

Newham Private Rented Sector E-Bulletin

June 2022

Private Sector Housing Standards

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Message from Councillor Mohammed - Lead Cabinet Member for Housing

Welcome to our Newham landlords, licence holders and agents.

In Newham, good landlords play an important function in ensuring a safe and secure environment for residents, with more than 54% of homes in Newham are let out to private tenants. We know some tenants are suffering with unacceptable conditions, including overcrowding, disrepair and a poor standard of energy efficiency.

That is why Newham Council is determined to take action, to help tackle rogue landlords and to protect our private renters as the cost of living soars. In our second article, you will be able to see some of the fantastic enforcement work Private Sector Housing Standards have carried out, despite the Covid-19 pandemic.

I invite you all to join us for our Landlord's Forum on **Tuesday 5th July 2022** between **2-4pm** at the Old Town Hall in Stratford. This is the first time since the pandemic that we can hold the meeting in person. Further details can be found later in this E-bulletin.

Finally, I would like to thank everyone who contributed to our property licensing consultation which was open from 8 November – 26 January.

Property Licensing Consultation

Licensing helps us to tackle poor property conditions, deprivation, anti-social behaviour and poor management of properties by some landlords. From 8th November 2021 to 26th January 2022, we consulted on our proposed property licensing scheme.

Thank you to everyone who responded. Your views are highly valued and have been a significant part of the consultation process.

M·E·L Research, an independent research company, carried out a **wide-ranging public consultation**, including:

- an online and telephone survey with 1,104 responses;
- seven focus groups with residents, landlords, agents and organisations; and
- Written submissions.

If you wish to view the consultation documents please visit our webpage:

www.newham.gov.uk/propertylicensingconsultation

A report will be submitted to the Council's Cabinet Meeting where a decision will be made by the Mayor and Cabinet Members on the proposed licensing schemes. If the schemes are approved then an Additional Licensing scheme for Houses in Multiple Occupation (HMOs) will be introduced in January 2023. An application will also be made to the Government at the Department for Levelling Up, Housing and Communities for the Selecting Licensing delegation to be approved.



Enforcement Action

Despite Covid-19 lockdowns, Private Sector Housing Standards have been very busy carrying out a large number of enforcement work over the last year and in this licensing scheme, including the following:

- Since the start of our current licensing scheme (since 2018):
 - Our Property Licensing Team have:
 - Issued over **40,960** licences; and
 - Dealt with over **100,000** licensing enquires!!
 - Our Compliance Team have visited over **9000** properties to check compliance with licence conditions.
 - Our Private Sector Housing & Environmental Health Officers have:
 - Carried out over **2100** inspections;
 - Issued over **650** Notices relating to poor housing standards, including;
 - **Improvement Notice** served requiring remedial works for damp and mould, excess cold and food safety for a property on Tree Road, E16;
 - **Improvement Notice** served requiring remedial works for damp and mould, excess cold, fire safety and electrical hazards for a property on High Street South E6;
 - **Prohibition Order** made for a HMO on Green Street, E7 for lack of natural lighting (there was no window in the bedroom);
 - **Improvement Notice** served for a property on Saville Road, E16 for dangerous electrical sockets and severe penetrating and rising damp;
 - **Prohibition Order** for a basement flat in Essex Street, E7 for lack of sufficient daylight and inadequate means of escape from fire;
 - **Improvement Notice** served for property in Desford Road, E16 for excess cold, fire safety, damp and mould and other issues; and
 - **Improvement Notice** served property in Chadwin Road, E13 for structural movement and potential collapse of chimney stack, damp and mould and fire safety issues.

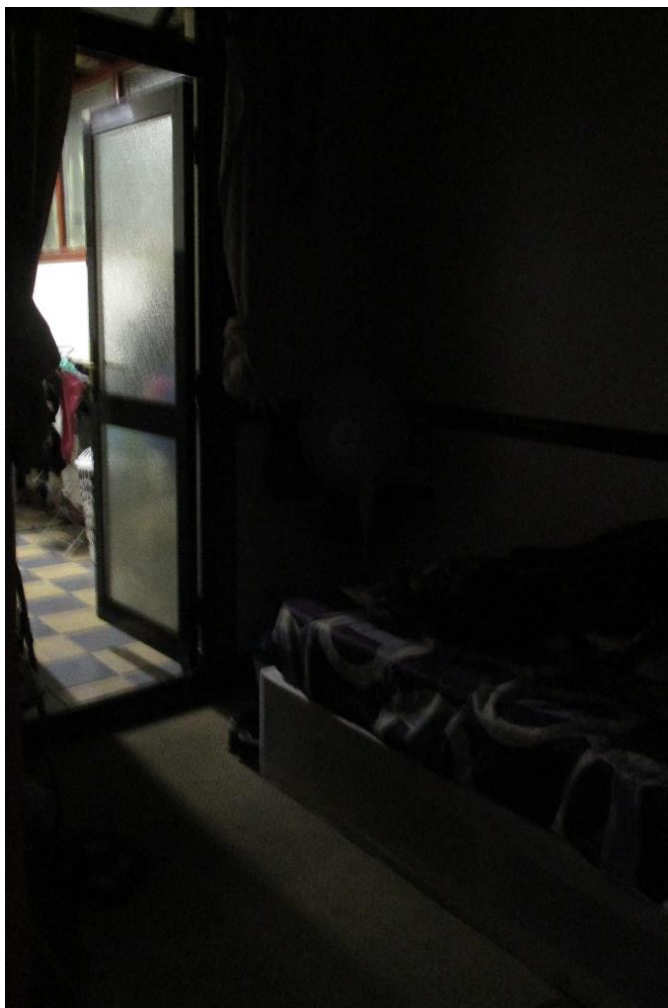
Note that if a Notice or Order are served under the Housing Act 2004 then the landlord/agent will be charged a fee of **£750**. This allows the Council to recover their costs of serving and preparing the Notice or Order.

