

# landlord guide

WARWICK DISTRICT COUNCIL



## STUDENT HOUSE ACCREDITATION SCHEME LANDLORD GUIDE



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## **Advisory Note**

Warwick District Council, in conjunction with the agencies and organisations listed in Section 2 below, reserve the right to amend the requirements of the Accreditation Scheme at any time to reflect changes in policy and/or legislation. Properties which are subject to existing accreditation will be given reasonable opportunity to meet the revised standard.

Whilst accreditation clearly demonstrates a landlords commitment to providing quality accommodation and good letting practice, it does not offer any immunity to statutory action being taken in the event that contraventions of relevant legislation are discovered.

Tenants must always satisfy themselves as to the standard of their accommodation. Warwick District Council neither guarantees or warrants the condition of property and accepts no liability if the tenant finds the property in any way unsatisfactory, not withstanding the property may be accredited under the Accreditation Scheme.

Adoption of the Accreditation Scheme and compliance or non-compliance with the provisions of the scheme do not affect the statutory rights of those seeking housing.

Warwick District Council shall not be liable to any person or persons for any information contained within the scheme or related documentation, or reliance upon it for any loss, damage or injury or any disputes, proceedings or claims by or between any person or persons (and whether or not including against the Council) whatsoever or howsoever arising from any information therein contained or any related documentation pertaining thereto.

## 1. INTRODUCTION

Student accommodation has traditionally had a poor image, and has contained some of the worst housing in the District's stock. Times are changing, and landlords and tenants alike are now better informed and aware of standards to be expected.

Warwick District Council's Accreditation Scheme is a new initiative which gives recognition to privately rented shared student accommodation which meets certain standards.

Accredited properties are identified by the scheme logo on adverts and web pages, and landlords can display their accreditation certificate when prospective tenants are viewing properties.

Landlords will ensure their properties meet minimum standards for gas, electric and fire safety, repairs, amenities, thermal efficiency, security etc. and have the option to achieve a star rating if the property reaches a particular standard for specified criteria.

In addition, landlords will comply with a management code which states that they will follow good letting practice and adopt a complaints procedure. In return tenants will be expected to act in a responsible and co-operative manner.

Students are coming to expect higher standards and are now better informed when they are looking for accommodation. Letting agencies are similarly expecting their landlords to achieve certain standards to present a professional image and minimise complaints.

The accreditation scheme draws upon a combination of legal requirements and good letting practice, and has been devised through a working group comprising both landlords and tenants interests. There are many responsible landlords who want to offer good quality accommodation and this scheme acknowledges their efforts. These landlords will be well placed to join the scheme. Landlords who operate to lower standards should think seriously about the merits of the scheme and the benefits it has to offer.

## 2. ACKNOWLEDGEMENTS

This accreditation scheme has been developed by the Housing Division of Warwick District Council's Environmental Health Unit, in conjunction with the following :-

Central Housing  
Sandhu Estates  
Spa Estates  
Unique Enterprises  
Warwickshire County Council - Trading Standards  
Warwick District Council Planning & Engineering Unit - Building Control  
Warwickshire Fire Service  
Warwickshire Police  
Warwick University Accommodation  
Warwick University Students Union - Advice & Welfare

The Council greatly acknowledges the input from the above and for helping to shape the scheme.

### 3. SCOPE OF THE SCHEME

There are estimated to be in excess of 600 privately rented properties let to groups of students in the Warwick District Council area, most of which house groups of up to 5 students. The vast majority of student housing in the District lies in Leamington Spa, which many students favour over Coventry despite the distance from Warwick University.

The accreditation scheme is aimed at all types of privately rented shared student accommodation, whether it be traditional terraced house, modern flat or large converted nursing home. Student accommodation in the district is predominantly for Warwick University students, although increasingly Warwickshire College is demanding private sector accommodation for its growing student population.

The larger properties (usually containing more than 6 students) may be regarded as houses in multiple occupation (HIMO's). This scheme does not seek to exclude HIMO's since some will already meet the accreditation standards in many respects, having been upgraded in accordance with the Council's standards. HIMO's will of course need to comply with statutory requirements under Part XI Housing Act 1985, irrespective of the standards set out in this scheme.

Smaller properties usually housing up to 6 students often living as a single household, do not have the same legislative controls as HIMO's, and issues such as fire safety, space standards, amenity ratios and management, cannot always be regulated. This scheme recognises that smaller student households deserve to have basic minimum standards .

### 4. AIMS OF ACCREDITATION

The aims of the accreditation scheme are to :-

- Establish physical and management standards for privately rented student accommodation
- Encourage landlords to meet and maintain those standards
- Encourage landlords to work more closely with the Council
- Give recognition to landlords who achieve the standard
- Promote awareness of the scheme to landlords and tenants
- Encourage students to choose accredited properties
- Reduce the level of complaints from students
- Allow resources to be targeted at landlords who fail to meet their legal obligations

## 5. BENEFITS

Why should landlords go to the trouble of obtaining accreditation when they can let their property without difficulty? This is an understandable reaction for those who have not fully considered what the scheme has to offer.

