

HOUSING HANDBOOK

For

Property Owners

Landlords

Prospective Landlords



**STAFFORDSHIRE
UNIVERSITY**

CONTENTS

1. OVERVIEW OF THE REGISTRATION SCHEME	PAGE
• Property Registration	3
• Studentpad	3
• North Staffs Landlord Registration Scheme	3
• Checklist	3
• Registration Scheme Rules and Regulations	4
• After the property is registered	5
2. REQUIREMENTS OF THE REGISTRATION SCHEME	
• The Private Sector Register	5
• Lodgings	5
• Shared Houses and Flats	6
• Hostels	7
• Gas Safety Regulations	8
• Carbon Monoxide Detectors	8
• Electrical Certificates	9
• Furniture and Furnishings	9
3. GOOD MANAGEMENT	
• Housing Health and Safety Rating System	11
• Management Standards	12
• When You Have Found Your Tenants	13
• Contracts	14
• Harassment	15
• Failure to carry out repairs	15
• Money	15
• Deposits	16
4. GOOD PRACTICE	
• Security Measures	17
• Energy Efficiency	18
5. HOUSING LEGISLATION	
• Rights To Repair	18
• Need For Planning Consent	19
6. USEFUL CONTACT NUMBERS	20

PROPERTY REGISTRATION

Thank you for your interest in the Staffordshire University Private Sector Registration Scheme.

Staffordshire University has approximately 10,000 students enrolled on its courses. Of these, the majority of 2nd, 3rd, and 4th year students look to secure private sector accommodation, usually after the Christmas vacation, and up to a quarter of the new first years look for similar accommodation during the summer period prior to the commencement of each academic year.

We at the University are anxious to provide up to date information on good quality accommodation to our students via our accommodation register. We therefore aim to assist private landlords/ladies to find tenants through our information service to students. However, please note that we can not guarantee that all registered landlords/ladies will secure tenants.

To advertise on our accommodation list you must provide the documentation outlined below for each property and you must agree to comply with the Staffordshire University Private Sector Registration Scheme Rules and Regulations.

You are advised that no refund of the registration fee will be made. Only cheques or postal orders will be accepted and these will not be cashed until all documentation is in order and your property is entered on the register.

STUDENTPAD

Studentpad is an internet based service that allows you to advertise properties to students. The benefits to landlords include the ability to update their vacancies, access to a management tool that enables them to record tenant details, tracking maintenance work uploading contracts and inventories. Properties will be displayed in a stylish manner with photographs if provided. Staffordshire University will run the private sector registration scheme in conjunction with Studentpad.

Properties advertised through the Accommodation Office reach every enrolled and prospective student across the country and indeed the world.

NORTH STAFFS LANDLORD ACCREDITATION SCHEME

The aim of this scheme is to improve both the physical and management standards of the private sector within North Staffordshire. The scheme is a partnership between Stoke-on-Trent City Council, Newcastle-under-Lyme Borough Council, Stafford Borough Council, Staffordshire Moorlands District Council and the North Staffs Landlords Association.

Staffordshire University requires that all landlords of student properties join the accreditation scheme as there are many benefits to both landlords and their tenants. The scheme is available to any landlord who owns and rents out properties in the North Staffordshire area.

Further details of how to contact the scheme can be found in the Useful Contacts on the last page of this booklet.

CHECKLIST

If you would like to advertise your property or properties with Staffordshire University then you will need to:

- check that the property meets the minimum specified standards
- complete a Property Registration Form for each house
- enclose a copy of the North Staffs Landlord Accreditation scheme certificate
- enclose a copy of the contract you intend to use
- enclose a copy of the gas safety certificate supplied by a CORGI registered installer
- enclose a copy of the electrical safety certificate supplied by a NICEIC or ECA or NAPIT registered electrician
- enclose proof of ownership or agency for the property. Ownership details can include a copy of the land registry entry, copy of the deeds, mortgage statement, solicitor's letter or Council tax bill/exemption letter;
- enclose your registration fee.
- enclose a copy of your Energy Performance Certificate (if applicable)
- enclose a copy of your HMO Licence (if applicable)

All of the above documents are required in order to register and should be forwarded to the Accommodation Office.

STAFFORDSHIRE UNIVERSITY PRIVATE SECTOR REGISTRATION SCHEME RULES AND REGULATIONS

Registration Procedure and Calendar

Annual registration will run from 1st January.

Registration application packs will be forwarded to existing landlords during December of each year. Registration applications will be processed from 31 December onwards.

A Property Registration Form must be provided annually. **A registration application will not be processed unless all these items are present.**

An annual registration fee is charged on a sliding scale based on the total number of bedrooms each landlord has:

1 – 30 rooms £50.00 31 – 60 rooms £100.00 61 or more rooms £200.00

New landlords/ladies/agents may register at any time during the year, however, the full registration fee will be charged and registration will only be valid until 1st January.

Landlords/ladies/agents must register all properties that they own or manage. Any registered landlord/lady/agent will be removed from the Staffordshire University Private Sector Register if they are found to be advertising or let an unregistered property.

Any registered landlord/lady/agent will be removed from the Staffordshire University Private Sector Register if they are found to be falsely advertising a property.

IDENTIFICATION FOR REGISTERED LANDLORDS/LADIES/AGENTS AND REGISTERED PROPERTIES

A registration certificate will be issued for each registered property. This should be kept in the property with a copy of the gas and electric safety certificates.

UPDATING PROPERTY DETAILS AND ADVERTISING CURRENT VACANCIES

Landlords/ladies/agents must inform the Accommodation Office of any alterations to property details and particularly if the property or rooms in the property have been let. This helps both students and landlords to avoid making unnecessary phone calls.

Landlords with access to the Internet will have the opportunity to update some details of their properties through the Staffordshire University Studentpad website.

SAFETY CERTIFICATES

The Accommodation Office can only accept original gas and electrical certificates. These will be copied and the original certificates returned to the landlord/lady/agent.

The Accommodation Office will only accept:

- CORGI Landlord's Gas Safety Record
- Electrical Report (all pages) performed by an electrical contractor enrolled with the National Inspection Council for Electrical Installation Contracting (NICEIC) or the Electrical Contracting Association (ECA) or NAPIT (National Association of Professional Inspectors and Testers).

