.

Protected route of escape

Definitions

- The route of escape is the route from a living room or bedroom to safety outside the property, usually via the front door.
- A basement is counted as a storey if it is used as living accommodation or for gas or electric meters.
- An inner room is a room where the exit to the escape route is through another room.
- To calculate the number of storeys in a property the entrance level must be included (e.g. a maisonette with an entrance on the ground floor leading to living accommodation on the first and second floor would be considered as being on 3 storeys). The standards vary according to the number of storeys and length of travel to a place of safety.

Requirements

1. Walls and ceilings forming the escape route must be in good repair in order to reduce the spread of smoke and fire.
2. Glazing panels in walls or above doors are only acceptable if they are capable of offering 30 minutes resistance to the spread of fire.
3. Where fire doors are required (see table below) each one must meet the following:
 - A 30 minute fire door hung on one and a half pairs of high melt point hinges.
 - Intumescent strips must be fitted to all fire doors.
 - In addition, cold smoke seals must be fitted to all fire doors except those on rooms **not** fitted with smoke detectors (kitchens, other rooms containing gas burning appliances and cupboards).
 - A self-closing device must be fitted to fire doors on living rooms, bedrooms and kitchens. It must be adequate for the size and weight of the door and be adjusted to ensure that the door closes smoothly and quietly into the rebate overcoming any latching device.
4. Doors opening onto the means of escape which are not required to be fire doors must be of sound conventional construction and close fitting.
5. Any locks on bedroom doors must be capable of being operated from inside the room without the use of a key.
6. Any bedrooms on a basement or at lower ground level must have an alternative means of escape by means of a door or escape window leading to the external ground level.
7. Where an inner room is used as a bedroom a protected route to the escape route should be constructed if possible. Where this is not possible an escape window must be fitted. However, escape windows will not be acceptable for any rooms higher than first floor level. All escape windows must meet the Building Regulations standard with an unobstructed opening of at least 0.33m² and with no dimension of less than 450mm; the cill height must be between 800 – 1100mm from the floor. For use in emergency an additional key for the lock must be permanently available within the room.
8. The lock on the final exit door (usually the front door) must be capable of operation from inside the property without the use of a key.
9. Hasp and staple/ padlock type fastenings to bedroom doors are not permitted.
10. If the escape route is complicated or is likely to be dark, emergency lighting must be provided
11. A small fire blanket must be provided in each kitchen.
12. All escape routes must be kept clear of obstacles and combustible materials.
13. A Fire Precautions log book must be used to record periodic inspection and maintenance of the alarm system and fire-fighting equipment. These are

available to download on www.twfire.co.uk and are also available from landlord associations.

14. Polystyrene tiles must not be fixed to any ceiling or wall in the property.

The level of fire precautions required depends on the number of storeys and the layout of the property. The table below gives the requirements in properties of standard design.

FIRE DOORS	3 OR MORE STOREYS	2 STOREYS	SINGLE LEVEL (FLATS)
Kitchen	Yes	No*	No
Living room(s)	Yes	Yes	No
Bedrooms	Yes	No	No
Cupboards opening from the escape route	Yes	No	No
Other rooms opening onto the escape route and containing gas burning appliances	Yes	No	No
Front entrance door from street	No	No	No
Front entrance door from common hall/staircase	Yes	Yes	Yes

*If the kitchen opens directly onto the means of escape for any of the occupiers then a fire door must be provided to the kitchen rather than the lounge.

ALARMS (HARD WIRED AND INTERLINKED)	3 OR MORE STOREYS	2 STOREYS	SINGLE LEVEL (FLATS)
HEAT DETECTOR/SOUNDER			
Kitchen	Yes	Yes	Yes
SMOKE DETECTOR/SOUNDER			
Living room(s)	Yes	Yes	Yes
Bedrooms	Yes	No (Yes for inner rooms)	No (Yes for inner rooms)
Common parts	Yes	Yes	Yes

In properties of more unusual layout or design extra precautions may be required. More detailed information is available from the Public Health and Private Sector Housing Section, who can be contacted on 0191 211 6102.