Accreditation schemes are becoming established throughout the UK, and as they gain recognition, students are coming to expect higher standards. In some areas of low demand, landlords are competing for available tenants, and inevitably those properties which offer good quality accommodation at a reasonable rent will be taken up ahead of those at the lower end of the market.

Where demand is greater, the quality of accommodation is sometimes neglected and landlords still eventually manage to let their property. However, students are now being advised through their educational establishments to seek out and sign up for accredited properties.

As the number of accredited properties increases, so the landlords who have not bothered to join the scheme will gradually be excluded. This process will take time but it will begin to take effect as more landlords join the scheme. The main letting agents for students have all pledged their support for the scheme .

In summary, the benefits of the accreditation scheme are :-

- A market advantage when letting
- Respect of property and landlord by tenants
- A complaints procedure which sets clear guidelines to avoid misunderstandings
- An information pack giving valuable information on letting when accreditation is achieved
- Regular newsletter and updates on legislation and local policy
- A good working relationship with the Council
- Use of accreditation logo in advertising and display of property on web sites
- Satisfaction in providing good quality, safe accommodation
- Possible availability of grants to assist in achieving the standard
- An enhanced image with potential lenders

## 6. PHYSICAL STANDARDS

### A: FITNESS STANDARD

The property must be fit for human habitation at the beginning of the tenancy and maintained in that condition for the duration of the tenancy. The 'fitness' standard is a legal standard and sets the basic requirements which all dwellings should satisfy in order to be suitable for habitation. In summary, these are:-

- Repair free from serious disrepair
- Stability to be structurally stable
- Dampness free from serious damp which is prejudicial to health
- Ventilation adequate provision
- Heating adequate provision
- Lighting adequate provision
- Water Supply adequate, piped supply of wholesome water
- Cooking Facilities satisfactory facilities for preparation and cooking of food
- WC, Wash Basin & Bath/Shower suitably located for exclusive use, with adequate hot and cold water
- Drainage effective system for foul, waster & surface water

A dwelling will be 'unfit' only if it is so far defective in any one or more of the above criteria so as to be not reasonably suitable for occupation. This may be a single serious defect, or a combination of less serious defects.

#### **Guidance on Lighting and Ventilation.**

All habitable rooms (i.e. bedroom, living room, dining room) require natural lighting and natural ventilation. Generally, a window having a glazed area of at least 10% of the room's floor area, and an openable window of at least 5% of the room's floor area will be required. There are additional requirements for basement rooms. Further advice is available on request.

Non-habitable rooms (i.e. kitchen, bathroom) do not require natural lighting and ventilation, although they are desirable. Glazing to bathrooms and WC's should be obscured for privacy.

All rooms including halls, stairs and landings require adequate artificial lighting.

Where kitchens and bathrooms do not have natural ventilation, artificial ventilation is required and must be suitably located and extract adequately. For a bath or shower room, accreditation requires mechanical extraction irrespective of whether an opening window is provided.

#### **Guidance on Heating**

All habitable rooms are required to have fixed gas, electric or oil - fired heating appliances capable of adequately heating the room. Such appliances must be safely designed, sited and guarded to minimise risks to health and safety.

Portable heaters using paraffin and liquefied petroleum gas are strictly prohibited in all parts of the property.

Non-habitable rooms are not required to have any form of heating, although it is desirable to provide heating to bath /shower rooms, circulation areas, and to a lesser extent, kitchens.

## **B: ELECTRICAL SAFETY**

### **Mains Electrical Installation**

Landlords are required to ensure the mains electrical installation (including all mains power and lighting circuits, sockets, switches etc.) is in good safe working order. To demonstrate this, a full Periodic Inspection Report (PIR) is required every 5 years (or less if specified by the previous report ) with evidence of any remedial works affecting safety being completed. Reports should be issued by NICEIC approved contractors. A list of approved contractors (FORM L1) for this area is included in the landlord pack.

Reports issued within the last 5 years may be acceptable for accreditation, but if there have been substantial alterations or additions to the installation since the issue of the last report, a new report must be obtained.

Annually, the landlord should undertake a visual inspection of all sockets, switches, light fittings etc. for signs of wear, damage or other defect.

To minimise overloading of circuits and trailing extension cables, 4 no. 13 amp sockets (or 2 no. double sockets) are required to bedrooms, living rooms, dining rooms, and kitchens.

Where room use is combined, e.g. kitchen/dining or living/kitchen, 8 no. sockets are required. Two-way lighting is required on stairs. All parts of the property must have adequate artificial lighting.

All sockets and switches must be suitably located for safety and ease of use, in order to avoid hazards from trailing cables or water splash.