- Issued over **300** Financial/Civil Penalty Notices against landlords, agents and licence holders who have failed to comply with the Housing Act 2004. Including:
 - **£15,000** against a licence holder of a property at Rixsen Road, E12 for failing to comply with an Improvement Notice;
 - **£10,000** against a licence holder for failing to comply with their licence conditions, by not returning their audit documents when requested to by the Council, for a property on Wilson Road, E6.
 - **£10,000** against a licence holder for failure to comply with their licence conditions for a property on Gatcombe Road, E16;

- **£10,000** against the owner for failing to licence a property on Milton Avenue, E6;
- **£7,500** for non-compliance with an improvement notice for a property on Chobham Road, E15;
- **£5,000** against a landlord who failed to licence their property on Amity Road, E15;
- **£5,000** against an owner who failed to licence their property on Monega Road, E7;
- **£5,000** against an owner who failed to licence their property on Katherine Road E7;
- **£5,000** against a licence holder for failing to comply with their licence conditions for their property on Dell Close, E15; and
- **£5,000** against a licence holder for failing to comply with their licence conditions for their property on Silvertown Square, E16.

Suspended Prohibition Order:

A Suspended Prohibition Order was made for a ground floor rear bedroom in HMO on St Stephen's Road, E6.



The photo shows the view from inside the ground floor rear bedroom of the HMO in St Stephens Road, E6.

This room was being used as a sleeping room even though it does not have a window. There is no other recreational space available to the occupiers so they were not able to do their daily activities in the room such as reading or tidying up without using artificial light. There is also no outlook from the room as it is located directly off a utility/store room which was directly off the dining room.

As well as the lack of natural lighting in the room, there was no safe secondary means of escape from the bedroom. This is needed as the bedroom was located off a utility/store room and then a dining room. This means that if there was a fire in the utility/store room or dining room, the occupiers would be unable to escape and would be trapped in their bedroom.

Tribunal appeal case – Mr Flavio Costa Garcia and Flavio Costa Property Ltd

An inspection by the Council found that the manager of a house in multiple occupation (HMO) had committed multiple breaches of the House in Multiple Occupation (HMO) Management Regulations. The HMO Management Regulations require properties with more than two households living in them, to have a manager responsible for making sure the shared facilities are clean and working; that fire alarms are kept in good order, as well as other requirements.

The inspection of the HMO found that the gas was cut off, there were serious leaks with black mould in bathrooms, a lack of hot water and defective fire alarms.

The manager, Mr Flavio Costa Garcia and his company were served with two Financial Penalty Notices. The first penalty fee of £25,000 was for a breach regarding his failure to maintain the fire alarm system, and the second for £25,000 for a breach relating to the kitchen, which was kept in poor condition with a lack of working cooker or hot water.

The fines were large as this was not the first time that Flavio Costa Property Ltd was issued with a penalty notice; a previous penalty was issued for £2,500 for similar offences and was entered onto the rogue landlord database.

Mr Costa Garcia and his company appealed the penalty notices and the appeal was dismissed. In August 2021, HM Courts & Tribunals Service found Flavio Costa Garcia and his company, Flavio Costa Property Ltd, guilty for multiple breaches of the HMO Management Regulations.

Flavio Costa Garcia and his company Flavio Costa Property Ltd is a rogue landlord who seeks to avoid the costs associated with proper property management and this penalty reflects the seriousness of the offences.

Click [here](#) to view the HMO Management Regulations to ensure that you are complying.



Left photo shows the damp and mould growth from the damage caused by the leak and the right shows the fire alarm that was no working.

Visits with Councillors

On 8th February 2022, Councillor Jennifer Bailey and Councillor Daniel Lee-Phakoe joined our Private Sector Housing & Environmental Health Officers on some property inspections. The officers were carrying out unannounced visits to check compliance with property licence conditions and to find any unlicensed properties.

