

Thank you for
joining us

Grab yourself a cup of tea and join
us for July's meeting of the Cardiff
Landlord Forum, starting at 6pm.

Please remember to mute yourself.





Cardiff Landlord Forum
Tuesday 21st July 2020

**Douglas Haig, NRLA Director
and CLF Chairman**

@Douglas_Haig / @NRLAWales



CLF | CARDIFF
LANDLORD
FORUM

Agenda

- Coronavirus
- Re-opening the Housing Market
- Student sector
- Land Transaction Tax
- Possession reform Bill
- Court Case
- NRLA Resources

Coronavirus Measures

- Mortgage holidays for those with tenants affected by Covid-19 (illness or loss of income).
- Expected to be passed onto tenants and future payment plan agreed.
- Tenants must still pay rent – government guidance is clear.
- Pre-action protocol to apply to private landlords
- Possession notice periods extended from 2 to 3 months. Only applies to those after emergency legislation passed.
- Possession court cases suspended until 23 August.
- Housing benefit increased to cover 30% of average market rent in local area.
- Guidance changed to say landlords can start non-urgent works if tenant is happy for someone to enter home. Those self-isolating or shielding should only welcome visits for urgent works.





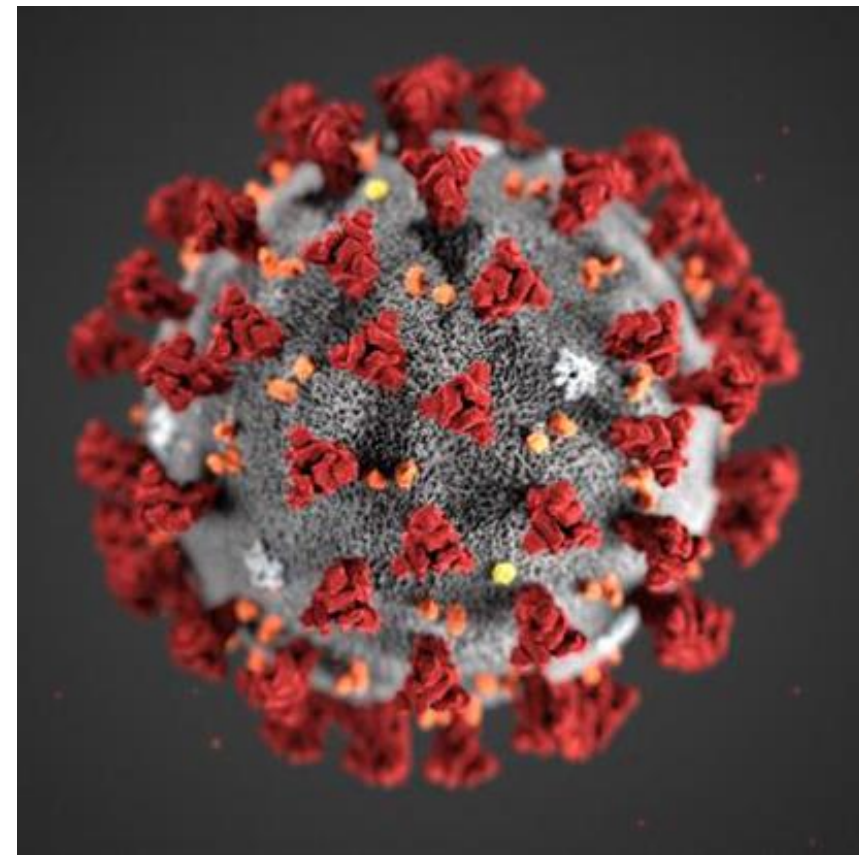
Coronavirus: More to do

NRLA Wales appeared before a Senedd Committee to make the below points.

- Landlords who do not have a mortgage on rented property and rely on rental income to live need a degree of protection.
- Landlords should be considered self-employed– otherwise cannot access government support
- Calling for Spanish-type, government-backed, interest-free loans for tenants to pay back arrears.
- Need to re-open the housing market by making arrangements for viewing occupied properties.
- Prioritising pre-Covid and ASB cases for when courts start to hear possession cases on August 24th.

Coronavirus: NRLA Research

- NRLA commissioned an survey of 2,000 tenants:
 - 90% had been able to pay their rent as usual since the coronavirus crisis began.
 - 59% said income not affected during the crisis.
 - 82% said they have not approached their landlord/agent for support during the pandemic.
 - 17% approached their landlord/agent for support such as for a rent deferral/reduction or other assistance. Of these, 74% received a positive response.
 - 4% of tenants made a request for support which resulted in either no response or refusal.