### **Electrical Appliances**

The Electrical Equipment (Safety) Regulations 1994 require that all electrical appliances supplied by the landlord must be safe and be fitted with an appropriately fused and approved plug. This applies to portable appliances such as kettles, toasters and televisions as well as fixed equipment such as electric cookers and immersion heaters.

Accreditation requires that each appliance must be inspected and tested . Again, the inspection and testing should be undertaken by an NICEIC approved contractor . Each item should be marked or labelled to show it has been tested and when the next test is due, which will be set by the electrician according to the appliance. To accompany the application for accreditation, the landlord must provide a copy of a 'Portable Appliance Test report' (PAT report) together with evidence of any remedial works affecting safety being completed. The test report should record details of the item, serial number, date of test, nature of test, results, repairs and tester.

Annually, the landlord should undertake a visual inspection of all appliances supplied by him for signs of wear, damage or other defect. Where any appliances are effectively abandoned by outgoing tenants, the landlord will assume responsibility for them.

Where necessary for safe use, instructions for the use of equipment should be provided.

The Trading Standards Department of Warwickshire County Council will offer further advice on electrical appliance safety.

## **C: GAS SAFETY**

All gas appliances, their flues and pipe work must be maintained in a safe condition in accordance with current Gas Safety Regulations. Any installations or works to gas appliances must be undertaken by a CORGI registered contractor. A list of approved contractors for this area is included in the landlord pack (FORM L2).

Annually, a Gas Safety Certificate must be obtained from a CORGI registered contractor, and a copy must be given to the tenants. When new appliances are installed, a new certificate must be obtained.

An up to date copy of the Gas Safety Certificate must accompany an application for accreditation.

Newly installed or replacement gas fires fitted to bedrooms must be balanced flue models or incorporate an oxygen depletion safety device.

Instruction manuals should be given to tenants (or displayed in the premises) for boilers, cookers and gas fires. The landlord should keep master copies of instruction manuals, in the event of copies becoming lost.

## **D: REPAIR AND MAINTENANCE**

Properties must:-

- be in a good state of repair and be well maintained
- be in reasonable decorative order ( both internally and externally )
- be free from vermin and resist access by rodents
- be in a clean condition at commencement of tenancy.
- have adequate refuse storage for the size of dwelling

Yards, gardens, paths, steps, outbuildings and boundary walls and fences must also be in good repair and well maintained, and paved areas should be free from slip and trip hazards and be suitably drained. Staircases and steps shall have guarding and handrails in accordance with current Building Regulations.

Properties must not contain accumulations of refuse or large quantities of stored miscellaneous items at the start of the tenancy. For refuse storage, receptacles may be required at the Councils discretion, where a nuisance exists or is likely to occur. This is more likely in larger properties. In the majority of cases, the provision of plastic sacks by the occupier will suffice. There must however be suitable provision for refuse storage, within the boundary of the property, which is reasonably accessible.

The tenants must have unrestricted access to an internal water stop tap, gas stop tap and electrical mains switch for the purpose of isolating service supplies in an emergency. All meters for measuring the use of such supplies must similarly have unrestricted access.

Houses in Multiple Occupation (HIMO's) will be required to comply with the Housing (Management of Houses in Multiple Occupation) Regulations 1990 (A guide to these Regulations (FORM L3) is available on request)

## **E: FURNISHINGS AND FITTINGS**

All furniture supplied by the landlord must be in good condition and comply with the Furniture and Furnishings (Fire)(Safety) Regulations 1988.

The Regulations cover items such as three piece suites, beds, headboards, mattresses, armchairs, sofa beds, loose and stretch covers, cushions and seat pads.

Upholstered furniture generally must have :-

- covers which resist ignition from a match flame test
- upholstery which resists ignition from a smouldering cigarette test
- filling materials which pass an ignitability test
- permanent labelling showing compliance (mattresses, divans and bed bases may instead have a label stating compliance with BS 7177)

Second-hand furniture is not legally required to have a permanent label attached, but it is advisable to only accept furniture with labelling or otherwise obtain written confirmation of compliance at the time of purchase, and this should be retained for future reference.

For accreditation, the landlord must sign and return the declaration in the landlord pack which confirms that to the best of his knowledge, all furniture supplied complies with the Regulations (FORM L4).

The landlord should discourage tenants from supplying their own non complying furniture, and must ensure that it is removed at the end of the tenancy.

More detailed guidance on upholstered furniture safety including advice on compliance with the Regulations is available from the Trading Standards Department of Warwickshire County Council.

### **Tenants Entitlement to Furnishings and Fittings**

A property which is let as 'furnished' should have all of the items listed below, all of which should be in a good clean condition. A tenant, may accept a lesser provision by the landlord, where, for example, they may prefer to provide some of their own items. This should be by written agreement. It will be the responsibility of the landlord to obtain a written and signed agreement. Where the property is not provided with the schedule of items listed below, it shall not be described as 'furnished'. Items, should in any event be listed in a signed inventory (see Section 8 Management Code - documentation).