The Good Management Code of Practice Guidance

Tenancy Management

Good quality property and tenant management is vital to the success of the scheme. To protect occupiers, landlords and/or managing agents must behave in a responsible manner and comply with all relevant legislation covering the tenancy.

Landlords must meet, as a minimum, the standards for management set out in the Council's Good Management Code of Practice available through the Private Rented Service (set out below).

Information on these Regulations

The aim of this Code of Practice is to set out the standard of management required from private landlords and letting agents in Newcastle upon Tyne. The code does not provide full guidance for each area covered. The Newcastle Private Landlords Handbook provides further guidance on current good practice procedures and legislation and regulations, if required.

In many cases, the standards are the minimum needed to comply with various pieces of legislation and, therefore, you should already meet them.

The Code of Practice provides information on the following key areas.

- Good management practice in letting properties including following due legal processes when seeking the collection of rent, repossessing of properties correctly, and using the referencing and sign up services.
- Property standards to ensure that all properties for rent are of sound construction and are well maintained, valid gas and electrical safety certificated and when furnished, that the appropriate furniture meets regulations for fire resistance etc.
- Procedures for landlords on preventing and dealing with incidents of harassment including anti-social behaviour to other tenants, landlords and residents in the area.
- The Management of Houses in Multiple Occupation (England) Regulations 2006 set out the responsibility of landlords and tenants regarding maintaining HMOs in a safe and clean condition. These regulations have also been considered when setting the standards.

The Landlord agrees to comply with the following:

Legislation

The landlord of a rented property has certain legal responsibilities as regards the management of the property as well as for safety of gas, electricity and the furniture provided. The landlord must ensure that they comply with all relevant legislation including, but not limited to:

- Housing Act 2004
- Protection from Eviction Act 1977 as amended by S29 HA 1988
- Housing Act 1988 (Assured and Assured Shorthold Tenancies)
- Gas Safety (Installation & Use) Regulations 1994
- The Smoke-free (Premises and Enforcement) Regulations 2006
- The Management of Houses in Multiple Occupation (England) Regulations 2006

The Management of Houses in Multiple Occupation (England) Regulations 2006 place duties on a person managing a house in multiple occupation (HMO) and on the occupiers of these properties. The Regulations apply to all HMO's whether or not they require a licence under Part 2 or 3 of the Housing Act 2004, and are in addition to any other legislation which must be complied with.

General Conduct

The landlord must ensure that:-

- They respond quickly to any to any intervention made by any Council department concerning the management or physical standards of the property such that formal action would not be required.
- They fulfil the conditions of the tenancy agreement and be a responsible landlord.
- They be responsible for the management of the tenancy.
- Letting Agents (Managing Agents) are required to be members of one of the 3 government-approved letting agency redress schemes.
- They work in partnership with the Newcastle Private Rented Service as well as other Newcastle City Council departments and Northumbria Police.
- They will behave in a respectful manner at all times.

Tenancy Disputes

The landlord must ensure that they:-

- Advise a tenant how they wish to be contacted about any problems that arise during a tenancy.
- Provide emergency contacts for out of hours repairs, including any details of any service contracts which have been established.
- Keep all written records about property management.
- Keep a record of any complaint made by the tenant or a third party and record the outcome of the complaint.
- Seek to deal fairly with all parties and endeavour to resolve any disputes linked to the property, their tenant and their tenant's family and visitors to the property including a dispute with a neighbour, by informal means promptly and lawfully.
- Follow the due process of law in all disputes with their tenants, in particular in relation to the recovery of rent arrears and the repossession of property.
- In the case of anti-social behaviour, reasonable steps must be taken to resolve the issue, which may involve liaising with the tenant, neighbour and relevant agencies. A landlord is not expected to take part in any resolution of a problem that may put them in personal danger. If the complaint is found to be justified and it is not resolved, the landlord may be advised that legal action could be taken.

Training

Landlords are expected to improve and maintain their knowledge and competency by undertaking training and development in housing related matters. It is expected that landlords of accredited properties complete at least five hours training per year. This may include attendance on training courses relating to housing either locally or nationally, completing a recognised online training course or even attending a private landlord meeting or event.