Electrical inspection reports will be accepted for one to five years depending on the recommendations of the electrical contractor.

If any remedial work identified by the electrical contractor as requiring urgent attention is needed, written confirmation of this upgrading from the electrical contractor must be forwarded to the Accommodation Office before the application for registration is processed.

Landlords/ladies/agents must provide current gas and electrical safety certificates for each registered property whether vacant or let. It is the responsibility of the landlord/lady/agent to ensure that current safety certificates are held at the Accommodation Office.

Please note: A property is removed from the current Accommodation List the day after the registration date, or after the expiry date of either safety certificate whichever is the earlier.

AFTER YOUR PROPERTY IS REGISTERED

WHAT HAPPENS NEXT?

Contact details and property information provided on the Property Registration form will be entered on to the Studentpad.co.uk website.

Students contact registered landlords/ladies/agents independently to arrange to view registered properties. All dealings (e.g. signing contracts, payment of deposits etc.) are between the landlord/lady/agent and the student and the University cannot accept any obligation or liability for the conduct of the student.

When a room or property is let landlords/ladies/agents are requested to update their vacancies on the Studentpad.co.uk website or to contact the Accommodation Office without delay to update our records.

Please note that the scheme runs from year to year and therefore Landlords/ladies/agents are required to register with Staffordshire University and provide current safety certificates even if students remain in the property for the following academic year. Students are told by Staffordshire University to only accept registered properties, therefore, the property must be registered throughout their tenancy.

THE PRIVATE SECTOR REGISTER

The Private Sector Register usually contains two kinds of accommodation:

- lodgings;
- self catered, both in small units and larger hostels.

The university expects all properties on the Accommodation Office Register to comply with current housing legislation and local council regulations in respect of planning permission, building, environmental health and fire regulations including, for example, houses in multiple occupation.

Landlords should be aware that they are required to comply with the Housing Health and Safety Rating System with effect from 1 April 2006. This obliges all landlords to conduct risk assessments across a number of areas to ensure your premises satisfy minimum standards for:

- water, gas and electricity
- personal hygiene
- sanitation and drainage
- food safety
- ventilation
- space and water heating
- identifying deficiencies and generally addressing hazards.

LODGINGS

Lodgings are rooms in private households, usually in the property owners' own home. They are offered on either a 5 or 7 days-a-week basis.

If offering lodgings you need to provide the following basic facilities and services:

- a bed (single or twin),
- appropriate study facilities;
- bathroom facilities;
- facilities to make a hot drink;
- cleaning;
- heating and lighting.

Any extra services and facilities can be offered at your own discretion. However, these should be discussed with the student(s) and incorporated in to any contract that is signed. If you are sure of all the arrangements in advance, there is less chance of any misunderstandings. In general most of the requirements of the registration scheme, including gas certificates, furniture requirements etc. apply to lodgings. The following requirements do not however apply due to the nature of these properties;

- electrical safety certificates
- interlinked mains powered smoke detectors can be substituted with independent battery powered detectors

SHARED HOUSES AND FLATS

Houses or flats occupied on a shared basis. Each occupier has exclusive use of a bedroom but would share kitchen, bathroom and toilet facilities. In most cases there is a communal living room.

The accommodation you provide must be an adequate size for the number of students. These **minimum** sizes relate to Houses in Multiple Occupation. The minimum sizes for a Shared House or Flat are as follows:

ROOM SIZES

Minimum sizes:

Bedrooms where a shared living room/common room is provided.

Single	6.5 sq m
Twin (2 people)	11 sq m

Bedrooms where occupants do not have access to a separate communal living room

Single	10 sq m
Twin	15 sq m

Communal Rooms

2-5 people	7 sq m
6-10 people	10.5 sq m

Kitchen

2-5 people	7 sq m
6-10 people	10.5 sq m
11- 15 people	13.5 sq m

Dining Kitchen

2-5 people	11.5 sq m
6-10 people	19.5 sq m
11-15 people	24 sq m

Combined Living and Dining Rooms

2-5 people	11 sq m
6-10 people	16.5 sq m
11-15 people	21.5 Sq m

KITCHEN FACILITIES

Cooking Facilities

1-5 people: - A conventional gas or electric cooker with at least 4 burners/hobs, oven and grill.

1-7 people – a microwave oven of minimum 20 litres capacity, suitably located on a fixed worktop may be provided in place of an additional conventional cooker.

8-10 people – 2 conventional cookers

11-15 people – at least 3 conventional ovens

The kitchen must be provided with sufficient cooking appliances suitably located to enable users to cook food safely and hygienically and to minimise waiting time when more than one person wishes to cook food at the same time.

Food Storage

For every 3 persons there must be a standard domestic refrigerator of at least 100 litres capacity and a freezer compartment of at least 15 litres capacity.

Alternatively a tall upright fridge freezer will be acceptable for every 5 persons. These usually have a fridge capacity of around 140 to 180 litres and a freezer capacity of around 70 to 90 litres.

A combination of separate larder refrigerators and freezers will also be acceptable provided they give an approximate equivalent standard.

Adequate dry / canned food storage and utensil storage cupboards must be provided. A half standard base unit for standard single wall unit per person is adequate. Please note that the space underneath the sink is not acceptable for food storage.

Food Preparation

There must be a sufficient work surfaces to enable each user to prepare food safely and hygienically. At least 0.5 Metre run of work surface for each user is acceptable.

At least two twin switched power sockets set at a convenient height and safe position in relation to the kitchen surfaces and must be provided for every 5 students. This is in addition to any dedicated sockets for cookers, washing machines, refrigerators etc.

Sinks

For every 5 persons there must be a kitchen sink complete with hot and cold water supplies and trapped waste.

For up to and including 7 persons there should be a double bowl sink and drainer will be regarded as adequate in place of providing an additional sink. Alternatively, a single sink plus an electric dishwasher will be acceptable. Sinks should be stainless steel or have a comparable easily cleaned surface. The sink top should have a minimum size of 900mm x 500mm. There should be a tiled or similar waterproof splash back.

