Barton & Eccles – Salford Council Selective Licensing consultation

Response to Residential Landlords’ Association (RLA)

1. The RLA has a number of general concerns about mandatory licensing

   The RLA has several areas of concern in regards to selective licensing, namely;

   i. Worrying trends are emerging in the case of discretionary licensing. Licensing entails a huge bureaucracy and much time, effort and expense is taken up in setting up and administering these schemes; rather than spending it on the ground and flushing out criminal landlords.

   Salford’s response
   In Salford, we strongly believe that Licensing gives the Authority better information to identify landlords and allows the targeting of resources to deal with the worst landlords.

   In line with legislation, Salford must not make a designation unless we have considered whether there are any other courses of action available to us that might provide an effective method of achieving the objective that the designation is intended to achieve.

   As part of a coordinated approach in Salford, Selective Licensing is compelling landlords to maintain good management standards and is raising the profile of problem properties that have gone unnoticed previously.

   Through the increased awareness amongst the community and across agencies, Selective Licensing has become a valuable mechanism for identifying and dealing with bad practice amongst private landlords.

   The Council believes that Selective Licensing complements and works well with the work we undertake with landlords in relation to the Landlord Accreditation Scheme.

   ii. Increasingly, discretionary licensing is being misused to fund cash strapped housing enforcement services. The recent Westminster sex shop Court of Appeal (Hemming (t/a Simply Pleasure) Limited v Westminster City Council) has brought such funding into question (see paragraph 1).

   Salford’s response
   Salford City Council is fully aware of the case and has taken full regard of the outcome in setting the proposed fee for the scheme. Salford’s policy has always been to set fees that cover costs only and not to seek to generate additional income.

   The fees charged purely cover the costs of administrating and monitoring the Selective Licensing scheme.
The Council has the power to charge landlords a fee for processing their application for a selective licence. The fee takes into account all costs incurred by the Council in carrying out its Selective Licensing functions.

The Housing Act 2004 also allows Councils to take into account costs incurred by them in carrying out their functions in relation to Interim and Final Management Orders (so far as they are not recoverable under that part of the Act).

We want a selective licensing fee structure that rewards landlords who comply in a timely manner and we are considering suitable options for landlords with numerous properties, and for Accredited Landlords.

iii. Discretionary licensing is not being used for its intended purpose of a short period of intensive care; rather it is being used by the back door to regulate the PRS.

Salford’s response
Salford City Council uses licensing in line with the legislation and guidance in response to the conditions that exist in the local market.

Salford has fully considered alternative approaches to the designation of Selective Licensing in the area such as management support to private landlords (Landlord Accreditation), the introduction of a private sector leasing scheme and the targeted use of Special Interim Management Orders and Empty Dwelling Management Orders.

Each of these represents a valuable tool for dealing with low demand and the improvement of social or economic conditions of the area, including persistent anti-social behaviour, poor management practices and so on.

However we believe there is no single solution and each alternative solution will have its limitations. None of these alone, including Selective Licensing, can solve the problem and therefore a co-ordinated strategy is required which links a full range of agencies and services using various interventions appropriately.

iv. The level of fees which are ultimately passed on to tenants to pay is a major worry so far as it affects landlords.

Salford’s response
Salford City Council endeavours to keep the fees as low as possible for landlords. The proposed fee structure seeks to cover the estimated costs to the Council and ensure that landlords who come forward in a timely and organised manner comply do not effectively subsidise less responsible landlords. It its proposed that landlords could obtain a licence for £425, which equates to approx £1.64 per week. Flexible payment terms are also being considered at no extra cost.

v. Despite high fee levels local authorities still lack the will and resources to properly implement licensing.
Salford’s response

Salford City Council has a strong clear track record of making robust and appropriate use of the enforcement powers appropriately that have been made available by Selective Landlord Licensing, however, the use of these powers is seen as a last resort and the Council seeks to work with landlords wherever possible.

In Salford, Landlord Licensing has ensured that landlords can be easily identified and be notified immediately when a complaint has been received regarding their tenants behaviour that is disruptive to the community and this early intervention has reduced the number of repeat complaints significantly. Furthermore, the licence conditions ensure that the landlord takes appropriate action before we have to consider enforcement action.

vi. Little has been done to improve property management. Opportunities to require training have been ignored. As always it has become an obsession with regard to physical standards with very detailed conditions being laid down. No action is taken against criminal landlords.

Salford’s response

We do not agree with this comment. In Salford, the licence conditions that are proposed do not require landlords to undertake any further duties than those that they should already be doing. Furthermore, the licence conditions in Salford do not relate to improving the physical condition of the property. Salford has a Housing Standards Team who deal with these issues under other legislation.

The existing Selective Licensing schemes in Salford have been responsible for supporting landlords by offering advice and training to ensure an effective response to any complaint they may received regarding their tenants. This has involved assisting landlords in writing warning letters to tenants and supporting landlords through the eviction process, where necessary.

In Salford, Selective Licensing is compelling landlords to maintain good management standards and is raising the profile of problem properties that have gone unnoticed previously. Through the increased awareness amongst the community and across agencies, Selective Licensing has become a valuable mechanism for identifying and dealing with bad practice amongst private landlords.

Salford also regularly holds a landlord forum which is well attended and information and training is provided via this mechanism covering all topics and changes in legislation that may affect landlords.

As a last resort, Salford City Council has successfully prosecuted a number of landlords who have not obtained a selective license or not complied with the licence conditions.

vii. We believe that a significant number of landlords are still operating under the radar without being licensed.
Salford’s response

The landlord licensing team in Salford carry out very detailed checks to identify landlords operating without a licence. We make use of all information available to us such as Land Registry, Council Tax and Housing Benefit information and have established links with partners such as the Police to identify landlords.

Landlords and residents in the area play a key part in identifying landlords who are not complying and we regularly receive calls with suspect properties and landlords.

Whilst every effort is made to locate and engage landlords, there are a small number of persistent landlords who make every effort to stay undetected whereby the only option is to commence appropriate enforcement action.

If the RLA or any of its members are aware of specific properties operating without a license which should have one, they should pass details to the City Council and appropriate action will be taken.

viii. As always it is the compliant landlord who is affected by the schemes. They pay the high fees involved but do not need regulation of this kind.

Salford’s response

Whilst we accept this comment to a degree, the compliant landlords do benefit from improvements in the wider area, achieved by landlord licensing.