The Councillors wanted to observe the officers carrying out their licensing enforcement work regarding crime and antisocial behaviour issues as they are both members of the Crime and Antisocial Behaviour Scrutiny Committee.

The Officers inspected **13** properties and found the following:

- **7** unlicensed properties, licence applications have now been received;
- **1** unlicensed property where the owner has received a financial penalty notice of £2500;
- **2** properties had incorrect licences issued but applications were received after a warning letter was sent out; and
- **3** properties were owner occupied.

Proactive visits have been arranged to improve the housing standards in some of these properties as the visits identified a number of other issues including; overflowing rubbish in front gardens, overcrowding, a communal kitchen in a house in multiple occupation (HMO) was located in an unsuitable conservatory and flammable materials were being stored in the insecure basement.



Image above (from left to right) shows Helen Masterson (Head of Private Sector Housing Standards), Councillor Bailey and Councillor Lee-Phakoe outside a HMO.

Newham Landlords' Forum- Tuesday 5th July 2022

Newham Council are very interested to hear from landlords and licence holders to understand their views.

Richard Blanco from the National Residential Landlords Association (NRLA) and Newham Council will be hosting a Landlords' Forum in July. It will be the first time since the pandemic that we are able to meet in person and hear your views. Refreshments will be provided.

We will be having the following topics and speakers:

1. Portfolio Planning In Uncertain Times with NRLA Representative with Richard Blanco
2. New Licensing Designation with Helen Masterson, Service Manager for Private Sector Housing Standards, London Borough Of Newham
3. Energy Efficiency & Grants with Vincent Whyte, Team Leader, Energy Efficiency & Empty Homes Team and Meghan Kingsley-Walsh, Energy & Sustainability Officer from London Borough of Newham
4. Understanding Rent To Rent with Iyabo Agiri
5. Energy efficiency and the Health Impacts of Cold Homes with Laura Austin-Croft, Public Health Consultant, London Borough of Newham.

When: Tuesday 5th July 2022

Time: 2pm to 4pm

Where: Old Town Hall, Stratford, 29 The Broadway, Stratford, London E15 4BQ

RSVP: by emailing propertylicensing@newham.gov.uk. Please put the subject title as 'RSVP to Landlords' forum'.

For more information please visit: [Regional Landlord Meetings | NRLA](#)



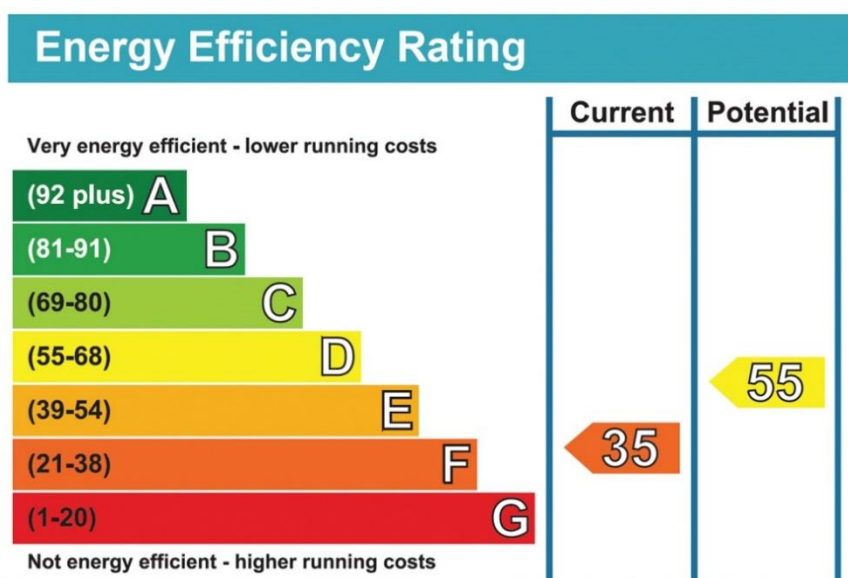
Minimum Energy Efficiency Standards

It is **illegal** to rent out a property if it has an Energy Performance Certificate (EPC) rating of F or G, unless you have a valid exemption in place.

Newham Council will be ensuring that landlords/agents comply with this and any person found guilty will receive a financial penalty notice (FPN) of up to **£5,000** per property, depending on the offence/s.

Our Energy & Sustainability Officers have sent out **118 Compliance Notices** and issued **37 Penalty Notice's** under the Minimum Energy Efficiency Standards.

Click [here](#) to view more information regarding the Minimum Energy Efficiency Standards.



Green Homes Grant

Do you know anyone that lives in, owns or rents a cold home that they are struggling to heat?

The **Green Homes Grant** could help!