Lighting

Adequate ceiling mounted lighting should be provided.

Ventilation

Kitchens should be provided with mechanical extract ventilation where there is inadequate natural ventilation or where a gas cooker is provided and opening a window would lead to excessive draughts that might extinguish the burner flame.

Layout

Kitchens should be arranged such that hot food can be prepared and handled safely. There must be adequate space in front of the cooker for persons to retrieve the hot food from the oven.

PERSONAL WASHING AND BATHING FACILITIES

Bathroom

At least one bath or shower for every 5 person sharing. A shower facility over a bath will not count as an additional shower. In larger houses accommodating more than 5 persons, there will always be a need for more than one bathroom.

Baths should be at least 1.67 meters in length.

Showers that rely on a shower curtain to contain the water spray are not allowed above the ground floor.

Toilet Facilities

1-4 people – 1 WC which may be separate or located within a shared bathroom

5 people – 1 WC which must be separate from the bathroom but can be contained within a second bathroom

6 -10 people – 2 separate WC's but one of the WC's can be contained within 2 bathrooms

11-15 people – 3 separate WC's but 2 of the WC's can be contained within 2 bathrooms

Bathrooms should be of an adequate size to enable students to dry themselves and get dressed without due restriction.

Floors should be impervious and easily cleanable. Obscured glazing should be provided to bathroom windows and doors and all shared bathrooms should be fitted with a bolt or lock.

Ventilation

All bathrooms should be adequately ventilated. A mechanical extraction fan should be fitted if there is no openable window.

Any extractor fan installed in a shower or bathroom must be provided with an "overrun" device which is connected to the artificial light circuit in the room and ensures that the fan operates for 20 minutes after the artificial room lighting is switched off. Alternatively, a humidstat controlled extractor may be provided.

FIRE PRECAUTIONS IN SHARED PROPERTIES

2 Storey Properties – The required fire protection scheme should consist of;

A protected escape route which is created by fitting half hour fire resisting self – closing doors to all risk rooms adjoining the communal escape route in accordance with BS 476

The fitting of a half hour fire resisting self –closing door to the kitchen only is however acceptable where all bedroom windows at the first floor level meet with escape window specifications.

Installing interlinked automatic fire detection and warning system in accordance with BS 5839 Part 6: 2005 Grade D giving a category LD2 level of coverage. No control panel is required for such a system and cabling is carried out using standard domestic twin and earth cable.

Installing an emergency lighting system to the communal escape route in accordance with BS5266

Providing a fire blanket with each shared kitchen

3 or more Storey Properties

Full details of the required level of fire protection can be found in an advice booklet entitled "A Guide to Fire Protection in Multi-Occupied Residential Properties". This has been produced by the Homestamp Consortium and can be found at

www.homestamp.com

HEATING

All habitable rooms must be provided with an adequate form of heating.

Bedrooms in student houses are not only used for sleeping purposes but also serve as studies/living rooms, therefore adequate heating is particularly important in a student property.

Heating appliances should be capable of achieving a room temperature of at least 21 degrees Celsius within one hour of turning on when the air temperature outside is -1 degree Celsius.

Heating should be affordable and central heating is the preferred option. Heating should be time and temperature controllable by the occupants at all times.

Where open flue gas fires are provided in a room used for sleeping purposes, they must be of a modern design and fitted with an automatic oxygen depletion cut-off device. All heaters must be positioned at least two metres between the heater and any bedding or where curtains are liable to catch fire.

All bathrooms must be provided with a fixed form of heating.

HOSTELS

Anyone planning to provide such facilities should contact their local authority to establish the exact requirements applicable to their proposal with regard to planning, building regulations, environment health requirements and fire safety. Contact details are provided at the back of this booklet.

GAS SAFETY REGULATIONS

Landlords are required by law to have gas equipment in their rented properties checked annually by a CORGI registered installer. Always check that your installer is registered by asking to see a current CORGI registration card or by calling CORGI on 01256 373300

From 1 April 2009 the Gas installer registration scheme will be administered by CAPITA.

By law, where a person lets a premises or any part of a premises that contains a gas appliance and/or any installation pipe work which is owned by the person, then it is that persons duty to ensure that the gas appliance and/or installation pipe work are maintained in a safe condition so as to prevent risk of injury to any person.

Therefore it is now a landlord's/lady's duty and responsibility to:

- ensure that any gas appliances and/or installation pipe work are maintained in a safe condition to prevent risk of injury to any person, ensure that such appliances are checked for safety regularly at intervals of no more than 12 months, keep a record of the dates that the appliances were checked, any defects found and any action taken to remedy the defect
- provide a copy of the above record to your tenants who are affected by the use or operation of such appliances should they make a request.

If an agent manages your rented property then your agent has a duty to inform you of these requirements. Your management contract must specify who is responsible for the maintenance of any gas appliances and for keeping a record of safety checks carried out.

With the exception of the room sealed type, there are restrictions on the installation of gas appliances in sleeping accommodation. These restrictions apply only to appliances fitted after the 1st January 1996. Non-room sealed appliances of less than 14 Kilowatts may be fitted as long as they have a device which automatically turns the gas supply off before a dangerous level of toxic fumes builds up. However, non-room sealed appliances above this threshold are prohibited in such accommodation.

If you need further advice about any gas safety issue then ring the free Health and Safety Executive Gas Safety Advice Line 0800 300 363

CARBON MONOXIDE DETECTORS

From 1st January 2001 carbon monoxide detectors must be installed in all properties registered with Staffordshire University. These detectors must comply with British Standard 7860.

One detector is required in the living room or communal area and an additional detector is required in any bedroom containing a gas fire. The University recommends the use of the First Alert sealed unit detector with a guaranteed five year battery life.

These detectors should never be used as a substitute for proper servicing.

ELECTRICAL CERTIFICATES

The Registration scheme requires an electrical certificate for each property registered to be submitted with the application. This requirement does not apply to rooms let in lodgings or in the property owners' own home.

The only type of electrical certificate that will be accepted must comply with British standard 7671(1992) (as amended). The certificate must be issued by a contractor enrolled with The National Inspection Council for Electrical Installation Contracting (NICEIC) or Electrical Contracting Association (ECA) or National Association of Professional Inspectors and Testers (NAPIT).