Whilst Selective Licensing has been operating other areas, there has been no evidence to suggest that it has had a negative impact for private landlords.

Also, there has been no evidence that reputable landlords have ceased operating in the area purely down to it being a Selective Licensing area. The Council regularly holds a Landlord Forum which allows Landlords to engage with Officers. Landlords who attend this forum have regularly challenged the Council to deal with the small minority of “rogue” landlords who give a negative impression of private landlords. These landlords are often under cutting reputable landlords by offering cheap, poorly maintained and badly managed accommodation.

ix. Licensing is not being used alongside regeneration or improvement of the relevant areas. Insufficient resources are being employed to improve the areas.

Salford’s response

Although the City Council would strongly argue that additional funding for regeneration schemes in the city would be beneficial, we do not agree with your comment. In Salford, Selective Licensing is used as part of a coordinated approach, and is raising the profile of problem properties that have gone unnoticed previously through the increased awareness amongst the community and across other agencies, such as the Empty property Team and Landlord Accreditation.
As detailed in the consultation document, Selective Licensing cannot work in isolation to bring about improvements in the social and economic conditions of an area. Within the proposed area, Selective Licensing will complement and work alongside the Liverpool Road Corridor Strategy as well as linking to a number of other strategies and policies, such as the Empty Property Programme and the Salford West Strategic Regeneration Framework (SWSRF), which the city council has developed to drive regeneration across the wider area over the next twenty years.

x. Where areas are designated for selective licensing this highlights that they can be “sink” areas. This could well mean it would be harder to obtain a mortgage to buy a property in these areas.

Salford's response

There is no evidence to suggest that the proposed area for selective licensing is a “sink" estate. Evidence obtained from the Land Registry shows that property value trends in Selective licensing areas compare favourably with other areas of Salford, despite the recent economic downturn and the private rented sector in Salford continues to grow.

Whilst Selective Licensing has been operating in Salford, there has been no evidence to suggest that it has had a negative impact for private landlords. There has been no evidence that reputable landlords have ceased operating in the area purely down to it being a Selective Licensing area. Furthermore, we are not aware and have no evidence that Selective Licensing has made it harder for buyers to obtain mortgages in these areas.

xi. Schemes are not laying down clear objectives to enable decisions to be made whether or not these have been achieved. Proper monitoring is not being put into place to see if schemes are successful or not.

Salford's response

The clear object is laid out in the legislation. A Selective Licensing scheme should only be introduced whereby the designation when combined with other measures will contribute to the improvement of the social and economic conditions in the area.

A review will be completed at the end of a scheme.

xii. There is little use of “fit and proper person” powers to exclude bad landlords.

Salford's response

In determining a licence under the Housing Act 2004, the proposed licence holder must reveal any unspent convictions in order for the city council to decide if the licence holder and any other persons involved in the management of the property or properties are 'fit and proper persons.'

It is therefore a requirement of the Act that the proposed licence holder provides
information with regard to those convictions.

The self declaration in Part 1 of Salford City Councils application pack is backed up with a Criminal Records check through a Basic Disclosure obtained from Disclosure Scotland.

Salford City Council has refused a number of licence applicants because of related convictions, and the property has then gone on to be licensed by an alternative Licence Holder.

The RLA objects to the proposed designation, on the following basis:

2. The fee structure and the projected budget may be contrary to the European Services Directives and the ruling of the Hemming (t/a Simply Pleasure) Limited v Westminster City Council Court of Appeal case

The decision of the Court of Appeal in the Westminster Sex Shop Fees case (Hemming (t/a Simply Pleasure) Limited v Westminster City Council¹) has radically altered the landscape so far as fixing fees for regulatory authorisations such as for HMO and selective licensing is concerned.

The court case looked at the way in which the European Services Directive (ESD) operates to curtail the ways in which domestic UK legislation provides for fees to be charged by local authorities to landlords for such licences.

When setting licensing fees the following principles should now apply:

- The Council cannot include the costs of enforcing the licensing scheme against unlicensed landlords in the licence fee. This is prohibited by the ESD.

- A Council can only charge for HMO licensing or selective licensing for:

  - The actual and direct administrative costs of investigating the background and suitability of the landlord applicant; and,

  - The cost of monitoring the compliance by licensed landlords with the terms of their licences.

- Fees must be reasonable and proportionate.

- Under the ESD the fee must not exceed the cost of the authorisation procedures and formalities together with the monitoring costs (for licensed landlords).

- The Council can require an application to be accompanied by a fee fixed by the local authority. This is provided for under the Housing Act 2004 which stipulates that the Council, in fixing the fee, may take into account all costs incurred by the authority in carrying out their licensing functions. Importantly, however, the ESD curtails these powers.

• Surpluses and deficits for previous years in relation to permitted elements for which a fee can legitimately be charged can be carried forward, although this is questionable in the case of a standalone scheme, i.e. for discretionary licensing. Surpluses and deficits cannot be carried forward in respect of elements which are not properly chargeable.

• Fees can only cover the actual cost of the application process (plus monitoring); i.e. only the cost of processing the application and monitoring can be charged.

• Set up charges for the scheme cannot be recovered.

• Overheads and general administrative costs cannot be recovered. This means that the running and capital costs of the relevant council department cannot be charged as part of the fee.

• Fees can only be charged for the procedures themselves; i.e. steps which are followed in processing the application for a licence or for its renewal (plus monitoring of the licence holder) which means that the administrative costs involved for vetting applications and for monitoring compliance with licence terms.

• The Council is not allowed to make a profit.

• A formula can be used to set charges so long as it is based on the cost of the actual authorisation process (plus monitoring costs).

The Council must act lawfully and in accordance with any guidance given to it by the Court as to how the fee is to be determined. If it is necessary as a result for the Council to re-determine a fee then the same principles apply in relation to the re-determination.

Furthermore, it was always clear that costs associated with enforcing the Housing Health and Safety Rating System which operates alongside licensing could not be recovered via licensing fees.

A number of local authorities charge extra fees if an application is submitted late. This has always been highly questionable as a disguised penalty but it would appear that this would now be largely outlawed by the ESD. Discounted fees are often allowed for early applications. It may now have to be shown that the normal application fee is no more than the actual processing cost so that fees for an early application would have to be genuinely discounted.

It should also be noted that any element of the fee that cannot be recovered must fall on the Council Tax payer, i.e. the Council's general fund; not the general body of licensed landlords.
The ESD also deals with the time to be taken in processing applications. It requires local authorities to publically state the time to be taken to process the application. There is provision for extending the time limit in a case involved complexity. Subject to this if the authority failed to process the application within the stated time then the applicant can automatically assume that the application is granted.

