

“let’s talk” NEWSLETTER

FOR THE PRIVATE RENTED SECTOR

41

ISSUE 41



FREE Private Landlords Conference

South Ayrshire Council will host the Private Landlords Conference this year on Saturday 2 November 2019 at Prestwick Academy from 9.30am till 1.30pm.

John Blackwood from the Scottish Association of Landlords will discuss the Private Residential Tenancy and other upcoming changes.

Landlord Accreditation Scotland will cover training opportunities. There will also be workshops covering Home Energy matters, Campbell Dallas will discuss Financial considerations of being a landlord and Safe Deposit Scotland will provide information on Dispute Resolution.

Lunch will be provided.

To book your place please follow this Eventbrite link:

<https://www.eventbrite.co.uk/e/south-west-scotland-landlord-conference-tickets-73089359241>

Welcome to the 41st edition of “Lets Talk”, the newsletter for the private rented sector in East Ayrshire.

This newsletter contains important information that you need to be aware of as a private landlord or agent. **Please note that all newsletters will now only be sent by e-mail and made available on East Ayrshire Council’s website.** Please therefore ensure that you keep your e-mail address up to date. **If we hold an e-mail address for you all landlord registration renewal notification will be sent by e-mail.**



E-MAIL UPDATE: You can check or change your e-mail address by accessing your registration application using your registration number. Please always ensure that your contact name and address held on the landlord registration system is accurate. Please ensure you check your e-mails to avoid important notifications from us being missed.

Please also ensure that you have the correct agent details on the system as this will allow all contact to be more effective and can assist in an emergency situation.

Rent Deposit Scheme

The Rent Deposit Scheme have clients who are waiting for properties in the following areas of East Ayrshire;

1 bed in Shortlees - for under 35 single application

3 bed in Hurlford and surrounding areas

2 bed in Onthank or Bonnyton



If you have any suitable properties please contact the Rent Deposit Scheme on 01563 521288 or rentdeposit.chap@gmail.com

New Missing Share Scheme



East Ayrshire Council has introduced a Missing Share Scheme. A missing share is where the majority of owners in a tenement agree to a common plan of works however one owner is unwilling or unable to pay their share. The missing share scheme will allow East Ayrshire Council (under certain conditions) to pay the missing amount and recharge the missing owner thus allowing the work to commence.

Section 50 of the Housing (Scotland) Act 2006 allows the majority of owners to request the Local Authority to pay missing shares.

The Council can only pay a Missing Share if:

- The owners are responsible for carrying out maintenance work to common areas of the building (in accordance with the burden of the titles)
- The majority of the owners have agreed to carry out the work
- The owners have been requested to pay their share of the funds for the works into a maintenance account
- The majority of owners have paid their share into a maintenance account
- The majority of owners (through the Factor) have notified the non-paying owners that they are in the minority and their payment is required in order for the works to be instructed.

Before East Ayrshire Council agrees to pay these missing shares, the Council has to be satisfied that the work is reasonable and that all owners have been fully informed of the criteria.

Please note if work has commenced prior to approaching the Council, assistance through Section 50 (missing Shares) will not be available.

On completion of the works, the owners will provide a copy of the Completion Certificate along with authenticated receipts to demonstrate that the money has been used for its original intention. Thereafter, East Ayrshire Council (EAC) will, in due course, arrange to issue an invoice to the non-participating owner(s) for the amount paid by EAC into the maintenance account, plus an additional charge of 15% of the amount deposited, to cover the legal, financial and administrative expenses.

Please contact Karen Walker, Private Sector Housing Unit 01563 576878 for further information.



Grant funding available for change of use

East Ayrshire Council has established a grant fund to assist owners who have an empty commercial property in Kilmarnock Town Centre and would like to change the use of the property to residential. If you have a property that you think may be suitable please contact Karen Walker Private Sector Housing Unit on 01563 576878

Under One Roof - online information

Under One Roof Scotland is an impartial online information site for flat owners and their advisers. It covers all aspects of tenement management and legislation and has technical information on buildings of all ages and types. It is funded by a partnership of organisations including local authorities, Historic Scotland, Property Managers Association Scotland, Scottish Federation of Housing Associations and the Scottish Government.

These articles are free to use and are available online via dropbox.