Training can include:

- Attendance at a training course
- Online training
- Attendance of a conference
- Attendance of a landlord forum

Pre-Tenancy Management

Advertising and viewing

- All property details must be reported accurately without misrepresentation to prospective tenants. Where a property is marketed at more than one source the details of the terms of the let should be consistent.
- All prospective tenants will be granted an opportunity to view the property, with consent of existing tenants if required, prior to granting a tenancy. If, at the time of viewing, any works, refurbishment or new furniture are known to be required, those matters shall be recorded in writing and sent to the prospective tenants prior to signing the contract. A proposed list of the items to be provided will be available at all viewings.
- An Energy Performance Certificate must be commissioned before marketing a property for rent. It should be made available within seven days of a property first coming on to the market and it must be available to any prospective tenant as early as possible. The front page of the Energy Performance Certificate must be attached to any written particulars.

Referencing

All landlords must obtain robust references for prospective tenants before they make a new tenancy agreement. The main purpose of referencing is to assist in the reduction of anti-social behaviour.

Landlords may be asked to provide evidence as to how the references have been obtained. Examples of information you will need from a prospective tenant will include:

- Current and previous addresses with landlord details from last three years, if applicable
- Contact details including full name and dates of birth
- Details of other persons who will be living with the tenant
- Proof of identification
- Proof of entitlement to remain in the UK

Other checks you may want to make are:

- Have they got written references from previous landlords or letting agents

- Proof of employment
- Whether or not they are a Local Housing Allowance (Housing Benefit) claimant

The Private Rented Service offers a free vetting service requesting information regarding prospective tenants from various sources, including the police and previous landlords. Please contact the Private Rented Service for further information.

National Landlord Organisations and landlords' service companies also offer tenant referencing and vetting services with various different checks including credit checks.

Equal Opportunities

- Landlords must ensure that no person or group of persons will be treated less favourably than any other because of their race, colour, ethnic or national origin, age, gender, disability or sexuality.
- Landlords must not discriminate against a tenant or prospective tenant because of their employment status or other personal circumstances.

Tenancy Agreements

A valid tenancy agreement is required for each letting. A tenancy agreement is a legal agreement in writing that sets out the rights and responsibilities of both landlord and tenant. It will contain details such as the length of the agreement, the rent payable, and what is and isn't allowed in the property, such as pets. It is advisable not to hand over keys to a tenant unless the tenants have signed the tenancy agreement. Seek advice from your own independent adviser before choosing the type of agreement and the terms it includes to make sure that it meets your own needs. There are a variety of standard form contracts available through a number of sources but they often contain differing terms that may not be suitable for you.

The landlord must ensure that:-

- They provide up-to-date tenancy agreements that use Plain English and comply with the Unfair Terms Regulations. The use of overlong and complicated contracts should be avoided as these are unlikely to be easily read and understood.
- The name, current residential address or business address, as appropriate (it is encouraged that this is not a private post office box address) and telephone numbers of the landlord, or if agreeable the agent, are to be stated on the tenancy agreement (or accompanying documents).
- They enforce their tenancy agreement especially in such areas as anti-social behaviour conducted by tenants, members of their families or visitors.

Tenancy agreements can be provided, together with a full sign-up service, by the Private Rented Service so please contact the Private Rented Service for more details.

Signing in of a new tenant/s

- A landlord will provide all necessary keys to the tenant on the first day of the tenancy.
- A landlord will take meter readings from utility meters.

Inventory

At the start of the tenancy, the tenant will be provided with an accurate inventory. This is so any disputes over the condition of the property, fixtures, fittings, decoration and any furniture provided can be resolved easily at the end of a tenancy.

An inventory will detail not only a list of furniture, fixtures and fittings but also provide a description of condition, decoration and cleanliness.

The tenant should be given seven days to check and agree the inventory, particularly with regard to determining that appliances such as washing machines, ovens, showers etc. are in proper working order.

The inventory will be checked, and signed by both parties with each keeping a copy. Photographs are a useful method of verifying condition providing that they are clear. Any amendments to the inventory made during the year should be initialled or signed by both tenant and landlord.