Finally, should Salford Council chose to ignore the ESD and implement selective licensing scheme[s] in the borough based on a proposed budget that does not adhere to the ESD, any impermissible overcharge can be recovered by way of a claim for restitution. The time limit for such a claim is six years and the normal three month time limit which applies to judicial review does not apply in this instance. As part of the process the Council may have to re-determine what is a reasonable charge in line with any guidance given by the Court. The amount overpaid will then have to be calculated. Giving credit by way of carry forward does not apply to an impermissible overcharge so it has to be refunded. Interest is payable in addition.

Salford’s response

Salford’s proposed fee structure has taken full regard to the Hemming case and other relevant case law. During this process, we have sought guidance and approval from the Council’s legal team to ensure the proposed fee structure is fair, balanced and reflects, to the best of the Council’s ability, only the proposed actual costs incurred by the Council in administrating and monitoring the scheme.

We have used estimated figures which are based on projections that draw on our past experience of running Selective Licensing Schemes. We have made estimations on what will happen over the five years a scheme will operate.

In broad terms based upon our research into the area, there are 740 rented properties within the proposed designated area, and based on previous experience of operating Selective Licensing schemes and reflecting the outcomes of the Hemming case, we anticipate the costs, over the five years, to be around £370,000.

The proposed charging structure has taken into consideration the appropriate costs, such as fixed costs, e.g. postage, printing, etc. The single largest cost is staff time, and we anticipate this to be around 55% of the total cost. Other estimated costs have been considered which are dependant on the behaviour of landlords throughout the scheme.

3. Selective licensing is ineffective at reducing incidents of anti-social behaviour

Landlords are not responsible for the behaviour of their tenants, and attempting to impose a licensing scheme on them to resolve anti-social behaviour will not work.

As a House of Commons briefing note recently stated, “As a general rule, landlords are not responsible for the actions of their tenants as long as they have not ‘authorised’ the anti-social behaviour. Despite having the power to seek a court order for eviction when tenants exhibit anti-social behaviour, private landlords are free to decide whether or not to take action against their tenants.
The question of whether a landlord can be held liable for the nuisance of its tenants has been considered in a number of cases.\textsuperscript{2}

The paper continues, “It is established that no claim can be sustained in nuisance where the nuisance is caused by an extraordinary use of the premises concerned, for example by the tenants being noisy or using drugs on the premises. The rationale behind this approach is that it is up to the victim of the nuisance to take action against the perpetrator. To found an action in negligence against a landlord the victim must show that there has been a breach of a duty of care owed by the alleged perpetrator.”

The briefing paper also notes the court decision of \textit{O’leary v London Borough of Islington}\textsuperscript{3} case, in which, “...it was held that a term to enforce nuisance clauses could not be implied into a tenancy agreement. This indicates that landlords cannot be sued for breach of contract unless there is an express term in the tenancy agreement that obliges him or her to “take all reasonable steps to prevent any nuisance”. Even where such a clause exists, the courts have been reluctant to find the landlord in breach.”

\textbf{Salford’s response}

Salford is not proposing the scheme on the basis it can satisfy the Anti Social Behaviour condition. However, the guidance document produced by the Department for Communities and Local Government, titled “Approval steps for additional and selective licensing designations in England” clearly states that the impact of the rented sector on the local community in terms of ASB and criminal activity are factors that should be considered when looking at the Low Demand criteria.

In the first completed Selective Licensing scheme in Salford, we have seen a reduction in anti social behaviour. Selective Licensing in Salford has enabled the council to make landlords aware of issues associated with their properties quickly enabling them to address such issues promptly. The Council, where requested, works with landlords to support them in taking appropriate action.

\textbf{4. Denigrating the area/mortgage loans}

One of our main concerns (and a reason for our opposition in principle to selective licensing) is that it involves drawing a red line around an area and telling the residents of that area, but more importantly the wider world, that this is a “problem” area. As a result mortgage companies will not to make loans on properties located in selective licensing areas. Although you are proposing to introduce selective licensing in various spots across the area, this will simply drive landlords into other parts of Salford or Greater Manchester as Landlords look to buy in areas where they can get a mortgage and not have the pressure of having to manage the behaviour of their tenants.


\textsuperscript{3} Anti social neighbours in private housing” (2013) House of Commons Library, p.3, para.1.1. [SOURCE: http://www.parliament.uk/briefing-papers/SN01012].
As there is such a demand for housing in general from those tenants who would normally live in social housing there will still be demand from these tenants in other parts of Salford not just those that are in the Barton/Eccles. Demand is high for low rental accommodation in the private rented sector all over the country due to the wider problem of housing shortages and chronic housing waiting lists. Selective licensing will not solve this problem by curbing ASB in one area. If landlords are to eventually evict recurrent ASB offenders – where will they then go? The Council needs to look at the causes of ASB and the offenders not the landlords who take the risk to let their accommodation to them.

Salford’s response

We are aware that a certain lender may not provide a buy to let loan to any property subject to any sort of licence, not just a Selective Landlord License. However, any buy to let mortgage, that becomes subject to licensing will not be revoked. A landlord looking to re-mortgage a property that is subject to Licensing (Mandatory or Selective) will not be able to access a Buy to Let product from this lender.

However, they will provide loans to Owner Occupiers purchasing within Selective Licensing areas. Furthermore, we have no evidence to suggest that buyers cannot obtain mortgages with other providers for properties in Selective Licensing areas.

5. Displacement effect

We believe that there is a very real likelihood that those who are excluded from the area as a result of these measures will simply be displaced into other areas and that the problems which the Council say are apparent in this area will be transferred elsewhere to the detriment of the residents of those areas.

Salford’s response

The proposed area reflects the natural local housing market in the area. We have no evidence that there will be a displacement of landlords due to Selective Licensing. This has not happened in other areas of Salford where Selective Licensing is operating and there is no valid reason as to why it would happen in this proposed area.

6. Outcomes

The proposal document fails to specify what the desired outcomes of selective licensing are in these areas with clarity. No targets or objectives are set other than generalised ones. There are no figures or forecasts of how much the scheme will cost to operate.

Salford’s response

The desired outcomes are that the Selective Licensing designation when combined with other measures will contribute to the improvement in the social and economic conditions of the area. Once a scheme has ended, the scheme is reviewed.

