

HMO NETWORK CONFERENCE 2016

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THE ROYAL BOROUGH OF
KINGSTON
UPON THAMES

Kingston.

Population

2011 - 163,906

2021 - 179,600

12%



38 square km –

7th smallest
Borough



living in Kingston



NETWORK

More likely than the average London resident to live in houses—particularly detached and semi-detached houses—rather than flats or other accommodation

Of those who do live in flats, the majority are in purpose-built blocks of flats rather than in converted houses or in commercial premises



Housing by tenure

Owner occupied 64% - Social rented 12% - Private rented 23% - Shared 1%



Housing and Planning Act 2016



Impact of the Act on tenants

Housing and Planning Minister Brandon Lewis said:

“Our landmark Housing and Planning Act will help anyone who aspires to own their own home achieve their dream.

It will increase housing supply alongside home ownership building on the biggest affordable house building program since the 1970s.

The act will contribute to transforming generation rent into generation buy, helping us towards achieving our ambition of delivering 1 million new homes”.

The Act will:

Help more people own their own home by:

Duty on local planning authorities to actively promote [Starter Homes](#) development Extending [Right to buy](#) level discounts to housing association tenants

Get the nation building homes faster

Unlock [Brownfield land](#) to provide homes faster, introducing land register

Support the doubling of custom and self-built homes to 20,000 by 2020

Ensure that every area has a local plan; simplify neighbourhood planning

Reform the compulsory purchase process to make it clearer, fairer and faster

The Act will:

Ensure the way housing is managed is fair and fit for the future

Require social tenants on higher incomes to pay fairer rents – [Pay to Stay](#)

Duty on councils to consider selling their higher value vacant housing assets

Giving local authorities more powers to tackle [Rogue landlords](#)

Allowing local authorities access to [Tenancy Deposit Protection schemes](#) data

Reduce the regulatory controls for private registered providers of housing

Enable lead enforcement authority for estate agents

PART₁ - Starter Home initiative

- Starter home: newly built or converted.
- Sold for less than price cap.

Greater London £450,000 and Outside £250,000

- Eligible occupants –first time buyers <40 years
- Starter home is seen as 'affordable'
- Secretary of State powers through Regulations to amend price cap, definition of eligible first time buyer.
- Concern over availability of affordable rented homes

PART₄ CHAPTER 1 – Social Housing Voluntary Right to Buy.

- Home ownership declining since 2003.
- Extended scheme for housing association tenants.
- Some HA tenants already eligible.
- 61% HA tenants want home ownership.
- Voluntary scheme agreed outside Parliament
- Estimated take up of 76,000 sold by 2020.
- Funded by sale of low rent high value LA homes.
- No commitment to replace in area lost.
- Amendment raised to prevent use for private renting.

PART₄ CHAPTER 2 – Vacant High Value Local Authority Housing.

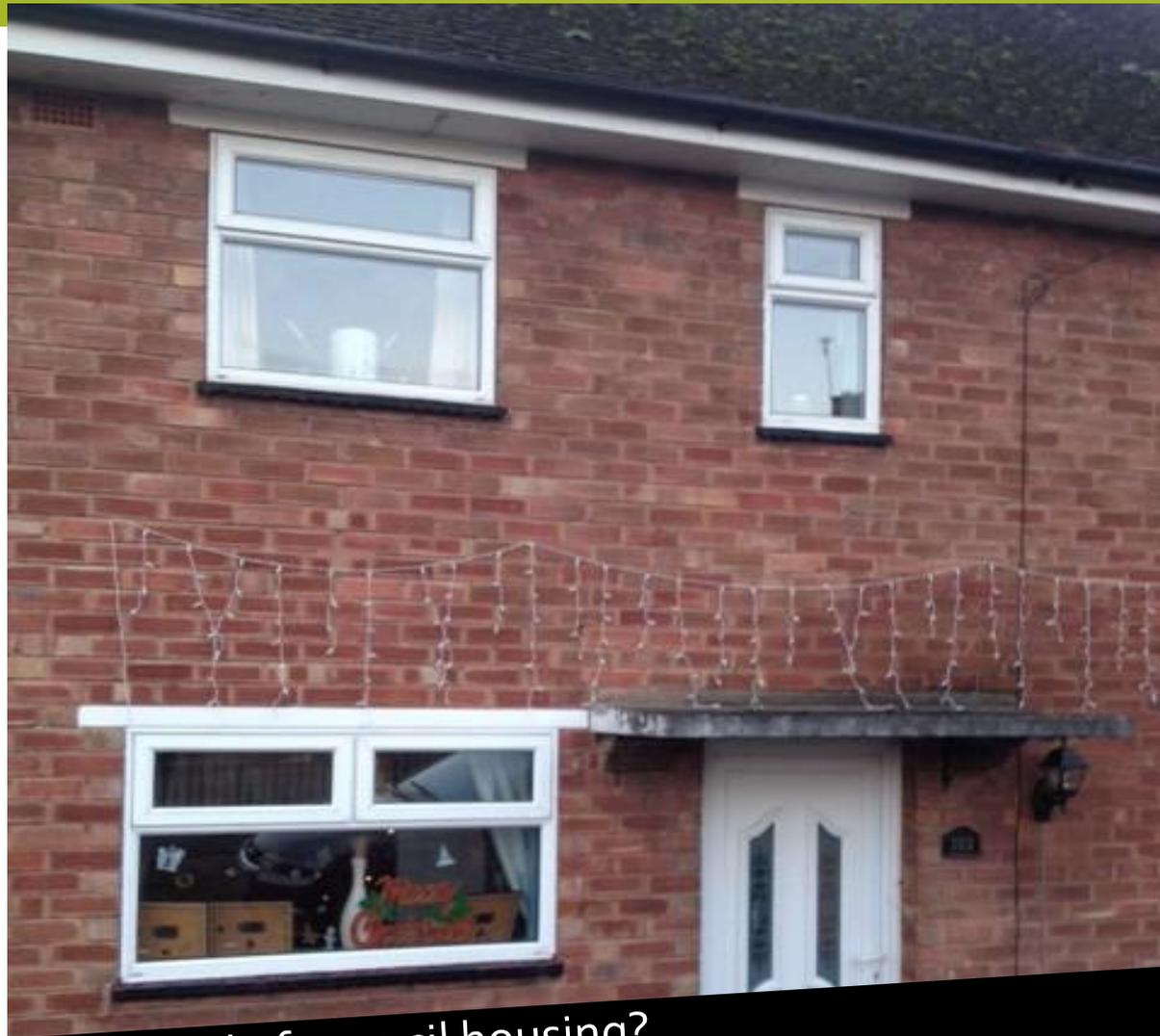
- To fund HA right to buy scheme.
- s67 Secretary of State may make a determination that ultimately requires payment representing market value of any high value property that is likely to become vacant (minus costs).
- No definition of high value or vacant.
- Determination must be in prior year.
- Two new affordable homes for each old dwelling
- A starter home is a new affordable home - s72 (7)
- Concern – loss 19,000 LA homes sold and lost.