When the keys are returned, the landlord and tenant should check the condition of the furniture, fixtures and fittings against the original inventory and any photographs taken. This allows both parties to agree on the final condition of the property and its contents. Wear and tear should be taken into account. Contact will need to be made with the appropriate rent deposit scheme holder for any disputes over any proposed deductions.

Deposits

- If a landlord is to request a returnable deposit it must be a reasonable amount.
- A receipt for any deposit should be issued.

Protecting your tenant's bond/deposit

- Any bond or deposit must be protected by one of the government's nominated schemes within 31 days of receiving it from the tenant. If it is not protected within 31 days, a court order may be made requiring the tenant be paid three times the amount of the deposit and that the deposit is returned to the tenant or protected in a Scheme. Details of the bond amount and the scheme in which it will be protected must also be included within the tenancy agreement. Failure to protect a deposit will jeopardise possession proceedings using a section 21 notice.
- After the deposit has been protected you must supply the Prescribed Information and comply with the Initial Requirements of the particular scheme that you use. The three Schemes have different rules and procedures that apply to them. These rules apply to anyone who receives a deposit and not just the landlord.

During A Tenancy

Communication with the Tenant

- Landlords must communicate clearly, promptly and informatively with the tenant on any matter that affects the property, its management and the tenant's safe and peaceful occupation of the accommodation.

Information given to tenants

A landlord of must ensure that they provide the following details to each household:

- The name, address and telephone number of the manager of the property.
- A copy of the gas and electrical certificates.
- Instructions for using the heating system, the washing machine and other gas and electrical appliances.
- Emergency contact numbers.
- Suppliers of utility services and clarification on payment.
- Refuse collection and recycling arrangements.
- Copies of any standards which the landlord must, or has agreed to, comply with such as accreditation schemes or licence conditions.

Rent

The landlord must ensure that:-

- Prospective tenants are issued with a clear statement of the rent to be paid, including the dates when due and amount of rent to be collected. A clear method of payment should be agreed which should take into account any rent not paid by direct methods.
- They provide written receipts and a proper rent account when requested by a tenant for monies demanded. Where a payment is made in cash a receipt must be issued at the time the payment is made.
- They carry out any rent reviews in line with the appropriate legislation.
- They liaise effectively and quickly with the appropriate authorities over matters of benefits for which the landlord may receive direct payment.
- Attempt to resolve the issues of arrears as soon as possible with the tenant. Advice and support should be sought if necessary.

Property Inspections and Access

The landlord must ensure that:-

- Properties are kept in good order and inspections are carried out at regular intervals.
- Written notice, provided no later than 24 hours prior to the inspection, will be issued to all tenants.
- They respect their tenants' privacy. They will not enter a tenant's property without the tenant's consent and only depart from this general principle in a case of emergency.

General Safety

All landlords have certain legal responsibilities as regards the safety of gas, electricity and the furniture provided.

- All reasonable steps must be taken to protect occupiers from injury, structural disrepair, and crowding.

Gas, Electricity and Water

The landlord must ensure that:-

- The water supply and drainage is maintained in proper working order. In particular, storage tanks must be effectively covered to prevent contamination of water, and pipes should be protected from frost damage.

- The supply and maintenance of gas and electricity to the property is not unreasonably interrupted.
- All fixed electrical installations must be inspected and tested by a qualified engineer, who is a member of a recognised organisation, (for the purposes of the building regulations) at least once every five years and a condition report obtained.
- The annual gas safety record and electrical safety test results must be provided to the council within 7 days of the council making a written request for such.
- Gas safety certificates must be retained for a period of two years.

Fire Safety

The Regulatory Reform (fire Safety) Order instructs all landlords to conduct a fire safety risk assessment and implement any works deemed necessary to reduce risk from fire.

The landlord must ensure that:-

- Means of escape from fire are kept free of obstruction and kept in good order and repair.
- Where provided, fire-fighting equipment, emergency lighting and alarms must be kept in good working order and tested on a regular basis.
- A property is fitted with adequate and working electrical hard wired smoke detection system.