<https://www.dropbox.com/sh/w4ddx8xmt9hyfwclAAA4x7BTHQ5ZQ9MvAxAyLuMHa?dl=0>

There are 4 new articles:

- "Enforcing Repairs" (there is also a version with links for use in online publications)
- "Is the law on common repairs different for landlords?"
- "Chick to blame for tenement collapse" emphasising how a lack of basic repair can have serious consequences for owners
- "When energy efficiency improvements backfire"

The articles are firmly addressed to the private landlord and letting agent audience. They may be freely used by any not-for-profit or membership organisation including local authorities and landlords.

UC Universal Credit

Universal Credit: Top tips for landlords

The DWP is concerned that there is a lack of understanding of Universal Credit amongst Private Landlords. Of particular concern is the fact that landlords may not be aware that they can apply for a direct payment of housing costs which could protect the tenancy of vulnerable people.

DWP has developed a Landlord Communication Campaign including top tips for private landlords and details of how to apply for a managed payment to landlord. The new products will be housed on then Understanding Universal Credit Website and we would seek the help of Local Authorities to send the link out to Private Landlords.

www.understandinguniversalcredit.gov.uk/landlords

You can apply for a direct payment of rent, or rent arrears deduction if you're a landlord.

You can ask for rent payments to be made direct from your tenant's Universal Credit if they're having difficulty paying you.

You'll be given the form to download and the email address to send it to.

Before you apply, you will need your tenant's postcode.

Follow this link:

<https://directpayment.universal-credit.service.gov.uk>

Ensure your tenants know how much their rent is



Speak to your tenants early to make sure they know how much their rent is, and that they are ready to pay their rent to you directly.

Apply for an Alternative Payment Arrangement



If you have tenants who may struggle to pay their rent or are in rent arrears, you can apply for their housing costs to be paid to you directly from the start of their claim.

Claimants can apply for an advance



Are you aware new Universal Credit claimants can apply for an advance from the start of their claim that can be used to help pay rent and bills?

Additional support for Housing Benefit claimants



Remind tenants moving from Housing Benefit to Universal Credit that they will automatically receive an extra two weeks' Housing Benefit support which they don't need to pay back.

Understand the options



In Scotland, tenants can choose to have their housing costs paid direct to their landlord or themselves. Make sure you understand all the options so that you can give the best advice possible.

Encourage tenants to set up direct debits



They will need a bank account for their Universal Credit payments, and having a direct debit or standing order set up may help them make sure their rent payments are made on time.

Get to know your Partnership Manager



Build strong links with your Partnership Manager - they can share contacts to help you resolve complex matters.

Encourage tenants to claim straight away



Encourage tenants who have a change of circumstances, such as losing their job, to make a claim for Universal Credit straight away so they can continue to pay their rent.

Make sure your tenant has the right paperwork



If you're a private landlord, you'll need to provide your tenants with suitable signed paperwork that confirms how much their rent liability is, as this is required for the verification process.

More information for landlords can be found at understandinguniversalcredit.gov.uk/landlords, where you can also find out how to contact the DWP partnership teams.

UC *Universal Credit*

Support Team

East Ayrshire Council have formed The Universal Credit (UC) Support Team to assist and support East Ayrshire residents in making and maintaining a UC claim. The Team will also be able to support residents with basic budgeting skills, IT skills, education and employability, whilst working with them to ensure tenancy sustainability.

It replaces:

- Housing Benefit
- Income Support
- Jobseekers Allowance (Income based)
- Employment Support Allowance (Income based)
- Child Tax Credit
- Working Tax Credit

If your tenant requires any assistance or has any questions regarding the above please ask them to call the UC Support Team on 01563 503280.



Landlords will be required to declare whether or not they comply with specific duties. This will supplement the general declaration about compliance, and will provide local authorities with more helpful information to help them decide whether a landlord should be approved or not.

The revised on-line application journey has been developed and will now ask straightforward questions that are easily understood. Signposting information is now included to help landlords who are not sure what they need to do.

The main purpose of this change is to make better use of the landlord registration process to contribute to improving standards across the private rented sector. Asking for more information about compliance at the point of application will:

- Raise awareness about landlord responsibilities;
- Identify where further advice or support for landlords may be required;
- Ensure that local authorities are better informed to carry out the fit and proper person test;
- Improve confidence that anyone who is approved and entered onto the register is a suitable person to let houses.