7. Monitoring

Not only are no outcomes specified but there is no suggestion of any kind of effective monitoring for the success or otherwise of the scheme. In relation to
selective licensing scheme in Leeds we worked closely with officers of Leeds City Council to put in place monitoring agreeing with them on various measures for example, improvements in property values and increases in rental levels. They put in place a control area which was the most appropriate area to monitor the same measures to give some idea of the achievements as a result of selective licensing. If the Council has ambitions to extend selective licensing unless there are proper defined outcomes and monitoring it would seem hard to justify an extension if you failed to measure the effectiveness of the current proposals should they be implemented.

Salford’s response

The Council has sought to engage with local landlords on a number of occasions and through a variety of mechanisms but with little success as there appears to be little desire from landlords, agents or landlord associations to attend meetings, etc. The scheme will be reviewed.

8. Size of the Areas

Although we have objections in principle to the concept we would consider that if the scheme is likely to succeed then it needs to be confined to a small area, as opposed to areas Salford Council is proposing. We are always concerned with the danger that areas are too large simply to secure a larger fee income for landlords. It would seem far more sensible to concentrate on just one area if the scheme is to be introduced in the first instance rather than dissipate resources which the Council admits are scarce across a wider area. This is particularly important because of the Council’s apparent inability to provide additional resources and deal with matters such as environmental improvements.

Salford’s response

The proposed area has been selected based on the Low Demand evidence and the boundary seeks to reflect the natural housing market. We have sought the views of the boundary and low demand evidence for the area from stakeholders during the consultation process, and these will be fully considered.

9. Resources and other measures

Your consultation document does very briefly outline that there is current engagement activity within Salford of landlords with a dedicated Home and Communities Agency (HCA), a team to deal with empty properties and the Salford Landlord Accreditation Scheme (LAS) to help and encourage landlords to improve the management of and condition of private rented sector.

Regular landlord forums and hands-on information sessions are also admirable strategies to engage with Landlords. However, it is well recognised that selective licensing will only work where there is some intense application of resources from external agencies including the Council itself. You talk of existing schemes in relation to anti-social behaviour and empty properties reduction but if these are in place already will selective licensing itself add anything extra? We believe not, other than to superimpose an expensive bureaucracy.
Salford’s comments

We note your comments, but as already stated early, we believe there is no single solution and that when Selective Licensing is used when combined with other measures.

10. A critique of Salford Council consultation documents

The following is a critique of Salford Council’s consultation document

The critique is taken from Salford Council’s Selective Licensing consultation document for Barton and Eccles, which can be found here: http://www.salford.gov.uk/bartonandeccles.htm

Each critique is taken directly from the document.

Introduction:

Pg1: “The purpose of such schemes is to improve standards of property management in the PRS”

What is a selective licensing scheme

Page 2: “When applying for a licence, landlords will have to provide evidence that they are ‘fit and proper persons’ and that they manage their properties correctly, including taking appropriate action against tenants who are causing anti-social behaviour.”

RLA response:

First and foremost, Government has released a document stating that landlords are not responsible for the anti-social behaviour of their tenants. However, if the council wanted to support landlords in this manner, would there be a support system to aid landlords in dealing with these tenants? For example, aid in the eviction process and registration of ASB tenants so that these tenants cannot continue their bad behaviours in other properties.

Salford’s response

Landlords are not responsible for the behaviour of their tenants; however, if they are aware of the problems caused by their anti-social behaviour, they are expected to play an active part in managing the situation. Help and advice is provided via the long standing Salford City Council’s Landlord Accreditation Service, the Landlord Licensing Team and the Anti-Social Behaviour Team.

The main way in which private landlords can play an active part is by enforcing the terms and conditions of the tenancy agreement. Terms can be inserted into tenancy agreements which advise that a tenancy is at risk should the tenant acts anti socially. In the event of a breach the landlord will be entitled to seek possession of the property.

Page 4: Statistics and percentages surrounding increasing size of PRS
Why is a rise in the number of PRS properties a basis for selective licensing schemes? Greater Manchester attracts many students and young working professionals. The PRS is crucial for these groups and can provide immigrants and families the flexibility to find more suitable living arrangements before they commit long-term.

Page 4: Changes in the overall percentage of privately rented accommodation:

- **2001**: 5.1% of residential accommodation in Barton/Eccles/Winton area was privately rented
  - By 2007 the figure had risen to 11.5% in Eccles
  - By 2010 the proposed licensing area (predominantly in Barton ward) had risen to 27.1% compared to 22.2% across the city and 16% nationally.
  - In Barton 50% of identified vulnerable households live in the private rented sector

RLA response:

This rise in privately rented accommodation seems to be in line with the rest of the city. Private renting provides those who are unable to get onto the property ladder the option to live where they chose. Additionally, the role Manchester plays for professional development and student populations could attribute strong correlation to these numbers.

The figures from Eccles post 2007 are conspicuously absent.

The statistics fail to properly define the term ‘Vulnerable’.

- This statistic actually backs up the role of the PRS as private landlords are providing DOUBLE the accommodation for vulnerable groups. Thank you for recognising the good work that private landlords are doing for vulnerable tenants.

- Charging landlords £500 to rent out their properties may result in £1,000s of pounds in licensing fees for landlords with more than one property…to pay these costs upfront could cause landlords money troubles and result in increased rents. Vulnerable tenants need help; support and consistency…these sorts of changes impact tenants as negatively as landlords.

Salford’s response

Salford City Council recognises the valuable role played by the Private Rented Sector in meeting housing needs in the City and although the growth of the private Rented Sector on its own would not be an indicator of low demand it is the council’s belief that this, together with other factors in the area do amount to evidence of low demand.

Salford City Council endeavours to keep the fees as low as possible for landlords. The proposed fee structure seeks to cover the estimated costs to the Council and ensure that landlords who come forward in a timely and organised manner comply do
not effectively subsidise less responsible landlords. It is proposed that landlords could obtain a licence for £425, which equates to approx £1.64 per week. Flexible payment terms are also being considered at no extra cost.

Why do we need a Selective Licensing scheme?

Page 6: “This high turnover of tenants does not assist in promoting community cohesion and building a sustainable community. Residents cite high tenant turnover as one of the major causes low level anti-social behaviour…Selective Licensing when combined with other measures as detailed with this document is an effective way of dealing with these issues.”