Generally	Standard	Required in Non- Furnished Property
<b>Flooring</b>	All areas to be carpeted or have a suitably finished floor. Kitchens, bathrooms, WC's to be easily cleanable.	
<b>Lighting</b>	All areas to have at least one suitably located light fitting.	✓
<b>Bedrooms</b>		
Bed	With firm unmarked mattress	
Wardrobe	With hanging rail	
Chest of drawers /dressing table		
Curtains / blind	To close easily and fully cover windows	✓
Bookcase / shelving	Total length min. 3.5m	
Work surface	Suitable for study min. 1.5 x 0.6m	
Study chair		
<b>Bathroom / WC</b>		
Toilet roll holder		✓
Towel rail / hook		✓
Mirror		
Toilet brush and holder		
Curtains / blind	Curtains or blind with obscured glazing	✓
<b>Living / Dining Room</b>		
TV ariel / cable / satellite point	Serviceable condition	✓
Dining table	Suitable for number of occupants	
Dining chairs	Suitable for number of occupants	
Easy chairs / sofa	Suitable for number of occupants	
Curtains / blind	To close easily and fully cover windows	✓
<b>Kitchen</b>		
Cooker point	Dedicated gas or electric	✓
Cooker	Refer to amenities standards	
Fridge and fridge/freezer	Refer to amenities standards	
Curtains / blind	To close easily and fully cover windows	✓
Cleaning equipment		
Vacuum cleaner		
Dustpan & brush		
Mop & bucket		
Broom		
<b>Garden</b>		
Suitable tools	If tenant responsible for maintenance	✓
Washing line	Where space permits	

## F: SPACE STANDARDS

All rooms are required to have adequate space for the facilities & furnishings provided.

All shared student dwellings must have a communal living room. This may be combined with dining facilities since there is no requirement for separate living and dining rooms. Bedrooms and living / dining rooms are required to meet minimum floor areas:-

Single bedroom	6.5 sq. m (70 sq. ft)	
Single bedroom with cooking facility	10 sq .m (108 sq.ft)	
Living / dining room	1.9 sq. m (20.5 sq ft) per person	9.5 sq. m (102.5 sq.ft) for 5 person let

HIMO's will be required to meet space standards adopted under Part XI Housing Act 1985 and single dwellings will be required to meet overcrowding standards under Part X Housing Act 1985. Warwick District Council's adopted space and amenity standards for HIMO's (FORM L5) is available on request.

## G: AMENITIES

Bath /shower rooms and WC's (together with fittings) must be in good condition and have smooth, impervious or otherwise cleanable floor, wall and ceiling finishes.

**WC's** - 1 WC is required for every 5 persons or part thereof. Each WC to be provided with a reasonably accessible wash hand basin supplied with hot and cold water. Where there are more than 5 students, at least 50% of WC's to be separated from bath/shower rooms. For example, a house with 7 students will require 2 bath or shower rooms and 2 WC's, one of which must be separate from the bath/shower rooms. Outside WC's will be discounted.

**Baths & Showers** - 1 bath or shower is required for every 5 persons or part thereof. Each facility to be provided with adequate supplies of hot and cold water. Where a bath is provided, a shower must be fitted over the bath, thermostatically controlled or mixer type, unless a separate shower cubicle is provided for every 5 persons or part thereof. For example, a house with 7 students must have at least 2 showers, whether they be freestanding cubicles or fitted over bath tubs. Showers to have fully tiled surrounds, screens or curtains to fully direct water to the drainage system.

Note - these ratios apply only to communal facilities. Persons with en -suite facilities will be discounted from these amenity ratios. For example, a house with 6 people and one en -suite shower room, will only require one communal shower room for the remaining 5 persons .

### Ventilation

- bath/shower rooms must be fitted with mechanical extract ventilation, operated either by a light switch or by a humidistat control, whether or not an opening window is provided.

- WC's must be fitted with mechanical extract ventilation operated either by a light switch or by a humidistat control, except where a suitably sized opening window is provided.

## Kitchen Facilities

Kitchens must be conveniently accessible, have adequate space and be suitably located and designed for safety. Floors, walls and ceilings (together with fittings and fixtures) must have smooth, impervious or otherwise cleanable finishes. Adequate lighting & ventilation must be provided, and should preferably be provided naturally.