The Scottish Government is working with local authorities to develop a good practice approach to scrutinising and validating the information that landlords

provide. For example, landlords may be asked to provide evidence of compliance as part of a sample check of applications.

Improving compliance at the point of application will help to address any issues at an early stage and reduce the need for local authorities to intervene later on. Enforcement activity can then be targeted at those landlords who deliberately operate outside the law and really bring the sector into disrepute.

How does this affect you?

- The Tolerable and Repairing Standards
- Fire and carbon monoxide safety
- Gas and electrical safety
- Private water supplies and legionella risk assessment
- Energy performance certificates
- Insurance and common repairs on tenement property

Provision will be made for landlords to declare if a specific duty doesn't apply.

It's important to note that there are no new duties for landlords and so this change should have a minimal impact on those who already meet the existing standards.

If you are not sure that you meet your landlord responsibilities please contact the Private Sector Housing Unit on 01563 554584 or 554560.

Other useful sources of information are the Mygov.scot and Renting Scotland websites.

Landlord Registration Changes

The Scottish Government has introduced changes to the landlord registration process in Scotland.

From the 16th of September 2019 landlords are required to declare whether or not they comply with specific obligations when they register for the first time or renew their registration. These changes should not have a significant impact on landlords who are already meeting the existing standards, but it is important to ensure that you are aware of the latest legislation.



More homes for rent

The Scottish Government announced that the rental market has to benefit from a £30 million investment.

People renting will have more choice in where they live and greater security over their home through a £30 million investment from the Building Scotland Fund.

The loan funding will allow an additional 1,800 properties to be built for private rent. The Build to Rent model can reduce the stress and uncertainty of repeated moves for tenants as investors typically plan to keep the properties for a minimum of 30 years.

The properties are also professionally managed, meaning tenants can expect a high-quality property and an overall better rental experience. Communities Secretary Aileen Campbell said:

“Renting accommodation is becoming a long-term option for many people, at many stages of life, for example when starting a family or when retiring. We want everyone who rents to be able to live in a house that suits their needs and in an area where they want to live, including near family, friends or schools.

“We want people to have the security to make that house their home - whether they are looking for a house for three years or thirty years.

“The Private Residential Tenancy already offers greater security for tenants, balanced with appropriate safeguards for landlords and investors. These additional new properties to the sector can give people long-term security and the confidence they are renting from an experienced, professional management company.

“The additional long-term stability these properties provide will make

a huge difference for many households, especially those wanting to create a family home and settle into a community.”

Graham Barnet, chief executive of Sigma, said:

“We are delighted to have the support of the Scottish Government’s Building Scotland Fund.

“Our approach to housing delivery has been working extremely well in England, and is helping to deliver thousands of new houses for the private rental market.

“We see significant demand for our high-quality, professionally managed homes in Scotland and look forward to using this new fund to assist in addressing Scotland’s housing needs. We are also continuing to explore other opportunities to extend our business model.”

Background

The investment from the Scottish Government’s Building Scotland Fund will be delivered through Sigma Capital Group plc.

The company has created a £43 million Scottish Private Rental Sector Fund, of which £30 million comes from the Building Scotland Fund. The Fund is a precursor to the Scottish National Investment Bank and reflects the principles behind it.

More information on the £150 million Building Scotland Fund and Scottish National Investment Bank.

Empty Homes

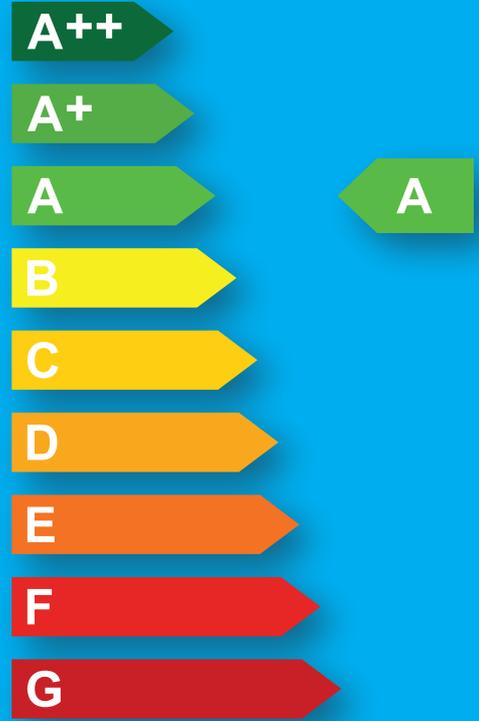
If you are interested in bringing an empty home back into use the Council can offer you some advice and assistance in the following areas:

- Safety and security
- Private Renting
- Renovation overview
- Interest free loans provided by EAC
- VAT discounts
- EAC operate a 'buy back' scheme
- Energy efficiency
- EAC operate a Matchmaker Scheme whereby owners can provide details of their property, this information can be passed to potential purchasers
- Selling options i.e. estate agents, auction houses, property buying companies

If you would like further information about this scheme or wish to bring an empty property to our attention please contact:

Liz King, Empty Homes Officer
Private Sector Housing Unit, Civic Centre North, John Dickie Street
Kilmarnock KA1 1HW

Tel: 01563 554583 / Email: Elizabeth.king@east-ayrshire.gov.uk



Advertising Private Rented Property

Reminder to all landlords - you must include your registration number and Energy Performance Certificate rating in all property to let advertisements.



Minimum energy efficiency standards within the Private Rented Sector

The Scottish Government has confirmed that minimum energy efficiency standards within the Private Rented Sector will be introduced, starting from April 2020.

Private rented properties will need to achieve at least EPC band E at change in tenancy from 1 April 2020, and in all properties by 31 March 2022.

In addition, properties will need to achieve at least EPC band D at change in tenancy from 1 April 2022, and in all properties by 31 March 2025.

Further information on penalties and exceptions will be available in due course.

For more information on support for energy exceptions in the Private Rented Sector please visit:

<http://www.energysavingtrust.org.uk/scotland/businesses-organisations/landlords>.

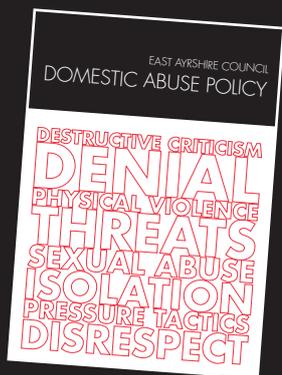
The Energy Saving Trust has also developed an animated video setting out the new requirements:

<https://www.youtube.com/watch?v=msjAdU4Vu0M>

Energy Efficiency standards are part of the Scottish Government's 'Energy Efficiency Scotland programme – you can find more information on this at:

<https://www.gov.scot/Publications/2018/05/1462>

New domestic abuse policy



East Ayrshire Council has recently produced a new domestic abuse policy. Please see the link below to information on domestic abuse on the Council's internet page which includes links to the EAC Domestic Abuse Policy and Statement:

[Domestic abuse · East Ayrshire Council](#)

The new policy aims to:

- ensure that all situations arising from domestic abuse are handled confidentially and sympathetically;
- give proactive assistance and support to anyone asking for help during and out of hours by providing accurate and practical advice about their housing options and their legal rights and responsibilities, to meet individual needs;
- improve the safety of all our residents affected by domestic abuse, and preventing further incidents by encouraging earlier reporting and responding quickly and providing security measures;
- ensure that the support we provide is equally available to everyone, regardless of gender, race, religion, language, age or sexual orientation and that specialist support is available.

DOMESTIC ABUSE



in EAST AYRSHIRE

FREE COLLECTION

CALLING ALL LANDLORDS

ARE YOU HAVING PROBLEMS WITH VACATING TENANTS?

PROBLEMS WITH FLY TIPPING?

LEAVING FURNITURE BEHIND?



Cunninghame Furniture Recycling Company

A local charity covering all of Ayrshire and saving furniture from landfill

WE WORK CLOSELY WITH AYRSHIRE'S LOCAL AUTHORITIES TO REDUCE LANDFILL



WE ALSO OFFER A CLEARANCE SERVICE TO EMPTY VACANT HOMES

Freephone

0800 221 8083



EUROPE & SCOTLAND
European Social Fund
Investing in a Smart, Sustainable and Inclusive Future

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A Charity Registered in Scotland No. SCO 41863
CFRC-0119-008

Empty Property Security Matters

Clearway Scotland is Part of the Clearway Group which has been providing specialist security and environmental solutions since 1995. They do a lot of work at Clearway Scotland with Social Housing, FM and Property Management companies as well as, Retail and Commercial units, Construction, Public Sector, and many more.