RLA response:

The RLA has found that this is not the case…a House of Commons library paper explains that private landlords are not liable for their tenants’ behaviour. Does the council have any evidence that Selective Licensing schemes are able to reduce incidents of ASB?

Salford’s response

Yes, we believe that licensing, together with other measures; can help to reduce Anti-Sociable Behaviour. Salford City Council has a strong clear track record of making robust use of the enforcement powers appropriately that has been made available by Selective Landlord Licensing.

Landlord Licensing has ensured that landlords can be easily identified and be notified immediately when a complaint has been received regarding their tenants behaviour. This early intervention has reduced the number of repeat complaints significantly. Furthermore, the licence conditions ensure that the landlord takes appropriate action before we have to consider enforcement action.

Anti-social in private housing – Commons Library Standard Note

The council mentions meetings where local landlords describe their discontent with ‘rogue’ (these are criminals posing as landlords, and not rogues) landlords operating in the area. Why does the council choose to licence good professional landlords and allow these criminals to continue unabated? We feel that our Co regulation model (see Appendix 1) would free up resources within the local authority enforcement team to effectively tackle ‘Rogue’ landlords and this would avoid the need to continue blanket licensing of good landlords which will inevitable deter landlords from investing in these areas altogether.

Page 6: “Selective Licensing will play a vital role in this intervention by ensuring that the increasing numbers of rented properties in the proposed area which are operated by landlords are well managed. Without Selective Licensing, the number of inexperienced landlords lacking appropriate skills and knowledge of private renting will continue to grow, despite the work undertaken as part of the Council’s Landlord Accreditation Scheme. Additionally, without the introduction of Selective Licensing
the Council’s ability to effectively challenge the behaviour of irresponsible or ‘rogue’ landlords will continue to be limited.”

RLA response:

Does the council mean to imply that it will be monitoring and working with new landlords in the area? Training for landlords is incredibly important so that they know their rights and responsibilities; however, the current proposal of charging to allow landlords the right to conduct their business is a strange method in ensuring they have the necessary tools to provide good service.

- The RLA would argue that training, accreditation, and incentives from the council – say freedom from licensing fees – would result in greater commitment from landlords to improve their standards.
- The issue remains with criminals posing as landlords. The council should work, and acknowledge the good, professional landlords in the area. The current measures simply compel those who are already inside the law to be more tightly controlled – a potentially unattractive position for some – and those who flout the law can continue to do so unabated.

Salford’s response

Please see above for Salford’s response to engaging with Landlords.

Salford City Council believes that, Selective Licensing can be an effective and valuable tool when combined with other measures. The Selective Licensing Scheme does not ask landlords to do anything extra only the things they should already be doing, such as obtaining gas safety certificates, electrical safety certificates, tenancy agreements etc.

Alternative approaches to the designation of Selective Licensing in the area have been considered. Each of which, represents a valuable tool for dealing with low demand and the improvement of social or economic conditions of the area, including persistent anti-social behaviour, poor management practices and so on. However there is no single solution and each alternative will have its limitations. None of these alone, including Selective Licensing, can solve the problem and therefore a co-ordinated strategy is required which links a full range of agencies and services using various interventions appropriately.

Page 6: “This investment needs protecting and building on. Experience through talking to community groups & representatives and stakeholders at meeting and events, tells us that Selective licensing promotes confidence, not only in the community but in investors by ensuring that the private rented sector remains well managed and that all landlords are operating within the law, which contributes to the improvement of social and economic conditions in the area.”

RLA response:

The RLA remains unconvinced that lenders would be more confident with licensing of private landlords. We refer you back to point three of this document ‘Denigrating the area/mortgage loans’. 
While it makes sense to suggest that more professional landlords will result in greater confidence in the area, the council could solidify this position by a greater commitment to these professional landlords.

**Salford’s response**

For clarity the reference to investors in this section of the consultation document refers to housing developers and other investors in the housing market rather than to lenders.

We refer you to our previous comment: whilst Selective Licensing has been operating in Salford, there has been no evidence to suggest that it has had a negative impact for private landlords. There has been no evidence that reputable landlords have ceased operating in these areas purely down to them being Selective Licensing areas.

As part of a coordinated approach, Selective Licensing is compelling landlords to maintain good management standards. Selective Licensing has become a valuable mechanism for identifying and dealing with bad practice amongst private landlords and we believe that Selective Licensing complements and works well with the work we undertake with landlords in relation to the well established Landlord Accreditation Scheme.

What are the local factors which show that the proposed area is suffering from low demand?

**Page 6-7: From the statistics and evidence obtained, it appears evident that the proposed area for Selective Licensing is suffering from low demand. In particular, the below evidence indicates low property value when compared with similar premises in comparable areas, a transient tenant population resulting in high turnover of occupiers, a lack of mixed communities with high incidences of privately rented properties and low owner occupation, and high levels of unoccupied properties that are prevalent across the proposed area.**

**RLA response:**

The RLA is still having trouble accepting that the ‘comparable area’ (Irlam O’th Height) is truly representative of the area in question…specifically that Irlam O’th Height currently does not have a selective licensing scheme in place…

- This is an important consideration because the Council places information on graphs side by side with Salford arguing that licensing will bring up property values to those in Irlam. I question the validity in this comparison.

**Salford’s response**

In all areas subject to Selective licensing, there is no evidence that property values have fallen beyond the movements in the wider housing market and there is strong evidence that in many cases values have increased over the life of Licensing Schemes.
Selection of comparator area

**Page 7: It is simply not possible to have a comparable area which is identical in terms of geographical size and containing the same number of property type. However, the area that has been chosen is comparable when considering the factors listed within the guidance...**

**RLA response:**

The guidance includes; types of housing; local amenities; and availability of transport as ‘factors’ to create comparability.

We take great issue with this, for example why haven’t the council chosen an area that is also under Selective Licensing? The council is proposing a Selective Licensing scheme, one could assume, because of ‘success’ elsewhere...why not use this example? The fact of the matter is that there is no comparable area that has enjoyed success from Selective Licensing schemes...they are costly for landlord and council, and do not result in the benefits proposed.

Conclusively, the links between areas designated in Salford for Selective Licensing schemes are in no way comparable to Irlam O’th Height, thus negating much of the Council’s arguments for the licensing scheme.

**Salford’s response**

We strongly disagree with your comments. Consideration was given to the guidance document and we believe the comparable area chosen is suitable and our rationale is made clear in the formal consultation document.