The following facilities will be required:-

Dry food storage	0.18 cu. m (6.4 cu. ft) per person (equivalent to a 600 mm x 600 mm x 500 mm unit)
Refrigerated storage	0.125 cu. m (4.4 cu. ft) per 5 persons or part thereof. 0.014 cu. m (0.5 cu. ft) per additional person
Freezer storage	0.04 cu. m (1.5 cu. ft) per 5 persons or part thereof. 0.006 cu. m (0.2 cu. ft) per additional person
Crockery, pots and pans storage	Adequate cupboard space
Fixed impervious work surface	1000 mm x 500 mm (3' 4" x 1'8") per 5 persons or part thereof sealed to wall. 200 mm x 500 mm (8" x 1'8") per additional person
Cooker	mains gas or electric 4 rings, grill and oven per 5 persons or part thereof
Sink / drainer	Single bowl /drainer on a fixed base with hot and cold water and splash back per 5 persons or part thereof
Electric sockets	4 no. 13 amp suitably located sockets, one of which is positioned for washing machine connection
Plumbing	Adequate water services and waste pipe for connection of washing machine

## H: THERMAL EFFICIENCY

A property must have:-

- A minimum of 100 mm (4") of loft insulation over the entire loft space where a loft space exists ( otherwise for converted lofts, ceilings to contain insulated plasterboard or equivalent )
- Water tanks and pipes in areas prone to freezing to be suitably lagged.
- Hot water cylinder to be suitably insulated with a 75 mm jacket or 35 mm foam.

For more information on energy efficiency and local installer network (FORM L6) , see the leaflets in the landlord pack .

## I: SECURITY

To assist with security , the property will require :-

- All final exit doors to be fitted with 5 lever mortise locks, or equivalent.
- At least one escape route (usually via the main access door) to be capable of egress, without the use of a key for fire escape purposes (this may for example include front main door and an external porch door if both are fitted with conventional mortise locks). Other escape route doors, should preferably have the same arrangement to enhance fire safety without compromising on security. Mortise locks are now available which allow emergency escape without the use of a key and will satisfy this requirement. Alternative forms of emergency escape will be considered on their merits.

**Note :** Where there is doubt as to the most appropriate escape route, the Council in consultation with the Fire Service will provide further advice on request. Houses which are large or of an unusual layout may require additional work to satisfy means of escape (see also note on HIMO's under 'Fire Safety' below).

- All ground floor windows (including Patio / French doors or similar) and any easily accessible windows above ground level to be fitted with suitable locks. Keys to be kept available near to windows, whilst not easily visible from outside. Sliding sash stops are not considered suitable in lieu of locks.
- All external doors, windows and their frames to be of solid , robust construction. Where fitted with glass, this should be wired, double glazed or 6.8 mm toughened/laminated to BS 6206.

## J: FIRE SAFETY

To provide means of escape in case of fire:-

- 1, 2 & 3 storey dwellings (including a basement where applicable) with a maximum of 6 students shall have one suitably located hard wired interlinked smoke detector on each level, to BS 5839 Part VI. (Detectors generally to be positioned on ceilings in the entrance hall and upper floor landings, not less than 300 mm from walls and light fittings).
- Dwellings with more than 6 students may be regarded as HIMO's and therefore need to meet fire safety standards under Part XI Housing Act 1985. Further advice is available on request.
- For dwellings of 4 or more storeys (including a flat in a 4-storey building), or containing more than 6 students, the level of fire precautions will be individually assessed, having regard to the standard for houses in multiple occupation, whether or not the property is legally regarded as a HIMO.
- Decorative polystyrene wall and ceiling tiles are not permitted in any part of the dwelling .

## K: GENERAL PRODUCT SAFETY

Any item which is 'hired out' with accommodation must be reasonably safe. For example, lawnmowers must have guards in place, ironing boards and clothes dryers should be free from sharp edges which could cause injury in normal use.

The landlord should undertake annual checks on such items, and ensure that warning labels and instructions on use are present where applicable for safety.

Further information is available from The Trading Standards Department of Warwickshire County Council.

## 7. STAR RATING SYSTEM

The Council recognises that many landlords are already offering accommodation which not only complies with legal requirements but also exceeds the standards laid down in the physical standards of the accreditation scheme. The star rating system is designed to demonstrate that a property has achieved this higher standard. It is a flexible system which allows landlords to apply for up to a maximum of 5 stars . Landlords are able to advertise their properties as up to 5 star rated, according to prescribed criteria. Advertising with a star must indicate the category for which the star has been obtained. There is no obligation to achieve a star rating if landlords are satisfied that they meet the minimum requirements of the scheme.

Students are advised to pay particular attention to starred properties when looking for accommodation, and advertising media including web sites will clearly show starred properties to give them an extra market advantage. Landlords are of course able to charge a rent which reflects the condition and standards within the property.

The star categories have been set to take account of safety, security, thermal efficiency, cooking, washing & sanitary facilities and general facilities. Properties score points according to a series of components, with a total of 10 points required in any one category to achieve a star rating. Each category is considered separately, therefore points cannot be totalled together across different categories. Landlords can select those components required to score a minimum of 10 points, and it will not be necessary to provide all of the components to obtain a star rating.