Electrical inspection certificates will be accepted for **one to five years** depending on the recommendation of the electrical contractor.

If any remedial work identified by the electrical contractor as requiring urgent attention is needed, written confirmation/copy of the invoice for this upgrading from the electrical contractor must be forwarded to the Accommodation Office before the application for the registration is processed.

Please note that we are unable to accept electrical certificates with any Code 1 observations.

FURNITURE AND FURNISHINGS (FIRE SAFETY REGULATIONS 1988)

These Regulations apply to furniture and furnishings include in residential furnished accommodation such as houses, flats and bedsits which are let in the course of a business. They therefore affect persons (including estate agents and letting agents) who let such accommodation as a business activity.

The Regulations are based on identifying the 'supplier' of the furniture. The supplier includes retail shops, landlords or an agent who acts on behalf of the landlord. These regulations apply equally to shared houses and room(s) in an owners own home.

In summary the Regulations apply to the following product ranges;

- Furniture intended for private use in a dwelling, including children's furniture,
- beds, headboards for beds, mattresses,
- sofa beds, futons and other convertibles,
- nursery furniture,
- garden furniture which is suitable for use in a dwelling,
- furniture in new caravans,
- scatter cushions and seat pads,
- pillows,
- loose and stretch covers for furniture.

The Regulations do not apply to;

- sleeping bags,
- bed clothes (including duvets),
- loose covers for mattresses,
- pillowcases,
- curtains,
- carpets.

DISPLAY LABELS

All new furniture (except the items listed above) must carry a display label at the point of sale. It is the retailer's responsibility to ensure that furniture on display carries the correct label.

In all cases the display labels must be attached to the furniture in a prominent position so that the label will be clearly visible to a potential purchaser of the furniture and the wording on both sides can be read with reasonable ease.

The Regulations do not require the following items to carry a display label;

- mattresses and bed bases (although most mattresses come with a label),
- pillows, scatter cushions and seat pads,
- loose covers and stretch covers for furniture.



Appropriate to new furniture which meets the filling requirements and is cigarette resistant. The word 'product' may be substituted for the word 'furniture' on the second side of this label.



Appropriate to new furniture which meets the filling requirements and is both cigarette and match resistant.



Appropriate to new furniture with a limited range of cover fabrics. The cover fabric is not match resistant, but the furniture has an interliner which passes the specified test. The furniture meets the filling requirements and is cigarette resistant.

The regulations apply to all post 1950 second-hand furniture that is sold in the course of trade (including auction).

Generally, an agent who is employed by a landlord to find a suitable tenant for a property, and to manage an agreement for its letting between the landlord and tenant, is not actually supplying the furniture. An agent will not normally supply furniture as long as the contract for letting the property, including the furniture, is between the owner and the tenant. In such cases it is the landlord who must comply with the Regulations.

Where the agent enters into a contract with the tenant under which the agent agrees to let a furnished property on behalf of a landlord, the agent is responsible for compliance with the Regulations

HOUSING HEALTH AND SAFETY RATING SYSTEM

The Housing Health and Safety Rating System is a new method of assessing how poor or dangerous housing conditions can affect the health and safety of occupiers.

The legislation is contained within the Housing Act 2004 and came into effect on 6 April 2006 along with the HMO licensing provisions.

The University expects landlords to have carried out the risk assessment process under the Housing Health Safety Rating System and reserves a right to see a copy of the of that risk assessment each year. Landlords are requested to:

- inspect their property
- check if there are deficiencies and faults which contribute to one of 29 hazards
- carry out remedial work and keep records of the work done
- review the hazards and re-inspect the property regularly

Further details of the HHSRS can be found in the government document; HHSRS – Guidance for Landlords and Property Related Professionals. This can be downloaded from the website www.communities.gov.uk

STANDARDS REQUIRED

THROUGHOUT THE PROPERTY
Central Heating or Economy 7 Storage Heaters
Adequate lighting
Adequate ventilation
Free of damp
Carpets or floor coverings
Curtains or equivalent
Annual CORGI gas safety inspection
Periodic electrical safety inspection by NICEIC, ECA, NAPIT electrical contractor
Secure doors with mortice locks
Rooms appropriately sized for the number of students
Enough power points in each room
Smoke alarms – 2 detectors (landing/hall)
Furniture and furnishings comply with 1988 fire safety regulations
Energy efficiency rating if applicable
Carbon monoxide detector
Window Locks
BEDROOM
Single/twin bed
Wardrobe
Chest of drawers
Mirror
Bin
Desk
Chair
Bookshelf/case
BATHROOM
Bath/shower
WC (unless separate)
Wash basin
Cabinet/shelf
Mirror
Bin
LOUNGE/DINING ROOM
Chairs/sofa
Coffee/dining table
KITCHEN
Cooker
Fridge-freezer
Adequate storage space for each person
Work surface
Vacuum cleaner
Cleaning equipment, e.g. mop, bucket and brush
Fire extinguisher/ blanket
EXTERNAL
Roof, guttering, brickwork, insulation, windows, window frames, and doors in good condition

Exterior lighting controlled by PIR in rear garden/yard
Lockable gate to rear garden/yard
ENERGY EFFICIENCY
Loft insulation thickness of eight inches
Energy efficient light bulbs - at least two

MANAGEMENT STANDARDS

The Management of Houses in Multiple Occupation (England) Regulations 2006 requires landlords of shared houses to comply with certain management standards and requires the manager of the premises to carry out certain duties to maintain their property taking in to account the age, character, locality and prospective life of the house.

Below is a summary of the regulations but we would strongly recommend that you familiarise yourself with the full set of regulations. These can be viewed at www.opsi.gov.uk. Follow the links to legislation; statutory instruments; year 2006; statutory instrument 372

It is an offence not to comply with any of these regulations. A person who is convicted of such an offence may be fined up to level 5 on the standard scale of (currently £500). This applied to both the manager of a property and to the occupiers as appropriate.