Coronavirus in Cardiff

- *Enforcement*: Pragmatic, risk-conscious approach.
- *HMO licensing*: Delays and early issuing.
- *Council Tax*: Council Tax Reduction.
- Plasnewydd additional licensing scheme consultation responses being considered.
- Contact: HMOlicensing@Cardiff.gov.uk;
ctax@cardiff.gov.uk; housingenforcement-cardiff-srswales@valeofglamorgan.gov.uk



Coronavirus: Top Tips

- Follow government guidance at all times – this is the priority and will help justify any action/inaction.
- Contact your council and Rent Smart Wales directly if a problem arises or you want absolute, backed-up clarity for the property area.
- Evidence as much as you can your efforts to assist tenants and/or fix property hazards.
- Ensure urgent works are carried out and done so safely.
- If finances are affected, seek funds from government support, whether this be you or your tenant(s) – that's what its there for.
- Be flexible and understanding with your tenants – negative news stories about landlords will not help at this time.



Visit rla.org.uk/campaigns/coronavirus/guidance-for-landlords-wales/index.shtml



Changes to possession court cases

1. If application for possession made prior to 3 August 2020 and **landlord wishes to continue proceedings they must notify the court and defendant** in writing. Without this 'reactivation notice' cases started prior to or during lockdown will not resume.
2. **Landlord required to provide ahead of any hearing, or as part of the reactivation notice, any information relevant to the tenant's circumstances regarding Covid-19** (i.e. household has been shielding).
3. If arrears is to be relied upon, **landlords should produce evidence of the full arrears history in advance** – not just at the hearing.

New measures will be in place until 28 March 2021; but this can be changed.

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- The 22nd June relaxations involve:
 - All house moves can go ahead where the property is unoccupied i.e. vacant for at least 72 hours.
 - Marketing/viewing unoccupied property can take place
 - House moves can take place where a sale has been agreed but not yet completed.
 - Valuations/inspections of occupied property allowed
- Occupied properties cannot be viewed but preparations and advertisement for these can start.
- Read the guidance online for full compliance.
- Where you must meet a tenant, limit the number of people involved.
- Moving home is not appropriate whilst you pose a direct risk of transmission.



Re-opening of the Housing Market

- Viewings of empty rooms in otherwise occupied HMOs cannot take place.
- Home moves into HMOs are allowed, but government advice should be followed.
- Tenants should not move into a HMO if they or any of the current tenants are self-isolating or shielding. You should help tenants to verify this.
- Where a move into a HMO is necessary and other people already reside at the property:
 - good hygiene practices;
 - all hard surfaces should be cleaned with normal disinfectant - especially door & window handles, taps, basins and work surfaces.
 - read GOV.UK advice on cleaning & disinfection.




What about HMOs?

Student sector

- Universities are opening for the 2020/21 academic year – but teaching will be mixture of virtual and hybrid teaching to begin with.
- Implications: fewer international students, not knowing when students will be returning (and many choosing to study from home), and students feeling uncomfortable living with others.
- NRLA have distributed member survey to see reaction of student landlord sector to coronavirus and will help determine long-term response.
- NLRA have written to all universities in England and Wales asking for them to provide student housing providers with certainty.



University Responses


- Cardiff University: Measures include reducing number of people in buildings, social distancing, and masks. Holding small socially distanced face to face teaching sessions, blended with online teaching, learning activities, and resources.
 - Cardiff Metropolitan: Yet to respond
 - University of South Wales: “Undertaking much preparation and planning work...not yet able to publish any specifics...we have good long-standing relations with major accommodation providers in the area and we are keeping them up to date with our plans as they emerge. We are encouraging them to recognise the complex position most students face and seek their support in flexible contact regimes.”
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Due to early closures of universities, many students are leaving my property early. What can I do?

- Contracts are still binding in these cases.
- You should remind the tenants of their obligations and, where necessary, contact their guarantors to inform them you plan to recoup the lost rent.
- If you do, you should find out if they are suffering from any short term financial problems due to coronavirus.
- If they are, it is worth remembering that landlords have up to six years to chase any outstanding debt.
- You are advised to wait until the coronavirus emergency is over before actively pursuing tenants and guarantors through the courts.



My student tenant's university has contacted me to ask that I waive rent payments or allow for early surrender where students have returned to their family home. Am I required to do this?

- You are encouraged to be flexible where possible, but you are not obligated to accept surrender, or waive rent payments if you are not in a position to do so.
 - Where student tenant's finances have not been affected by the coronavirus they are still expected to pay the rent.
 - All loan payments will continue in full so students not automatically affected financially by the coronavirus.
 - To apply for a mortgage holiday, and pass the benefit on to a tenant, you need your tenant to show that finances have been affected in some other way such as the loss of a part-time job.
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Stamp Duty / Land Transaction Tax

