

Legislative updates

1. **Tenant Fees Act 2019: guidance** published on 1st of April 2019. Since 1 June 2019 it is illegal for landlords and agents to charge fees, such as for referencing or credit checks to tenants.

2. **Client money protection (CMP) for letting and managing agents** Letting and property management agents in the private rented sector who hold client money are now required by law to belong to a government-approved CMP scheme by 1st of April 2019.

This is separate from existing requirements to protect **tenancy deposits**.

3. **Homes (Fitness for Human Habitation) Act 2018**

On 20th of March 2019 a new law came into force to make sure that rented houses and flats are 'fit for human habitation', which means that they are safe, healthy and free from hazards that could cause serious harm.

This new law will help tenants take their own action to improve sub-standard properties.

If rented houses and flats are not 'fit for human habitation' tenants could take their landlords to court. The court can make landlords carry out repairs or put right health and safety problems. The court can also make the landlord pay compensation to the tenant.

Guidance can be found [HERE](#).

4. **Minimum Energy Efficiency Standard (MEES)** Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 have been amended by the **Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019**.

Landlords will now be required to pay up to **£3,500** on works to their property in order to raise its Energy Performance Certificate (EPC) to at least an 'E' rating. It is a Licensing Condition that an HMO has a current EPC report rate A to E. If your HMO does not meet this standard, you need to upgrade the energy efficiency or check to see if you qualify for an exemption. For more information, follow the [LINK](#).

5. **How to Let Guidance** has been updated on 31st of May 2019 and can be found [HERE](#).

New HMO licensing conditions 2018/2019 reminder

Kitchen doors

Additional licensing two storeys 3-4 people: solid well-constructed, close fitting door to the kitchen is required.

Additional licensing three or more storeys: full fire door with smoke and heat seals and self-closer

Mandatory Licensing (5 or more people): full fire door with smoke and heat seals and self-closer. This could be relaxed in two storey properties with escape windows in each bedroom.

Room standards

We have previously allowed bedrooms to be as small as 6m², if additional space was made available on the same floor e.g. a wardrobe on the landing. However, since the Government introduced minimum space standards for bedrooms, this is no longer acceptable and bedrooms must be 6.51m² for a single occupancy and 10.22m² for a double occupancy.

Carbon monoxide alarms

It is now a condition to provide CO alarm in any room containing combustion appliances, including gas appliances.

Financial penalties

Failure to apply for a licence when required is an offence punishable on summary conviction to an unlimited fine. Alternative sanctions include offering a Simple Caution or issuing a Financial Penalty Notice of up to £30,000. More details can be found [HERE](#)

Landlords Checklist

This checklist is recommended to be used before a new tenancy starts and during periodic inspections.

The check list has been updated and can be found [HERE](#)

To apply for a new licence or renewal, visit:
www.bathnes.gov.uk/hmoapp

For more information about standards and other useful links, visit:
www.bathnes.gov.uk/hmos

Licensing process

All outstanding HMO licence applications have been processed and acknowledged. In some cases applications remain invalid, due to various issues. We are in the process of writing to proposed licence holders and managers that have made invalid applications and who are not responding to our repeated requests to make their applications valid. We may formally refuse the application as not being duly made and start enforcement action. For HMOs where valid applications have been received, we are working through these and licences will be issued as soon as possible. Please accept our apologies for the delay.

Please note that we prioritise properties that we have not inspected in the past; however all HMOs will be inspected during the term of the licence.

If your property is no longer an HMO, please contact us, as you may be entitled to a partial refund. For more information visit our [Fees Document](#).

Students moving out

Please check your property as soon as the tenants have moved out. This time of the year, we receive higher than usual number of complaints about mess in the front gardens and pavements. The Council will be collecting any extra rubbish in **closed black bags placed next to wheelie bins** on normal collection days in June. If your tenants are leaving between collection days, ask them to put any extra rubbish at the front of the garden, visible to the waste collectors.

[Pack for Good](#), with the British Heart Foundation, has 8 donation banks across Bath for students to donate unwanted items when preparing to move-out.



Please advise your tenants to take advantage of the [Council services regarding recycling](#), as some waste can be put in recycling containers. Visit [our website](#) for more information.

Unlicensed HMOs

We are still finding unlicensed HMOs and receiving late applications for properties being managed by letting agents. If you are a letting agent, check your records to determine an HMO licence application has been submitted.

To report an unlicensed HMO, visit [HERE](#).

The Department for Business, Energy and Industrial Strategy (BEIS) is hosting a series of landlord workshops across the UK. They will discuss policy options for minimum energy efficiency standards in the private rented sector, in advance of a formal consultation. They are also hosting a webinar for those who cannot attend in person on **Thursday 11 July, 10.30-12.30pm**.

- [Cardiff – Tuesday 18 June](#) – Birchwood House, University Hall | Birchwood Road | CF23 5YB Cardiff
- [London – Thursday 20 June](#) - 1 Victoria St Conference Centre | 1 Victoria Street | SW1H 0ET London
- [Oxford – Thursday 27 June](#) - Long Room, Oxford Town Hall | Oxford Town Hall | St Aldate's | OX1 1BX Oxford
- [Peterborough – Tuesday 2 July](#) - Allia Future Business Centre Peterborough | London Road | PE2 8AN Peterborough
- [Greater Manchester – Wednesday 10 July](#) - Quarry Bank | Styal Road | SK9 4LA Styal
- [Webinar 11 July](#) - password: SrFPr3wp, meeting number: 704 702 600