**Page 8: Figure 5.1 Value of two bedroom terraced properties**

**RLA response:**

It would be interesting to see longer economic comparison of these sites; into the 1990s for example when house prices were at their highest. One would assume that Salford would have lower prices regardless of time period...this is an important factor based on the ‘evidence’ the council is putting forward as criteria for licensing schemes.

**Salford’s response**

We note your comments. The guidance does not specify a period of time that statistic should date back to.

**Page 9: “These values [represented in tables] appear to be low due to a number of factors. In particular, the proposed licensing area has a disproportional high level of privately rented properties which can deter owner occupiers from buying in the area. A high concentration of poor quality rented accommodation can have a negative impact upon an area and lower property prices.”**

**RLA response:**
The area proposed might be more suited to ‘transient’ (as the consultation refers to them) residents in regards to people moving to the area looking for more permanent accommodation or students.

Charging landlords for licences, and then expecting them to make improvements to their properties is counter to the goals that the council is aiming to achieve. The council should concentrate on ensuring private landlords are aware of their responsibilities and make their houses safe to legal requirements...working with landlords would be preferable to deciding for them.

**Salford’s response**

Selective Licensing does not place any additional requirements on landlords regarding the condition of their properties; it only acts to ensure that they are complying with their existing legal obligations. The Selective Licensing Scheme does not ask landlords to do anything further other than what should already be doing, such as obtaining gas safety certificates, electrical safety certificates, tenancy agreements etc.

As already stated the Council’s view that the area suffers from low demand is based on taking a number of factors into account and not any single issue.

**Turnover of occupiers of residential premises evidence**

**Page 9**: “Over the past three years, the turnover rate in both privately rented properties and owner-occupied properties have increased significantly from very low base levels...However, throughout this period the number of new Council Tax accounts being opened in relation to privately rented properties has been higher than that in the owner occupier sector despite the fact the owner-occupied market in that area is more than 2.5 times larger than the private rented sector.

**RLA response:**

Is the council suggesting that turn over in the PRS being higher than that in the owner occupier sector is a contributing factor for the need of Selective Licensing? Surely this is in line with common logic, that owner occupied properties change far less than PRS properties? This is an unconvincing argument.

**Salford’s response**

We would expect a higher turnover rate, but not by almost 10 times higher and increasing. As this is an average this would suggest very short tenancies in many properties. As with all factors, this does not prove low demand on its own but only when considered with other factors.

**Page 12: Figure 5.7 Private Sector empty properties**

In April 2011, the Council introduced a “hot spot” approach to dealing with empty properties across the city. There were two “hot spot” areas within the proposed Selective licensing area, one in Barton ward and on in Eccles ward. Each hot spot
area was active for 12 months and employed intensive on the ground engagement with property owners and the community. The results of this intervention can be clearly seen in the figure above (5.7) where the number of private sector empties reduced significantly over the 12 month period.

RLA response:

One of the main reasons the Council want to implement a Selective Licensing scheme on private landlords in parts of Salford is the number of empty properties in the area. The Council suggest that engagement and on the ground working – notably away from licensing schemes – has resulted in dramatic improvements in these numbers. In this light, the Council should continue these successful campaigns rather than changing tactic. A main premise of licensing schemes is that they should be a last resort.

The council has the evidence that particular strategies work; they should exhaust this approach before attempting other methods.

Salford's response

Action to date has reduced but not removed empties in the area, licensing will support and augment other interventions.

Page 13 - Property Conditions

RLA response:

Using the ‘Decent Home Standard’ within the PRS is an unfair comparison to make. The Decent Homes funding was only accessible to social landlords. It is unfair to expect that private landlords will have the funding or resources to match the same standard as social housing without any additional funding to assist. Small scale local landlords do not have the same investment from public money, resources or expertise as social housing providers; therefore it is unfair to compare them using the same standard.

Despite such inequalities, in funding, the English Housing Survey (EHS) shows that more private sector tenants are ‘satisfied’ (84%) with their properties than social tenants. In addition, the EHS states that more private rented tenants are satisfied with the repairs undertaken on their properties than social tenants.4

Salford's response

Salford City Council has a Housing Standards team which act on complaints from private tenants, as it has a duty of care to deal with such complaints. Properties are inspected under the HHSRS procedures and each complaint is dealt with on its own merits.

As stated in an answer to a previous critique: Selective Licensing does not place any additional requirements on landlords regarding the condition of their properties; it only acts to ensure that they are complying with their existing legal obligations.

Page 14: Anti-social behaviour and Criminal activity

RLA response:

This is effectively dealt with in point 2 of the response above, specifically in terms of Selective Licensing being ineffective at reducing incidents of anti-social behaviour.

The numbers and figures presented in tables and graphs in this document endeavour to prove that private renting housing apparently contributes to anti-social behaviour and other nuisances for local residents. Many factors that may contribute to these statistics are overlooked from the point of view of the RLA. For example:

- When are these incidents of anti-social behaviour most likely to happen? If the incidents occur during the weekend or at night time, the proximity to the centre of town and other night life hot spots may directly influence the frequency and extremity of incidents.
- Additionally, several items are lower in the wards proposed for licensing schemes than across the city as a whole.
- Finally, Manchester City Council previously used Selective Licensing and decided not to renew the scheme.

Salford’s response

Salford City Council is not pursuing selective licensing in Barton and Eccles on the grounds of Anti Social Behaviour.

The information provided in the document reflects the requirement in the relevant guidance to consider anti-social behaviour when looking at issues of low demand.

Manchester’s approach to licensing is very different to Salford’s, which is based on analysis of local markets and strategic priorities. We cannot comment on Manchester’s approach.

Page 15: “Our previous experience of operating Selective Licensing shows that it can make a significant contribution to the reduction of this problem [fly tipping; environmental crime] both by deterring landlords and, where an issue arises, allowing it to be dealt with more quickly and effectively as the perpetrators are quickly identified and educated on the correct procedures for disposing of refuse.”

RLA response:

If the council is already aware of whom is conducting this form of anti-social behaviour – i.e., fly tipping and other environmental crime – it seems that a Selective Licensing scheme is unnecessary at challenging this situation. Licensing schemes are not supposed to generate any profit so how the council will provide this enforcement should be detailed.

Salford’s response
Licensing team works closely with the environmental crime team which is funded separately and whose costs are not reflected in the setting of the licensing fee.

**Page 15:** Selective Licensing ensures that landlords can be easily identified and be notified immediately when a complaint is received regarding their tenants and anti-social behaviour, and this early intervention can reduce the number of repeat complaints. Furthermore, the licence conditions ensure that the landlord takes appropriate steps or face enforcement action.