As one of the UK's leading vacant property security and environmental waste companies, they operate nationwide across multiple sectors providing a full range of services including:

- **CCTV Solutions**

- Temporary CCTV towers
- Permanent CCTV

- **Property Security**

- Temporary Alarms
- Video Verified Alarms
- Barriers and Fencing
- Steel Screens, Security doors, Steel Sheet
- Property Inspections
- Security Guards/Man Guarding including patrolling and dog units

- **Property Services**

- Domestic and Commercial Clearances
- Rubbish/Waste Clearances
- Cleaning Services
- Graffiti removal
- Deep Cleans including sharps removal
- Pest Control

If you want further information regarding any of the services and products mentioned then please contact:

Clearway Scotland, 211 Nasmyth Building, SETP, East Kilbride, G750QR



clearway
SCOTLAND

Chantelle Christie (Cowan)
Business Development Manager
Mobile: 07547 809370
Email: chantelle.christie@clearwayscotland.co.uk
www.clearwayscotland.co.uk

Landlord Enforcement

A private landlord in Fife who became the first to be disqualified by a Scottish court has been fined £12,000 after illegally renting out properties for a third time.

The landlord was banned from renting out homes anywhere in Scotland for 12 months in May 2017, following a second conviction at Kirkcaldy Sheriff Court.

The landlord was found guilty of having breached both the Antisocial Behaviour etc. (Scotland) Act 2004, and the Housing (Scotland) Act 2006 on April 27 and was also given a £500 fine.

The landlord had previously been convicted at Kirkcaldy Sheriff Court in November 2014 for failing to comply with his private landlord duties under the Antisocial Behaviour etc. (Scotland) Act 2004 and for being in breach of Gas Safety (Installation & Use)

Regulations 1998. He received a total of six criminal convictions in relation to legislative compliance failures and fines totalling £540.

In addition, he was refused entry onto Fife's landlord register in June 2015, making it a criminal offence for him to rent out a residential property in Fife.

However, he continued to operate as a landlord despite his registration being refused.

Sheriff Jamie Gilchrist QC said the landlords offences were a deliberate and continued flouting of the law for commercial gain.

He fined the landlord a total of £12,000, to be paid within six months. He also banned him from registering as a landlord with any local authority for an additional four years.

This information can be made available, on request, in braille, large print or audio formats and can be translated into a range of languages. Contact details are provided below.

درخواست کرنے پر یہ معلومات ناپیدنا افراد کے لئے اُبھرے حروف، بڑے حروف یا آڈیو میں مہیا کی جاسکتی ہے اور اس کا مختلف زبانوں میں ترجمہ بھی کیا جاسکتا ہے۔ رابطہ کی تفصیلات نیچے فراہم کی گئی ہیں۔

本信息可应要求提供盲文，大字印刷或音频格式，以及可翻译成多种语言。以下是详细联系方式。

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ਇਹ ਜਾਣਕਾਰੀ ਮੰਗ ਕੇ ਬੋਲ, ਵੱਡੇ ਅੱਖਰਾਂ ਅਤੇ ਸੁਣਨ ਵਾਲੇ ਰਾਹ ਵਿਚ ਵੀ ਲਈ ਜਾ ਸਕਦੀ ਹੈ, ਅਤੇ ਇਹਦਾ ਤਰਜਮਾ ਹੋਰ ਬੋਲੀਆਂ ਵਿਚ ਵੀ ਕਰਵਾਇਆ ਜਾ ਸਕਦਾ ਹੈ। ਸੰਪਰਕ ਕਰਨ ਲਈ ਜਾਣਕਾਰੀ ਹੇਠਾਂ ਦਿੱਤੀ ਗਈ ਹੈ।

Niniejsze informacje mogą zostać udostępnione na życzenie, w alfabecie Braille'a, w druku powiększonym lub w formacie audio oraz mogą zostać przetłumaczone na wiele języków obcych. Dane kontaktowe znajdują się poniżej.

Faodar am fiosrachadh seo fhaighinn, le iarrtas, ann am braille, clò mòr no clàr fuaim agus tha e comasach eadar-theangachadh gu grunn chànanan. Tha fiosrachadh gu h-ìosal mu bhith a' cur fios a-steach.



East Ayrshire Council
Comhairle Siorrachd Àir an Ear

Contact the **Private Sector Housing Unit** on **01563 554584, 554560 or 576878**.