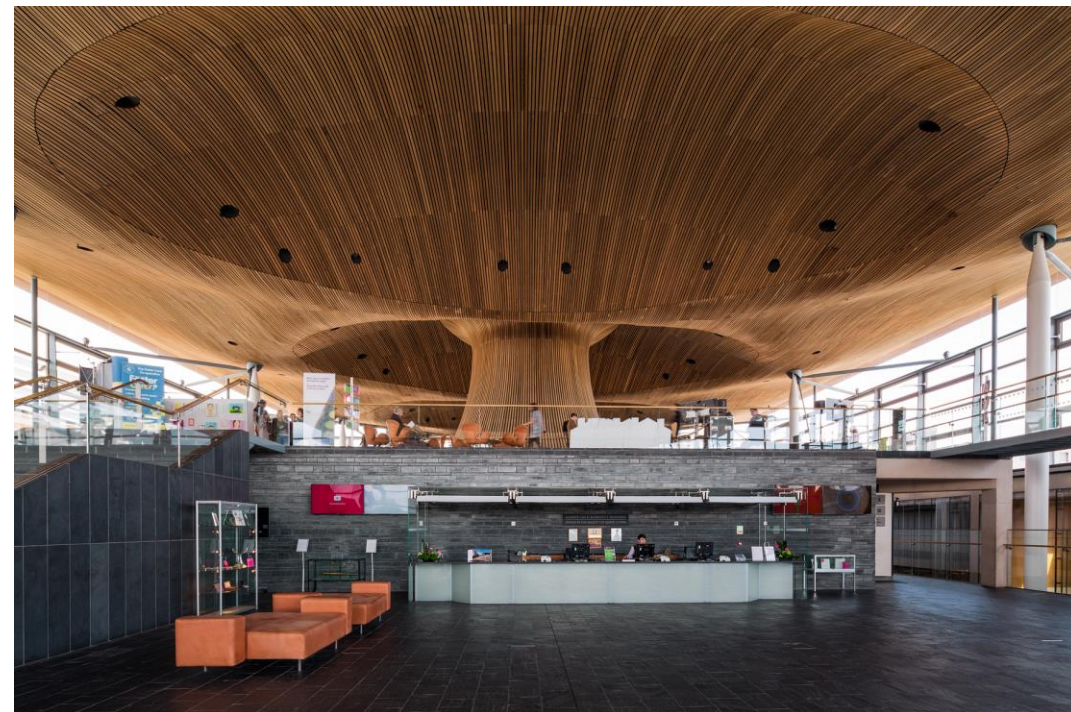
- Stamp Duty devolved since April 2018.
- In Wales, it is called Land Transaction Tax.
- UK Government lifted the threshold on payment from £180k to £500k.
- Applied to all, including Buy-to-Let and second homes.
- However, this only applied to England and Northern Ireland.

- Welsh Finance Minister lifted LTT threshold last week. But...
 - Threshold lifted only to £250,000
 - DOES NOT apply to Buy-to-Let and second homes.
- Changes in place until end of March 2021.



Renting Homes (Amendment) Bill: Delay

- The Welsh Government said it was pausing the Bill to focus on priority legislation in April.
- Back in motion now, with Committee due to report back on scrutiny by October and Stage 2 to be finished by December.
- Aim is to pass the Bill, coming into force – along with the Renting Homes Act 2016 – around October 2021.
- Still need to introduce regulations on model contracts and Fitness for Human Habitation standards for the new possessions regime.



Jarvis vs Evans case: Rent Smart Wales & Section 8

- Jarvis' request for permission to appeal was granted in January and was heard in June.
- On 7th July, the **appeal was dismissed** and the original judgment upheld.
- This means **S8 notices *as well as* S21 notices cannot be issued by unlicensed parties.**
- So an unlicensed landlord can get a licensed agent or use a solicitor for a S8 notice.
- More complex for S21 – they would need to be registered and licensed or registered and have a licensed agent.
- Webinar recording available online explaining the case and its implications – free to watch for website guests.



- On the Events page of the RLA's website, you will find two Wales-specific, webinars.
- The **Wales Coronavirus update** aired on 23 April – all you need to know (as of that date) if you are landlord with a property in Wales, with Q&A with the Wales team.
- The ***Meet the CEO and Chair* webinar** aired on 25 June – a Q&A from the Wales team and landlords with the NRLA's Chief Executive, Ben Beadle, and the Chairperson, Jodi Berg.
- To watch, register for free as a guest on the website.
- Covid guidance for landlords, inc. Wales page: rla.org.uk/campaigns/coronavirus/index.shtml



Good landlord case studies

- If you have a story about yourself or another landlord where you/they have helped a tenant, please send it in.
- Examples could be:
 - Helped a tenant stay in their home or access benefits
 - Made adaptations
 - Allowed a tenant to keep pets
 - Housed an essential worker during the Covid-19 outbreak
- We are also looking for examples of landlords who have helped or struggled with a tenant with mental health issues – this is part of our work to ensure the NRLA is a training partner with Rent Smart Wales.
- Even better if a tenant can write in!
- Can be made anonymous if you want to.
- Please send case studies & suggestions to calum.davies@nrla.org.uk



Thank You

Any Questions?



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