Contact Details

The manager's name, address and contact telephone number must be clearly displayed in a prominent position

Maintenance of all Means of Fire Escape

All fire doors must be obtained in a good condition, free from damage and fully self closing so that they can close fully in to the rebates of the frame. Main routes of escape should be kept free of obstruction. Escape routes must be clearly indicated in all HMO's having five or more occupants. The fire detection and warning system and emergency lighting system should be tested regularly. Fire fighting equipment, where provided, must be maintained in good working order.

Safety Measures

All necessary measures to protect the occupants from injury must be taken

Maintenance of water supply and drainage system

The water supply and drainage system must be maintained in a good, clean and working condition.

To maintain gas and electrical supplies and to provide safety certificates

To maintain all common parts and installations within the property.

To maintain in good order and repair any outbuildings, yards, gardens or boundary fences

To maintain each unit of accommodation

To ensure refuse is stored and disposed of adequately

Except in the case of emergencies, manager should give occupants at least 24 hours notice in writing or by phone if they intend to visit the premises.

LICENSABLE HMOs

A HMO must be licensed if it has:

Three or more storeys and

Five or more tenants living as two or more households and

Shared facilities such as kitchen, bathroom and toilet.

If your property comes in to this category then we advise you to contact your local authority for further advice over licensing.

For details of contact information for your local authority please see the last page of this booklet.

WHEN OFFERING ACCOMMODATION

Before offering accommodation, you must check that your mortgage lender, if applicable, will allow you to let the property.

When a student inquires about your accommodation and visits your property you should discuss the following:

- Rent - how much is it? What does it include? When is it payable? Is the rent payable on an individual basis or collectively by the whole group? Will the students be able to afford the rent?
- Retainers - what rent is due during the Christmas, Easter and summer vacations?
- Deposit - if a deposit is payable, how much is it, what is it for and what is the procedure for returning the deposit as required by the Tenancy Deposit Scheme established under the Housing Act 2004?
- Inventory - when will an inventory be taken?
- Contract - what sort of contract will you use? Have you checked to ensure that the contract covers your requirements? Have plenty of contracts available for students to take away with them and study prior to signing.
- Bills - how will the gas and electricity be paid? If the bills are included in the rent then you should give the student(s) a copy of the quarterly bill. If it is going to be the students' responsibility then discuss when the meters will be read.
- Telephone - is it clearly written into the contract who pays the telephone rental charge?
- Notice to quit - how many weeks notice would the students have to give to you should they wish to leave the property?
- Repairs - how much notice will the students be given should repairs need to be carried out.

If you are providing lodgings then you should also discuss:

- Provision of meals. Are meals provided? If so, what type and how many per week?
Use of kitchen. Can the student(s) use the kitchen? If so, when? What equipment and storage space can they use?
- Use of other rooms in the house, e.g. lounge and dining area etc.
- Use of the telephone and method of payment of calls.
- Laundry and cleaning arrangements.
- Visitors.
- Parking arrangements.
- Keys and locking up procedures.
- Storage of personal possessions during vacations. You should provide adequate storage during the Christmas and Easter vacations.
- Insurance. The student is responsible for insuring his/her own personal possessions. The landlord/lady is responsible for the cover of the contents of the premises. Any conditions, which affect your insurance, should be discussed with the student(s); these may include instructions for the use of equipment or the insurance cover for parked vehicles. Circumstances upon which you will exercise discretion, e.g. use of telephone and TV etc.

WHEN YOU HAVE FOUND YOUR TENANTS

Discuss all the arrangements and terms with each student.

Provide each student with a written statement detailing exactly what the deposit covers as required by the Tenancy Deposit Schemes under the Housing Act 2004.

Discuss the procedure for returning deposits as required by the Tenancy Deposit scheme.

Provide each student with a receipt for any money paid, with details of what it is for.

Confirm the rent arrangements, i.e. how much students have to pay and when.

Explain how the bills are to be paid - are they included in the rent, or are they due quarterly.

Ensure that you have each student's full name, home address and telephone number. (The University cannot provide you with these details due to the Data Protection Act).

Discuss in full the contract, including the notice period the students must give if they wish to leave the property or withdraw from the University. Ensure that all students fully understand the contract.

Discuss the terms and conditions of your insurance policy with the students.

Discuss any parking arrangements. Parking is usually at the owner's risk.

Discuss with the students any absences during term-time, such as teaching practice or fieldwork.

Finally agree the moving in date and time.

TYPES OF CONTRACTS

It is advised that you sign some sort of contract which is clearly written and contains the following essential points

- The name of the landlord/lady and student(s).
- The address of the property.
- The period of the agreement.
- The amount of rent or licence fee and any other charges
- Details of when the rent is to be paid.
- How and in what circumstances the agreement may be terminated by either party.

If you have no written agreement at all then the verbal agreement you have with the occupiers(s) is still likely to form the basis of a legal contract but the nature and extent of the rights of the occupier(s) may be difficult to ascertain if there is a problem and it may be harder to negotiate.

Whatever contract you decide to sign, ensure that you and your occupiers(s) read and understand it.

Tenancies

If you grant a tenancy of your property it is likely to be an assured shorthold tenancy. This is a tenancy agreement which may be for a specific length of time (usually the academic year) but could be a tenancy from month to month. There is no minimum fixed period for which you can grant an assured Shorthold but, if there was a problem, the court would not make a possession order in your favour until the tenancy was at least six months old.

If the student wishes to leave your property before the end of any fixed period they must secure your agreement to end the tenancy early. Otherwise they will be liable to continuing paying the rent to you until the end of the fixed period (or until you can find a replacement tenant).

If the student(s) remain in occupation and continue paying rent after the fixed period, the tenancy will continue on the same terms from month to month until one party terminates it by serving notice.

If you wish to make sure the tenancy terminates at the end of the fixed period you should serve notice terminating the tenancy on the student(s) two months before the end of the fixed period. There are strict requirements about the form and timing of such notices and you may need to seek legal advice from a solicitor or the Citizens Advice Bureau as the University can accept no responsibility for notices served incorrectly.