### ☆ FIRE SAFETY

Component	Points
full inter-linked fire detection system	10
emergency lighting	2
full fire door protection	6
partial fire door protection	2
30 minutes fire resistance to floors, walls, ceilings	4
fire fighting equipment	2

### ☆ SECURITY

Component	Points
external lighting	2
secure boundary walls / fences and gates	2
property marking scheme	3
burglar alarm	5
door chain or door viewer	1
double glazing	5
door entry system	2
closed circuit television camera (CCTV)	2

### ☆ THERMAL EFFICIENCY

Component	Points
full / partial double glazing	3/1
full / partial central heating	5/1
full / partial storage heating	3/1
heating/hot water timer or programmer controls	1
condensing boiler	3
thermostatic radiator valves	0.5 per room (3 max)
room thermostat	1
150mm + loft insulation	2
cavity wall insulation / solid wall dry lining	2
draught proofing to external doors/windows	1

### ☆ COOKING, WASHING & SANITARY FACILITIES

Component	Points
modern, good quality kitchen(s)	5
modern good quality bath/shower room(s)	5
4 ring cooker(s) with grill(s) and oven(s)	2
freezer(s) - min. 0.08 cu. m per 5 persons	1
refrigerator(s) - min 0.25 cu. m per 5 persons	1
mechanical extract ventilation to kitchen(s)	1
additional bath / shower/ WC per 5 persons	3
en- suite bath / shower/ WC per room	1 each (4 max)
en- suite wash basin per room	1 each (3 max)

### ☆ GENERAL FACILITIES

Component	Points
garage	2
off road parking	1 per car (2 max)
telephone point	1
internet access to all bedrooms	4
secured garden	2
conservatory / additional common room	2
store room	1
carbon monoxide detection (mains/battery)	2
utility room	2
superior quality furnishings & decor	2

An application for star rating is enclosed in the landlord pack (FORM L7) together with guidance on the scoring system and interpretation of the standard (FORM L8).

## 8. THE MANAGEMENT CODE

### INTRODUCTION

The Management Code is designed to ensure that both landlords and tenants enjoy good standards of housing management and practice. The Code covers the process from the time the property is advertised, through signing of contracts, occupation of the property, to the end of the tenancy and return of deposits.

Misunderstandings and disputes should be reduced, and when problems do occur, they should be promptly resolved by following the Code's complaints procedure.

Both landlords and tenants are expected to comply with the terms of the Code. The Council acknowledges that tenants can for a number of reasons act unreasonably, and a Tenants Charter sets out not only their rights, but also their responsibilities throughout the term of the tenancy. Tenants will receive a copy of the Tenants Charter at the start of the tenancy and they will be expected to comply with it at all times.

### PRIOR TO LETTING

#### Marketing Standards

Landlords (and agents) will give to prospective tenants:-

- Equal opportunities to all
- Accurate property descriptions
- An opportunity to view, with consent of existing tenants
- Copy of draft tenancy agreement
- At least 24 hours to seek advice before signing tenancy
- Advance notification of any charges for arranging lettings
- Assurance of not requesting deposits or rents before signing of tenancy

#### Tenancy Agreements

Tenancy Agreements must not contain unreasonable contractual terms or terms which contradict the legal or common law rights of tenants or the terms of this code.

Landlords must enter into a written agreement with the tenants, which must be legible, written in clear English, and contain the following :-

- A heading indicating that the document is a tenancy agreement
- A statement to specify the type of tenancy
- Date of document
- Name and address and telephone number of landlord or agent
- Names of tenants
- Description and address of the property
- Duration of the agreement
- Rent payable per specified period
- Time and method of payment of rent
- Any late payment charges
- Amount of any deposit
- Tenants obligations in respect of :-
  - the purpose of and the paying of, any deposit
  - paying the rent

- paying for any gas, electric, water, telephone, Council Tax and any other specified charges
  - internal decoration
  - any maintenance of the property
  - any maintenance of the garden
  - alterations and additions to the property invalidating insurance
  - damage to the property, or removal from the property of fixtures, furnishings and effects
  - reporting all items of structural damage
  - nuisance and annoyance to neighbours
  - permission for landlords access to inspect or undertake work to the property
  - use or sub-letting of the property
  - pets
  - giving of notice to terminate tenancy
  - standard of cleaning and other arrangements on bringing the tenancy to an end
  - allowing reasonable access to the landlord and prospective tenants to view the property before the end of an existing tenancy at a time agreed between landlord and existing tenant
- Landlords obligations in respect of:-
    - informing the tenants that the letting meets the standards for the WDC accreditation scheme
    - allowing quiet enjoyment of the premises without interruption
    - responsibilities for paying for any gas, electric, water, telephone, Council Tax and any other specified charges
    - internal & external maintenance of property
    - compliance with any statutory legislation
    - insurance
    - the supply of furnishings and fittings which are clean and in a reasonable condition at the commencement of the tenancy
    - maintenance of any heating systems or other facilities provided by the landlord
    - returning rent for any period whilst the property is rendered uninhabitable by fire or other disaster
    - giving of notice to terminate the tenancy
    - returning the deposit to the tenant within 5 weeks of the end of the tenancy or within 2 weeks after the tenant has fulfilled his obligations and returned the key, whichever date is the later. The whole of any deposit shall be returned, or in default, a written statement as to why any part of the deposit has been retained. In the case of a property managed by Warwick University under a Head Lease Agreement this period shall be 8 weeks or 2 weeks after the tenant has fulfilled his obligations and returned the key, whichever is the later.
  - A statement as to the address for the purpose of service of notices in respect of Section 48 Landlord & Tenant Act 1987.
  - Procedure for rent reviews
  - Space for the landlord and tenant to sign the document
  - Space for the names and addresses of any witnesses to the landlord and tenant signatures