**RLA response:**

As outlined above, private landlords are not responsible for the actions of their tenants. No landlord wants individuals in their properties that are going to cause nuisance and issues in and around the property. What would a landlord be expected to do when confronted with problematic tenants? Give them a stern warning via text or email? Landlords don't expect to have to take on this level of responsibility when deciding to enter the sector; they are not housing officers as you might get in the social housing sector, many have professional responsibilities.

More thought should be given to putting together a robust tenancy referencing system for those that are guilty of ASB as opposed to simply putting all responsibility on Landlords.

**Salford’s response**

Licensing requires landlords to take references and Landlord Accreditation supports them in doing this. Landlords can contribute to dealing with ASB and it is not unreasonable to expect them to do so. If ASB from a neighbouring property was preventing a landlord from letting his house they would reasonably expect action to be taken to address this regardless of tenure.

**Page 15:** “Selective Licensing will help to ensure that landlords fulfil their statutory duties regarding tenancy management; the Landlord Licensing team can offer advice and support to landlords to ensure that they take appropriate and effective action where they receive a complaint about their tenants. It is important to recognise that the private rented sector provides housing to many of those excluded from other sectors of the market and these can be the most vulnerable sections of society, with issues such as alcohol or drug misuse and a history of anti-social behaviour affecting their ability to sustain a tenancy.”

**RLA response:**

The council is saying, all but explicitly, that landlords are expected to be social workers for anti-social tenants. These are not the responsibilities of private landlords. Many private landlords take on vulnerable tenants and provide important accommodation choices those groups who may traditionally be part of social housing, always with a degree of risk and with little back up if these tenancies start to fail because of a build of rent arrears or disrepair caused to their property.
The council planning to implement Licensing restrictions on private landlords will only serve to make the lives of vulnerable tenants more difficult. Landlords charged hundreds of pounds may not be so willing to take on tenants who would ordinarily be housed in local authority accommodation, if they have to pay licensing fees in these areas as well as take on the risks that come with tenants that may have complex needs.

**Salford’s response**

Salford City Council is clearly stating that landlords will simply be held to their statutory duties. Selective Licensing is compelling landlords to maintain good standards and has become a valuable mechanism for promoting good practice amongst private landlords.

**Page 16:** “By having appropriate conditions on a licence, we can continue to work in tandem with landlords on the issue of anti-social behaviour”

**RLA response**

We would like to know if the council intend to work with anti-social tenants. Again, we feel that the Council need to invest in the community of these areas not just impose a licensing scheme. Licensing in these areas won’t be effective on its own in tackling anti-social behaviour.

**Salford’s response**

There are a range of schemes and services provided to support residents across Salford who have chaotic lifestyles and other issues that can lead to ASB. These services are funded separately and their costs are not reflected in the license fee. Again licensing is seen as complimenting these services not replacing them.

**Page 16:** Neighbourhood management

**RLA response:**

Selective Licensing is wholly unnecessary if you simply make it possible for landlords to feedback into this scheme.

**Salford’s response**

Efforts have already been made to get landlords to engage with Salford City Council and other stakeholders, however, this has met with little success.

**Page 16:** Private rented sector measures

**Page 16:** “The Landlord Licensing Team forms part of the council’s Housing Market Support team which also includes teams dealing with:

- Mandatory HMO Licensing
- Landlord Accreditation
- Empty Property Enforcement
- Housing Standards – Housing Health and Safety Rating System (HHSRS)
RLA response:

This section is unclear. The assumption is that these teams already exist in the council’s Housing Market Support team?

If these teams already exist, the implementation of a Selective Licensing scheme remains redundant. Coupled with other tactics already employed by the council, Selective Licensing would serve as an admission from the council that their current initiatives are not working effectively. This would be questionable considering the success that the Council have outlined in their consultation document.

Salford’s response

Yes these teams already exist in the council’s broader approach when supporting responsible private landlords and for improving conditions within the Private Rented Sector. The success of this holistic approach is a direct result of the above teams working together in an appropriate and balanced way. However, each of the teams addresses specific issues that could not effectively be dealt with by the others. This team structure facilitates information sharing and co-ordination of work when dealing with properties where complex issues can be involved.

Page 17: “…Selective Licensing will raise awareness amongst private landlords about property condition (although enforcement will rely on other statutory powers such as Housing Health and Rating System)”

RLA response:

We would argue that the responsible landlords in these areas who will buy their licences will not be those that Environmental Health Enforcement teams should be worried about and it is unlikely that those who will comply with licensing will have category 1 hazards present in their properties. What is really needed is an effective strategy to tackle those that lease properties in the worst condition, ultimately this comes down to more funding and resources to Enforcement teams who can then proactively use their powers under HHSRS to prosecute the worst offending landlords. Our model of Co Regulation would enable this. (See Appendix 1)

Salford’s response

Experience shows that this is not entirely the case. We have found that a significant number of Licensed Landlords are producing Electrical Condition Reports and Gas Safety Certificates with a large number of faults and serious safety issues. These findings would otherwise go undetected if Licensing was not in place. It is compelling landlords to produce these documents on an annual basis and encouraging them to be more responsible for carrying out safety checks on their own properties.

Salford City Council’s Housing Standards team works alongside the Landlord Licensing team but is separately funded. They respond to complaints from the private sector and have a regime of carefully planned and targeted, pro-active
inspections, in order to limit any unnecessary demands on those good landlords who are looking after their properties.

**Page 17:** The Salford Landlord Accreditation Scheme (LAS) continues to support Selective Licensing in Salford and currently has in excess of 550 landlord members who have signed up over 1600 properties city wide. The scheme has a good working relationship with managing agents providing advice, support and recognition for those promoting the accreditation scheme property standards and management arrangements. The scheme relies on landlords voluntarily engaging with the team, in order to sign up to the code of standards and make improvements in their property standards or management arrangements.

**RLA response:**

It is interesting to note the large numbers of landlords and properties registered in the LAS…why doesn't Salford City Council continue to engage and work with landlords this way and build on the already successful relations it has established with landlords rather than burden them with cost and risk them pulling out of this market altogether.

**Salford's response**

Salford City Council’s Landlord Accreditation Scheme (LAS) was set up to provide a unified service to all landlords operating across the City and is based upon the standards and practices of AList NW—a regional body of Authorities and Landlords improving standards together in the Northwest.