If you grant an assured Shorthold tenancy from month to month, or if the tenancy becomes a tenancy from month to month at the end of the fixed period, you can terminate it by giving the student(s) two months notice (ending on the last day of a period of a tenancy, which is usually the day before the monthly rent falls again). Again, the University would advise you to seek legal advice to make sure that any notice you serve is valid.

If the student(s) do not leave the property voluntarily after any notice has expired, you **must** obtain a possession order from the court to recover possession. **Evicting a tenant (or any other permitted occupier) other than through court proceedings is a criminal offence**

Licences

A licence is a contract which gives a student the right to live in a property in return for payment of a licence fee, but unlike a tenancy, does not give them the right to exclusive possession of the property. A Licence leaves the general control of the property with the landlord/lady who may enter the property and may be obliged under the terms of the licence agreement for

example to undertake cleaning or laundry at the property.

If you are offering accommodation in property in which you still live, it is usual for that to be by way of licence because you will not be able to give the student(s) exclusive possession of the whole of the property.

If you intend to allow your property to be occupied by ways of a licence, the University would suggest you seek legal advice from a solicitor or the Citizens Advice Bureau to make sure you do not unwittingly enter in an arrangement which is actually a tenancy.

A licence may be for a fixed period or may run for example from week to week or month to month. If you grant a licence which is **not** for a fixed period, you must give the student no less than four weeks notice if you require notice. Legislation makes any shorter notice invalid.

If the student does not leave the property voluntarily after termination of a licence, you **must** obtain a possession order from the court in order to recover possession. **Evicting a licensee other than through court proceedings is a criminal offence.**

HARASSMENT

It is a criminal offence for a landlord/lady to harass an occupier of residential premises. Harassment consists of:

- Acts likely to interfere with the peace and comfort of the occupier of the property and /or
- Persistent withdrawal or withholding of services that the occupier needs to live reasonably in the premises.

The definition of harassment varies from situation to situation but may include:

- entering premises without the occupiers consent, going through the occupiers belongings.
- withdrawing such services as gas and electricity.
- threatening the occupier with, or actually carrying out, violence against them.
- withholding a key, which causes intolerable difficulties. Anti-social behaviour towards the occupier
- A demand to carry out excessive repairs.
- A failure to carry out repairs that the landlord/lady is legally obliged to do.

GETTING REPAIRS DONE

If the students inform you of repairs then let them know when you can complete the repairs and who will be doing the work. If you cannot carry out these repairs immediately then you must inform the students, preferably in writing. To avoid any misunderstandings communicate with the students directly; do not relay messages through a third party, such as the person carrying out the repairs.

FAILURE TO CARRY OUT REPAIRS

If you refuse to carry out essential repairs then your tenants have the right to seek help from the local council. The council can serve a repair notice ensuring that repairs are carried out by a specified date. Failure to comply with notices can lead to works being done in your default with the cost of the works being transferred to the owner. You will also be liable to prosecution for non-compliance of a notice. If you feel aggrieved by a notice you can generally appeal against it, if for example you think the works are unjustified. A court will then decide if the notice should stand, be amended or withdrawn.

MONEY

Calculating how much rent to charge can be one of the most important decisions you make when offering accommodation. It is vital that you strike a balance between covering all your costs such as maintenance, management and insurance, and making it affordable for students.

As students have very limited budgets you need to ensure that you have researched the total cost of the accommodation you are offering. Calculate the total cost of the accommodation including:

- Rent
- Deposit
- Retainer payable through the vacations

- Estimated utility bills
- Transport costs (most students use public transport)
- Other costs (e.g. cleaning, window cleaning and gardening)

To keep down the running cost for your tenants it is a good idea to insulate the property well and install an efficient and economical heating and hot water system. Other money-saving equipment includes showers, timers for heating and hot water, and washing machines

DEPOSITS

From 6 April 2007 all deposits taken by landlords and letting agents for Assured Shorthold Tenancies must be protected by the Tenancy Deposit Protection scheme.

Deposits are protected to ensure:

- tenants get all or part of their deposit back, when they are entitled to it
- any disputes between tenants and landlords or agents will be easier to resolve
- tenants are encouraged to look after the property they are renting

At the beginning of a new tenancy agreement, the tenant pays their deposit to their landlord or agent as usual. The landlord or agent must then ensure it is protected.

Landlords and agents have a choice of three schemes providers, offering two types of scheme to protect the deposit.

Custodial schemes

Money is held by the scheme until it is time for it to be repaid at the end of the tenancy. The custodial scheme is free to use. The landlord simply puts the deposit into the scheme at the beginning of the tenancy. There is one custodial scheme provider.

The Deposit Protection Service (The DPS)

The DPS is the only custodial deposit protection scheme, is free to use and open to all Landlords and Letting Agents. The service is funded entirely from the interest earned from deposits held. Landlords and Letting Agents will be able to register and make transactions online. Paper forms will also be available should internet access be an issue. The scheme will be supported by a dedicated call centre and an independent dispute resolution service.

www.depositprotection.com

Insurance-based schemes

Under the insurance schemes the landlord keeps the deposit, and pays the insurance scheme to insure against the landlord failing to repay the tenant any money due to him. There is a choice of two insurance-based schemes.

Within 14 days of taking the deposit, you must provide your tenant with details of how the deposit is being protected including:

- the contact details of tenancy deposit scheme
- the contact details of the landlord
- how to apply for the release of the deposit
- information explaining the purpose of the deposit
- what to do if there is a dispute about the deposit

Tenants have a responsibility to return the property in the same condition they took it on.

At the end of tenancy the condition and contents of the property should be checked against the agreement made at the start of the tenancy. The landlord or agent then agrees with the tenant how much of the deposit will be returned to them.

Within 10 days the agreed amount of the deposit will be returned to the tenant.

If no agreement can be reached about how much of the deposit should be returned, there will be a free service to help resolve disputes offered by the scheme which is protecting the deposit

Tenancy Deposit Solutions Ltd (TDSL)

TDSL is a partnership between the National Landlords Association and Hamilton Fraser Insurance. This insurance-based tenancy deposit protection scheme enables landlords, either directly or through agents, to hold deposits. Letting agents can also join the scheme.