Waste Management

- Landlords must ensure that waste disposal facilities and information on collection and recycling services are provided.

Regular Inspections and Maintenance

The landlord must ensure that they:-

- Have an appropriate programme of inspection to ensure that the property is free from disrepair.
- Respond promptly whenever notified by their tenants that a repair is needed to the property. They will carry out all repairs within a reasonable time of being notified, and repairs will be completed to a satisfactory standard.
- Have established procedures for dealing with repairs and make tenants aware of these. The responsibility for repairs should be set out clearly in the Tenancy Agreement.

- Advise tenants of any planned programmes of repairs and carry these out with due regard to the convenience of the tenant.
- Have work carried out in a workmanlike manner and give consideration to the tenant to minimise disruption as far as possible.
- Make good decorative finishes for which they are responsible within a reasonable timescale.
- Ensure that under normal circumstances the following repairs completion performance standards should be achieved:

Priority 1 – Emergency Repairs

Those that are required in order to avoid danger to health, risk to the safety of residents, or serious damage to buildings or internal contents – completed within 24 hours of report. In circumstances where this is not possible best temporary arrangements will be carried out.

Priority 2 – Urgent Repairs

Repairs to defects which materially affect the comfort or convenience of the residents – completed as soon as possible and as a maximum within five working days of report. Where a new appliance is required it will be replaced within 21 days of the initial report.

Priority 3 – Non-Urgent Repairs

Repairs not falling within the above categories – completed within 28 working days of report.

Within the responsibility of the landlord, ensure that the visual appearance of dwellings, outbuildings, gardens, yards and boundaries are maintained in a reasonable state so as not to detract from the visual amenity of the area. This will include enforcing tenancy conditions where appropriate.

Advice on tackling anti-social behaviour (ASB)

Accreditation is a tool to help deal with problems of Anti-social Behaviour (ASB) in the private rented sector. Landlords are required to take reasonable steps to tackle ASB when caused by their tenants. 'Reasonable steps' involve investigating any incidents of ASB regarding tenants and taking appropriate action where necessary. It also includes:

- Providing new tenants with a tenancy agreement which includes nuisance and annoyance clauses which will allow the landlord to take reasonable steps to tackle anti-social behaviour. Contact the Private Rented Service for further information and details on clauses that cover ASB.
- Landlords or their nominated agents are required to explain these clauses to new tenants at the tenancy signing up stage.
- Landlords or their nominated managing agent must recognise the importance of tackling anti-social behaviour in order to ensure that communities are safe and that areas do not suffer because of a failure to act.
- Landlords or their nominated managing agent are required to respond appropriately to any complaints alleging nuisance or ASB which has been made either directly to them or via Newcastle City Council.

If you are concerned about the behaviour of one of your tenants, or your tenants are experiencing anti-social behaviour from any other property, or you would like more information on procedures to deal with ASB, please contact the Private Rented Service team and we will be happy to work with you.

End of Tenancy

Viewings and Inspections for re-letting

- The landlord will obtain the consent of the outgoing tenant for suitable times for viewings of the property.
- A landlord must not enter a tenant's home without permission, or issue keys to third parties for the purposes of viewing.

Pre-end of tenancy

- A landlord will arrange with their tenant to visit the property 7 days before the end of the tenancy to carry out an inspection and agree the arrangements for the end of the tenancy. This will allow both parties to discuss any potential problems with the tenancy and deductions from the deposit.
- Carrying out the inspection a week prior to the end of tenancy will allow the tenant an opportunity to rectify any identified problems, and therefore satisfy the landlord and avoid a loss of the deposit.

Utility bills

- On the last day of the tenancy, closing readings for the utilities will be agreed and current suppliers identified. The landlord will notify the utility companies that supplies need to be billed to the landlord or incoming tenant the day after the outgoing tenant vacates. The landlord will request forwarding address for the tenant.
- At the end of the tenancy the landlord will check the inventory preferably in the presence of at least one of the tenants to ensure that both parties agree the facts once the tenancy is ended.

Inventory

- Both parties will sign and date the exit inventory with a copy being issued to the departing tenant.