Where repairs or improvements are agreed before the tenancy commences, these should be put in writing, with completion dates signed by both parties and attached to the tenancy agreement.

An inventory of the landlords fittings, fixtures and furnishings, signed by both landlord and tenants (including where applicable the tenants agreement to the omission of any furnishings from the list of entitlement) should be made out before occupation commences, and copies kept by both landlord (or agent) and tenant.

## **Deposits**

Landlords shall :-

- Not demand deposits or rent before signing a tenancy agreement
- Not charge more than 2 months rent
- Issue a receipt to each tenant stating what the deposit is intended to cover (eg. damage, unpaid bills, rent arrears).
- Not withhold deposits unreasonably, returning them in accordance with the terms of the tenancy agreement.

## **Documentation**

At the commencement of the tenancy the landlord will supply the tenants with the following :-

- A copy of the 'Student Guide' comprising Accreditation Scheme Standards, Complaints Procedure and Tenants Charter
- A copy of the Accreditation Certificate
- A copy of the signed tenancy agreement including name, daytime address and telephone number(s) of the owner, agent or manager as appropriate including telephone number(s) for contact in an emergency (as specified in Complaints Procedure below)
- A copy of a current Gas Safety Certificate
- A copy of a current Electrical Safety Certificate (including appliance tests if applicable)
- Any information regarding common parts or other issues concerning properties which form part of a building, e.g. flats
- Any information regarding the location of gas taps, water stop taps and electrical fuse boards and switches, and operating instructions for gas appliances

## **DURING THE TENANCY**

### **Access**

Landlords should take into account that students often have busy academic timetables when giving notice of intended entry. A visit in person or telephone call to agree on a date and time will often save time and trouble. To avoid access difficulties, landlords should consider offering contractor contact details to the tenants to enable mutually convenient appointments to be made to minimise disruption. The landlord will have a defence if he, (or his agent or contractor) have been unable to gain access after giving 24 hours notice in writing of his intention to enter the property in response to a complaint, or in attempting to undertake works.

### **Completion of Works**

Landlords should be aware that they are ultimately responsible for ensuring works are completed without undue delay, and they should not assume that once they have instructed a contractor, that work will be completed without any further supervision. The landlord should ensure that belongings are protected and all waste is removed. Landlords should always inspect work on completion to ensure that it is satisfactory to all concerned.

## **AT THE END OF THE TENANCY**

Tenants must have clear guidelines on the expected standard of cleanliness and condition of the property at the end of the tenancy.

A joint inspection is recommended before tenants depart, having regard to the inventory, and to agree any damage or defects that have occurred, and to assess cleanliness. Arrangements for return of keys, securing the property, disposal of refuse etc. should all be set out in writing within the tenancy agreement.

If the tenants have not departed by the end of the tenancy period, the landlord should follow the eviction process after taking legal advice. Further advice is contained in the leaflet 'Harassment and Illegal Eviction' contained in the landlord pack.

Return of deposits must be in accordance with the terms of the tenancy agreement. Where part of a deposit is withheld, notice of the reason must be given in writing to the tenant, supported by invoices or receipts.

## **TENANTS CHARTER**

Every tenant of an accredited property has the right to:-

- Be treated with courtesy and have their rights observed
- The minimum legal written notice when the landlord requires possession of the property
- Uninterrupted provision of mains services except as caused by a Utility.
- Maintenance of the property in a reasonable condition
- Landlord compliance with the Complaints Procedure
- At least 24 hours notice of the landlords intention to enter the property, except in an emergency.
- A written signed tenancy agreement containing the details specified in the Management Code.
- Receive a record of rent paid on request from either landlord or their agent.
- Return of any deposit when the tenancy is mutually terminated or a written notice where any part of it is being withheld.