For more information, visit the website below or telephone 0871 703 0552.

www.mydeposits.co.uk

The Tenancy Deposit Scheme (TDS)

TDS is an insurance-backed deposit protection and dispute resolution scheme run by The Dispute Service that builds on a scheme established in 2003 to provide dispute resolution and complaints handling for the lettings industry. The new scheme enables letting agents and landlords to hold deposits.

For more information, visit the website below or call 0845 226 783

www.thedisputeservice.co.uk

Further information on the Tenancy Deposit Schemes can be found at

www.direct.gov.uk/en/TenancyDeposit

SECURITY MEASURES

The University is keen to see evidence of reasonable security measures in student accommodation and it is hoped landlords take the security of students seriously. There are a number of practical measures which can be incorporated in to the existing structure or when renovation works are undertaken. To be effective however, the general fabric of the property including doors, windows, frames and internal walls should be in a good state of repair, and capable of resisting criminal act.

Staffordshire Police Crime Reduction Unit have provided the University with information on security measures that can be incorporated into your property, whilst these measures are advisory, it is suggested that,

EXTERNAL SECURITY

1. All external doors and frames must be in good repair, doors should be at least 44mm thick and be of solid core construction. Any glass panel fitted should be laminated glass. Locks must conform to British Standard 3621.
2. All vulnerable windows should be fitted with window locks, i.e. all downstairs windows and any others that can be easily accessed. All window frames should be in good condition and free from rot. If glass is to be replaced, laminated glass should be considered.
3. A burglar alarm should be fitted and must conform to British Standard 4737 (professional fitting) or British Standard 6707 (if DIY).
4. All gates and fences/hedges should be in good repair, any gaps should be made good. If there are side passages a high strong gate should be fitted and secured with suitable bolts any hinges should be secure so that the gate cannot be lifted off. If front hedges or fences are in-situ they should be more than one metre in height. Hedges should be kept trimmed to this height.
5. All rear gardens/yards should be kept tidy and ladders etc. must be removed or securely fastened. Exterior lighting controlled by PIR should be strongly considered.
6. Any electrical items/vulnerable items belonging to the landlord/lady should be marked with the suitable post code. All such items should be photographed to aid identification should a problem arise.
7. If the premises are flats then all the above advice in respect of paragraphs 1-3 and 6 should be adhered to.

INTERNAL SECURITY

8. All walls and partitions should be of solid construction so as to resist criminal attack and access to the door lock on the room side. Door locks on bedrooms should be operable from the inside without the use of a key. This is essential to ensure the property can be quickly vacated in the event of a fire.

When considering general security measures it is essential to understand that where cheap or insufficient materials are used,

entry will be gained. If substantial and effective materials are used, entry will not generally occur and/or damage to the property will be easier and cheaper to repair.

If you encounter any problems in respect of any security measures or devices, please seek the advice of the local Crime Reduction Officer on the numbers listed at the back of this booklet.

Tenants who feel safe are likely to remain in the property for longer than tenants who do not feel safe or have experienced a burglary. Implementing security measures therefore has obvious benefits to the landlord.

ENERGY EFFICIENCY

From 1 October 2008 an Energy Performance Certificate is required for certain dwellings in multiple occupation.

If a landlord uses a joint contract then an EPC will be required before the property is let to new occupiers before the lease is entered into. Landlords who use individual contracts do not have to provide an EPC.

Landlords may not at first consider undertaking energy efficiency works either separate to, or as part of general repairs or improvement. There *are* however several benefits to landlords including,

1. Maximising rent revenue. Providing central heating and double-glazing increases rent.
2. Tenants in warmer housing generally look after the property more so than those in colder housing. 'Warm tenants' have also been found to make fewer complaints about the property. A reduction in management time is therefore beneficial to the landlord.
3. Maintenance costs for properties, which are energy efficient, have also been found to decrease. Houses with proper heating, ventilation and insulation have fewer mould and dampness problems.

There are many ways of improving the energy efficiency of a property, however it is most important to consider an integrated approach that covers insulation, heating and ventilation.

Insulation should be distributed around all the exposed elements of the dwelling to minimise overall heat loss and to ensure that no parts are significantly colder than others. Typical insulation measures include loft insulation, cavity fibre or dry lining of exposed solid walls, insulation of floors, draught stripping and a jacket on the hot water cylinder where applicable.

Heating systems must be correctly sized for the property. A form of central heating is the most practical so that the whole house benefits. Heating controls are more important in terms of energy efficiency than double glazing although tenants should know how to properly operate them. Thermostats on radiators, boilers and cylinders together with a suitable programmer are important elements of the total heating system.

Ventilation should be through the intentional openings, which can be controlled by the occupant (such as trickle ventilators and extract fans) and not through unintentional ventilation paths (such as undraught stripped windows, doors and gaps around service pipes and cables).

Other energy efficiency measures include the use of energy efficient bulbs to reduce lighting costs and the provision of the correct energy advice to tenants.

RIGHTS TO REPAIR

There are several pieces of legislation that relate to the standards of rented accommodation and include the Housing Act 2004, the Environmental Protection Act 1990 and the Landlord and Tenant Act 1985, details of which are set out below.

Under the Landlord and Tenant Act 1985, you are legally bound to keep the structure and exterior of the house in repair and in proper working order. This includes:

- Installation of water, gas and electricity supplies,
- Repairs to the roof, floors, walls and windows,
- Upkeep of gutters, pipes and drains,
- Repair of plumbing and sanitary conveniences (such as baths, showers, toilets, sinks),
Repair of electrical wiring, gas plumbing, fixed heaters, central heating and water heaters,

Regardless of what your contract states, you must carry out the duties defined by the law. Any contract or agreement you make with the tenant(s) can add to your duties to repair but cannot take away any such duties as specified in law.

Under the Environment Protection Act 1990 Local Authorities have powers to deal with properties that have faults which constitute a statutory nuisance.