Deposits

- If a deposit was charged at the start of the tenancy then it must be administered according to the rules and regulations of the particular deposit scheme with which it was registered.
- Any non-disputed amount will be returned to the tenant within the given time period or referred to the small claims court.

Untenanted/ Empty Properties

The landlord must ensure that:-

- Empty properties are kept in a secure condition including setting of security alarms and providing contact details to a trusted neighbour or the Police.
- The property is checked regularly to ensure it is secure, free from external rubbish and litter, and that the roof, plumbing and fabric of the property is safe and sound.
- They respond quickly and efficiently to re-securing a property if it is broken into.
- Make efforts to ensure that properties do not remain void and are brought back into use as soon as is reasonable practicable.
- Notify the Council Tax Department when the property becomes vacant and when it is tenanted again.

Finances

Finances must be readily available to the Landlord and/or property manager to deal with routine and emergency repairs at the property. In cases where a managing agent is the licence holder, the owner will need to authorise expenditure of 25% of the yearly income of the house for such repairs (at a minimum of £1,500) by the agent. Existing management contracts between the agent and the owner should be amended accordingly.

Fit and Proper Person Test

It is essential that a landlord or manager of a property is fit and proper. The applicant must not have:

- Committed any offence involving fraud or other dishonesty, violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
- Practiced any unlawful discrimination on the grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying out of any business.
- Contravened any provision of the law relating to housing or of landlord and tenant law.
- Been refused a licence or had a licence revoked for any property in relation to HMO, additional or selective licensing under the Housing Act 2004.
- Been the owner or manager of a property which has had substantiated complaints from tenants or other sources regarding serious or repeated breaches of the conditions of a licence; in relation to HMO, additional or selective licensing under the Housing Act 2004.
- Been the owner or manager of any property, which has been the subject of an interim or final management order or a special interim management order under the Housing Act 2004.
- Any conduct or business practices which are considered by Newcastle City Council to indicate unsuitability to be the licence holder or manager of a licensed property.

A disclosure statement must be obtained from Disclosure and Barring Service (DBS) check. You can apply for one at <https://www.gov.uk/request-copy-criminal-record> or by calling 03000 200 190. A current basic Disclosure Scotland report (Valid within 12 months of issue) will also be acceptable.

Within the application form the landlord must declare whether or not they have committed any of the above offences.

Complaints Against landlords and Removal from the Accreditation Scheme

- Complaints against a landlord or letting agent who has agreed to adhere to these standards will be dealt with by the department receiving the complaint, in line with existing complaints procedures.
- Where circumstances arise which warrant a landlord to be withdrawn from the accreditation scheme Council will consider each case individually.
- Where landlords and agents are identified to be operating where serious concerns have been raised over either the physical standards of their properties or their general management standards they may be recommended to be placed on the City Councils Intervention list. If placed on the interventions list a landlord will be unable to have an accredited property whilst involved in the management of the property.
- The Council will inform the landlord, in writing, of the reason(s) for the decision and any recommendations or conditions attached.
- The landlord will be given an opportunity to make written representations to the Council in writing within 14 days of receiving the decision.
- Following this 14 day period, and if no representation is made, the landlord will be removed from the accreditation scheme and where appropriate added to the interventions list.
- After consideration of any representations from the landlord, a letter will be issued by the Council detailing the reasons for the decision, any further actions required and the landlords' right to appeal.
- An appeal can be made, in writing within 21 days, to the Council where it will be considered by a panel consisting of at least 2 members of Senior Management, a representative from Public Safety and Regulation, and a representative of the Private Rented Service.
- The Panel will notify the landlord and other interested parties in writing of the outcome of the appeal within 7 days of the decision being made.
- The Council will regularly review the decision as agreed by the group or subsequent panel.
- The Council will inform the landlord once the decision has been made that they are eligible to reapply for the accreditation scheme.

- If a landlord is removed from the accreditation scheme but not added to the interventions list an application for re-inclusion will not be accepted within 12 months of removal and until the standards are fully met and/or the landlord has carried out appropriate training.