To find out more and **apply for free** call 0808 196 8255 or visit:
<https://surveys.est.org.uk/s/GreenHomesGrantSchemeLAD>

The Green Homes Grant is available for homeowners, private tenants and people in social rented accommodation who live in a home with a low energy rating and have a household income of less than £30,000 a year, or unemployed and receive an income, health or disability benefit.

The Council's Energy & Sustainability Officers have made over 230 referrals for the Green Homes Grant.

For more information visit the Council's website: [Green Homes Grant - local authority scheme – Energy and sustainability – Newham Council](#)



WARMWORKS

**Green Homes Grants
could make your home
more energy efficient**



Department for
Business, Energy
& Industrial Strategy

Funding the Local Authority Delivery Scheme

Home Adaptations

There is a growing number of people with mobility and accessibility issues renting in the private sector.

If you are approached to give consent by the local authority for an adaptation please consider the following;

- If it's a minor adaptation such as a grab rail, this will be funded by the local authority's equipment service.
- If it's a major adaptation such as stair lift, level access shower or a ramp, you as the landlord is not required to fund any part of it as the tenant can apply for a Disabled Facilities Grant
- You can have a say in the way the adaptation looks
- You can use your own contractors if they provide a value for money quote
- Most adaptations are carried out whilst the tenant is in situ so no rental income is lost
- When the adaptation is no longer required, such as a stair lift, the council will consider removing.
- Maintenance of stair lifts , through floor lifts, specialist toilets, will have an extended warranty

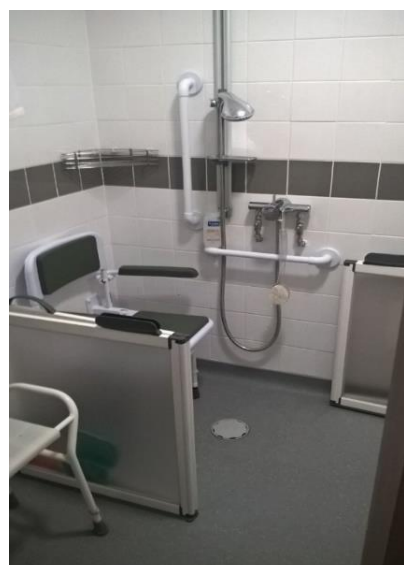
Providing a property with accessibility facilities is now in demand and there is no shortage of prospective tenants out there.

The Home Adaptation and Independent Living Team (HAIL) is a local authority service who support elderly, disabled and vulnerable people to apply for the DFG and arrange the works, they are also there to support you as a landlord.

If you have questions or wish to know more about the process contact the HAIL team manager, Debbie Richardson – Debbie.richardson@newham.gov.uk

The National Residential Landlords Association also has information and Good Practise Guidelines on their website, to view these follow this link: [Making adaptations to your property | NRLA](#)

Here are some examples of completed wet rooms:



Letting Agent Work Update

Newham Council's Private Sector Housing Standards (PSHS) & Trading Standards have been carrying out unannounced inspections of letting agents and property management agents in the borough. This is to ensure agents are compliant with the Consumer Rights Act, which includes displaying fees and charges and other legislation making it mandatory for agents to be a member of a redress scheme and a client money protection (CMP) scheme.

So far our Trading Standards Officer who works in PSHS has issued over **30 final financial penalty notices** against letting agents who have not complied with the law.

Some fines have been issued for the maximum of **£30,000** for not being a member of a CMP scheme. The majority have been issued for not having their CMP certificate in the office and on the website or for non-compliance with the Consumer Rights Act e.g. for not displaying their landlord fees.

Letting and property management agents can find information on their legal requirements on the Council website, along with the London Trading Standards Lettings Enforcement Policy which the Council has adopted, for further details please visit; [Letting Agent Information – Newham Council](#).



Image shows Council Trading Standards Officers carrying out an inspection of a letting agent.

Letting your property to us

If you have a property to let, and you would like to rent it to Newham Council, then please contact us by **emailing PRSsupply@newham.gov.uk or phone us on 020 3373 1149.** We have local families who can move in immediately.

For further details please visit: www.newham.gov.uk/housing-homes-homelessness/letting-property-us/1



Tenants in arrears

The COVID-19 pandemic has hit us all in many ways. Some people have sadly lost loved ones. Others may have lost their job, or are now on reduced working hours. Others are simply struggling to keep up with the increasing cost of living. As a result some tenants have found it extremely difficult to pay their rent and could have fallen into arrears, or even worse, facing eviction. Newham wants to help.

If you have a tenant who is finding it hard to make their rent payments, or is now in arrears, we may provide financial assistance. If we can help sustain a tenancy and avoid a potential eviction please let us know by emailing dutytorefer@newham.gov.uk. In the subject box, please indicate 'TENANT IN ARREARS' and we will make sure the case is prioritised.



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