Examples of faults that constitute a statutory nuisance are:-

- dry rot,
- burst pipes,
- falling plaster,
- damp or mould growth due to condensation,
- leaking roof,
- faulty windows
- faulty or dangerous electrical wiring,
- infestations (mice, rats, lice etc.),

The Housing Act 2004 gives powers to Local Authorities to deal with properties which are hazardous. The Local Authority will take action depending on whether the hazards are Category 1 or Category 2 hazards and will factor in the risks to occupants, the most practical solution and the age of the property. The local authority's powers of enforcement include:

- Improvement notice
- Prohibition order
- Emergency action
- Hazard awareness notice
- Demolition order
- Clearance order

THE NEED FOR PLANNING CONSENT

In accordance with the Town and County Planning (Use Classes) (Amendment) Order 1995, changes to a property including structural changes or the way it is used may require planning consent.

In deciding whether consent is needed a planning officer needs to determine what impact the proposal will have in land use terms, on local amenities or the environment. In effect this means that each proposal is determined on its own individual merits.

In general planning permission is required if the use of the property falls outside the definition of a dwelling house. You will generally need planning permission if your proposal is similar to the following:

- the formation of self contained flats.
- the letting of a property to six or more unrelated people living on a communal basis, sharing responsibilities and all basic facilities.
- the formation of bedsitters with cooking facilities.
- the formation of hostels for restricted groups, and not generally open to the public.
- the formation of a hotel.

REMOVAL OF A LANDLORD FROM THE SCHEME

The University reserves the right to remove a landlord from the scheme at any time without a refund of the registration fee. The following factors may result in disqualification:

- Failure to comply with the standards listed in this document
- Supplying fraudulent or deceptive safety certificates
- Failure to comply with the HMO (Houses in Multiple Occupancy) regulations as laid out in the Housing Act 2004
- Persistent substantiated complaints by tenants which are not resolved by landlords

USEFUL CONTACTS

Accommodation Office
Staffordshire University
College Road
Stoke on Trent
Staffordshire
ST4 2DE

t: 01782 294217/ 8/9
f: 01782 294220
e: accommodation_stoke@staffs.ac.uk
accommodation_stafford@staffs.ac.uk
w: www.staffs.ac.uk

Landlord Accreditation Scheme
Housing Standards Team
Community and Adult Services Department
Stoke on Trent City Council
PO Box 634
Civic Centre
Glebe Street
Stoke on Trent
ST4 1RJ

t: 01782 232271
f: 01782 232217
e: mail@landlordaccreditation.co.uk
w: www.landlordaccreditation.co.uk

CORGI
1 Elmwood
Chineham Park
Crockford Lane
Basingstoke
Hampshire
RG24 8WG

t: 0800 915 0480
f: 0870 401 2600
e: enquiries@trustcorgi.com
w: trustcorgi.com

North Staffordshire Landlord Association
PO Box 1564
Stoke on Trent
ST1 3TW

t: 01782 279238
e: www.nsla.co.uk

Stafford Borough Council
Civic Centre
Riverside
Stafford
ST16 3AQ

t: 01785 619000
f: 01785 619219
e: customercontactcentre@stafford.gov.uk
w: staffordbc.gov.uk

For accreditation scheme see North Staffs Landlord Accreditation Scheme

NICEIC Group Ltd
Warwick House
Houghton Hall Park
Houghton Regis
Dunstable
Bedfordshire
LU5 5ZX

t: 0870 013 0382
f: 01582 539090
w: www.niceic.org.uk

NAPIT
4th Floor, Mill 3
Pleasley Vale Business Park
Mansfield
Nottinghamshire
NG19 8RL

t: 0870 4441392
f: 0870 4441427
e: info@napit.org.uk
w: www.napit.org.uk

The Deposit Protection Service
The Pavilions
Bridgwater Road
Bristol
BS99 6AA

t: 0870 707 1707
e: enquiries@depositprotection.com
w: www.depositprotection.com

(custodial deposit protection scheme)

The Tenancy Deposit Scheme
The Dispute Service Ltd
Po Box 1255
Hemel Hempstead
Herts
HP1 9GN

t: 0845 226 7837
f: 01442 253193
e: deposits@tds.gb.com
w: www.thedisputeservice.co.uk

(insurance deposit protection scheme)
Local Planning Office – Stoke on Trent
Development Control
Stoke on Trent City Council
Po Box 630
Civic Centre
Glebe Street
Stoke on Trent
ST4 1RF

t: 01782 232435
f: 01782 236676
e: planning.apps@stoke.gov.uk
w: www.stoke.gov.uk

Environmental Health
Regulatory Services Division
Stoke on Trent City Council
Po Box 2452
Hanley Town Hall
Albion Street
Hanley
Stoke on Trent
ST1 1XP
t: 01782 232065
f: 01782 236496
e: regulatory.services@stoke.gov.uk
w: www.stoke.gov.uk

Documented updated January 2009

ECA
ESCA House
34 Palace Court
London
W2 4HY

T: 020 7313 4800
F: 020 7221 7344
E: info@eca.co.uk
W: www.eca.co.uk

Tenancy Deposit Solutions Ltd
3rd Floor, Kingmaker House
Station Road
New Barnet
Hertfordshire
EN5 1NZ

t: 0871 703 0552
f: 0845 343403
e: customerservices@mydeposits.co.uk
w: www.mydeposits.co.uk

(insurance deposit protection scheme)

The Citizens Advise Bureau
Advice House
Cheapside
Hanley
Stoke on Trent
ST1 1HL

t: 01782 408600
f: 01782 408601
e: advice@stoke-cab.org.uk
w: www.stoke-cab.org.uk

Local Planning Office - Stafford
Planning Services
Stafford Borough Council
Civic Centre
Riverside
Stafford
ST16 3AQ

t: 01785 619337
f: 01785 619473
e: planning@staffordbc.gov.uk
w: www.staffordbc.gov.uk/planning

Environment and Health Services
Stafford Borough Council
Civic Centre
Riverside
Stafford
ST16 3AQ

t: 01785 619402
f: 01785 619319
e: ehadmin@staffordbc.gov.uk
w: www.staffordbc.gov.uk

21

Fire Safety
Homestamp Consortium
Hay Mills Fire Safety Centre
Speedwell Road
Hay Mills
Birmingham
B25 8HH

t: 0121 7531313
w: www.homestamp.com

Housing Standards

The Housing Health and Safety Rating System – Guidance
for Landlords

www.communities.gov.uk