CHAPTER 3 – Rents for High Income Social Tenants.

- Low level affordable rent to rise; market level
- Affordability income threshold: £30,000.
 - Threshold is at £45,000 in London.
- LA must charge new rent levels.
- HA to keep full rent difference; LHA part (amendment?).
- Tenant (prospective) income declaration.
- Amendment looked to exempt declaration for tenants on benefits.
- s80(2) Rent levels to be defined if non-compliance
- Appeal to First Tier tribunal.

CHAPTER 6 – Secure Tenancies etc.

- Phasing out of secure, introductory and denoted tenancies; tenancies for life.
- Including phasing out succession rights.
- Localism Act 2011 - fixed term flexible tenancy.
- Fixed term secure and introductory tenancy.
- 2 to 10 year tenancy; or child turns 19.
- Old style tenancy if enforced move.
- Tenancies of >7 years s11 Landlord and Tenant Act 1985 on implied repair obligations and are to be registered on the title at the Land Registry?



the guardian the end of council housing?

In 1979, 42% of Britons lived in council homes. Today that figure is just under 8%. Now, by scrapping secure tenancies and bringing in a pay-to-stay scheme, the government's new housing bill could mark the end of a century-old dream

PART₂ – Rogue Landlords and Property Agents in England

- **Chapter 2** -Banning orders for Rogue landlords.
- **Chapter 3** -Database.
- Banning Order notice– 28 days for representation
- Local Authority to apply to First Tier tribunal.
- Breach of Orders; fine or imprisonment.
- 2004 Act – Management Order to be made
- Tenants then managed by Local Authority.

PART₂ CHAPTER 4 - Rent Repayment Orders

- Determined by First Tier Tribunals
- Certain offences need to have been committed.
 - Criminal Law Act 1977 6 (1)
 - Protection from Eviction Act 1977 s1 (2), (3A), 3A)
 - Housing Act s30,(1), 32(1), 72(1), 95(1)
 - Housing and Planning Act s20
- Rent to tenant or LA if housing benefit.
- 12m for tenant/LA to apply from offence date.
- LA to give landlord notice of proceedings.
- FTT – beyond reasonable doubt whether or not convicted of offence.
- Table of levels that RRO can be calculated at.
- LA duty to consider RRO and to support tenant.

PART₃ - Recovering Abandoned Properties in England.

- Scope for landlord to speed up process
 - 8 weeks arrears
 - and non response 3 notices
- Current process is to go through Courts.
- Section 8, 21 or implied surrender options.
- Tenant can challenge in County Court
- Requirement for independent verification?
- Local authority resources.

**Has the
work really
just
started?**

Secondary Legislation to develop:

First time buyer and price cap.

High value and area based.

Rent Regulations - mandatory rent for tenants

Old style secure tenancies.

Banning Order offences.



Definitions of:

Banning Orders

Determination.

High income

Rent level calculation