The Scheme sets out a Code of Standards and Management Practice’ and we are committed to this by providing all the necessary support and advice that a Landlord needs to be an excellent, responsible landlord.

The Scheme continues to run after over 12 years of operation and is recognised as a market leading scheme, however, it is estimated that less than 25% of the City’s landlords have joined.

**Page 18:** “The Rental Bond Scheme is promoted to licensed landlords and aims to provide assistance to people who can’t afford to pay cash deposits. By granting non-cash deposits in the form of a written bond guarantee, we can provide people looking for a home with access to private accommodation in Salford with landlords whose properties meet the standards of the Landlord Accreditation Scheme and the tenant can have reassurance that as a licensed property, it will be well managed.”

**RLA response:**

We support the move by many Local Authorities, not just Salford that are providing homeless people with options and enabling entry to private sector
housing. However, it is not just the tenant that needs a guarantee that the property will be well managed. Once the property is successfully let the landlord too needs an element of reassurance that the tenant knows their responsibilities and will treat the property with respect and keep up with their rental payments. Working with tenants too would bring up the quality of homes in these areas, not just licensing landlords who may not realise that their property is in appalling condition at the hands of the tenant unless they inspect their properties regularly. As you will probably be aware this isn’t always possible if the landlord lives in another part of the country.

**Salford’s response**

We are aware that we need to engage more with tenants as well as landlords. However, we do encourage landlords to regularly inspect their properties and take a more active role in looking after their investment, and that it is good practice to regularly review the tenancy to ensure the tenant is being responsible and doing their part to look after the property.

**Page 18:** “Landlords registered on this scheme agree to operate according to our good practice Code of Standards. Selective Licensing continues to contribute to the overall aims and objectives of the Promoting Positive Prevention - Salford’s Homelessness Strategy 2008-2013 by encouraging stability in the private rented sector, reducing the likelihood of illegal evictions or harassment, and preventing homelessness presentations.”

**RLA response:**

We would argue that Selective Licensing will not contribute to the sustainability of tenancies, instead of licensing landlords the council should then be looking at working with landlords on how they could come to an agreement to offer a longer term tenancy for the most vulnerable who would ordinarily have a longer tenancy if they were placed in social housing? Landlords might be more inclined to do this if there are some incentives such as guaranteed rent and management of these properties with the help of the Local Authority rather than being charged to tackle the problem on their own, which is effectively what the Selective Licensing scheme does.

To add whilst the RLA opposes the use of illegal eviction and would never condone harassment tactics it is important to remember that in some cases eviction is the only option for landlords and it is usually the last resort. Research for the Residential Landlords’ Association counters persistent claims that private landlords are choosing to evict their tenants when they ask for repairs, in so-called retaliatory evictions.

According to the survey of more than 1,760 landlords, some 56 per cent had had to evict tenants from their properties. Almost 90% reported that they had carried out evictions for rent arrears, with another 43% for anti-social behaviour, nearly 40% for damage to the property and 20% for drug-related activity.
Just under 30% wanted to regain possession of the property, for example because they needed to sell it for personal reasons. We feel that this demonstrates that the vast majority of landlords only seek to evict when they really need to.

**Salford’s response**

Salford City Council, through its Landlord Accreditation Scheme, is committed to providing the best possible help and information to landlords to encourage good management practices by landlords, and to assist landlords and tenants to undertake their respective responsibilities to each other.

**Page 18: Private Sector Housing Strategy**

“The Councils Private Sector Housing Strategy “Building better lives in Salford 2010 - 2015”, sets the framework for how the Council will meet the local priorities. One key objective of this strategy is to work with landlords and agents within the private rented sector and with Housing in Multiple Occupation to secure improvement to housing conditions. Selective Licensing plays a key role in this objective by continuing to raise management standards across the private rented sector.”

**RLA response:**

Many HMO’s will be under mandatory licensing regardless of a Selective Licensing scheme. This seems to overlap entirely with what the Council is trying to achieve. HMO Licensing should already constitute effective enforcement for the PRS and the council should be using the many powers already at their disposal before considering Selective Licensing.

With recent benefit changes such as Universal Credit being rolled out in the North West, the overall benefit cap, and the extension of the SAR to 25 – 35 year olds, we are hearing reports that many Landlords are already becoming more reluctant to let to housing benefit claimants. With the added pressure of a Selective Licensing schemes becoming increasingly common we fear that Landlords will simply leave the market or invest elsewhere.

Additionally, the extension of the SAR to the 25 – 35 age group means that there will be even greater demand for shared accommodation. The Council will need Landlords to invest in creating shared spaces for this group to live at an affordable rate to reduce the risk of homelessness and cost of temporary accommodation. HMO licensing has increased the cost and ‘hassle’ associated with shared housing and bedsit accommodation and Article 4 Directions make it even more problematic when it comes to managing this kind of housing, which is a disincentive to increasing supply. Adding Selective Licensing to the list of obligations a Landlord must already adhere too is simply going to put off investment.

**Salford’s response**

Many HMO’s in Salford do not qualify for Mandatory Licensing. We are not seeking to restrict HMO’s through Licensing merely to ensure that such properties are well
managed. Any HMO covered by a valid Mandatory license will not be affected by the introduction of Selective Licensing.

Page 20: Improving safety standards

“The Council will also require the landlord/agent to carry out the following for each property that requires a licence:

a) Obtain and supply references for prospective and previous tenants;
b) Submit a current gas safety certificate every year;
c) Install and maintain smoke alarms.
d) Provide evidence to prove that the properties electrical installation is of satisfactory condition throughout the term of the licence
e) Install and maintain a Carbon Monoxide detector”

RLA response:

We would like to remind Salford Council of the recent Court ruling between Hyndburn Landlords Association (Paul Brown) Vs Hyndburn Council which restricts the use of housing conditions as a condition under selective licensing criteria. Production of Energy Performance Certificates (EPCs) and Electrical Installation Condition Report shall be removed from landlord requirements under selective licensing conditions.

The remainder of these requirements are already recognised as ‘Good Practice’ in the industry anyway and those that will purchase licences will no doubt already adhere to these measures. Once again you are failing to recognise effective ways to identify the landlords that do not provide safe housing; those who are the worst operators will not purchase a license anyway and will continue to let out unsafe properties until prosecuted by LA enforcement teams.

Salford’s response

We are reviewing the most appropriate way to respond to the tribunal’s comments without introducing further additional costs for landlords unnecessarily.