Every tenant of an accredited property has the responsibility to:-

- Pay the agreed rent on time
- Treat the landlord, his agent and local neighbours with courtesy and respect, and observe their rights.
- Ensure that local neighbours are not disturbed by nuisance or other forms of anti- social behaviour.
- Respect the property, fixtures , fittings and furnishings.
- Inform the landlord of any repairs in accordance with the complaints procedure
- Give the agreed written notice of intention to vacate the property.
- Allow the landlord reasonable access to inspect and undertake work to the property.
- Provide the landlord or his agent with all such information as he may require for the purpose of his duties.
- Comply with any reasonable arrangements made in respect of fire precautions, storage and disposal of refuse, and the general maintenance of the property.

## **COMPLAINTS PROCEDURE**

Landlords must take reasonable steps to ensure that the property, fittings and fixtures are maintained throughout the tenancy, and that they comply with the terms of the Management Code. Where a problem does occur, the tenant (or their representative) shall confirm a complaint regarding the accreditation standards in writing to the landlord or their agent, and keep a copy. The complaint may be posted, but is best taken by hand to the landlord or his agent, if this is practical.

Landlords or their agents will , within 28 days of receiving a written complaint from a tenant (or their representative) rectify any breach of the accreditation standards, or if the landlord contests the breach, he shall, within 14 days enter into correspondence with the tenant.

Where the complaint is not rectified or is contested, Warwick District Council may make recommendations. In so doing, the Council will have regard to the circumstances , the cause of the complaint, and the conduct of the tenants and landlord.

Where the Council's recommendations are not followed, the landlord, subject to final appeal, will be deemed in breach of the standards, and this may be declared to prospective tenants. The Council will have authority to exclude any landlord from the accreditation scheme as it sees fit according to the gravity of the breach.

Where the complaint concerns a repair, repairs shall be effected, or procedures put in place to rectify the repair within the following timescales:-

**Category 1 Emergencies** (immediately)

- Gas leaks
- Fire
- Severe water leaks / flooding

**Category 2 Emergencies** (within 24 hours)

- Exposed or otherwise immediately dangerous electric wiring
- Defective drains, sewers and toilets
- Severe structural damage
- Broken front or rear door locks or glazing giving rise to immediate security risk
- Complete breakdown of heating system

**Category 3 Urgent Repairs** (within 5 working days)

- Replacing broken glazing (after boarding up)
- Defective refrigerators, freezers , cookers, and vacuum cleaners
- Broken beds
- Severe dampness
- Faulty flushing to WCs
- Faulty boilers without breakdown of heating system
- Minor water leaks (roof or plumbing)
- Loose carpets or similar tripping hazards
- Electrical faults where no immediate hazard
- Defective or empty fire extinguishers / missing fire blankets
- Rodent or insect infestations

**Category 4 Non Urgent Repairs** (within 28 days)

- Missing roof slates/tiles
- Blocked or leaking gutters and down pipes
- Broken door and window handles/latches
- Broken furniture (other than beds)
- Defective door hinges
- Broken floor/wall tiles
- Dripping taps
- Broken fencing
- Any other repair

In the event of dispute, the date on which the repair was received by the landlord in writing shall be treated as the commencement date.

## 9. APPLICATION PROCEDURE

Before completing an application for accreditation, landlords should familiarise themselves with the standards expected both in terms of physical standards, and the Management Code as specified in this guide. Only those landlords who meet the standard, or who are prepared to undertake the necessary work should apply. The accreditation process is based mainly on self-regulation, and relies on landlords to self-certify, although a sample of inspections will be made.

### Landlord Inspections

Landlords (or their agents) should undertake their own inspection of the property to satisfy themselves that the standards are being met. They should carry out an external and internal inspection in a logical sequence to avoid missing anything. A property checklist is enclosed with the landlord pack for this purpose (FORM L10). This need not be returned with your application (FORM L9) as it only intended as an aide memoir to assist in checking the property against the standards. The inspection should be made by giving the appropriate notice to the tenants in the event that the property is subject to an existing tenancy agreement. Where a property is subject to a current tenancy, there may be issues regarding say, cleanliness or refuse accumulations, which are the primary responsibility of the tenants, whilst they are in occupation. This should not discourage landlords from making an application, since the condition of the property at the commencement of the tenancy is what will be taken into account for the purposes of accreditation.

Landlords who require assistance in assessing the accreditation standards should not hesitate to contact their letting agent or Warwick District Council. The Council is happy to assist landlords who are seeking accreditation, and this can be done by telephone or face to face. Site visits can be arranged if required to offer more detailed guidance.

### Repairs and Improvements

Once landlords have completed their inspection, there may be issues which need attention to meet the standard. These should be put in hand and attended to before submitting an application, although landlords may wish to check with the Council that the works proposed will satisfy the standards. They should also ensure that any works satisfy both the Planning Officer and Building Control Officer at the Council. Landlords, or their agents, should check thoroughly works undertaken by any contractor to satisfy themselves that work is satisfactory.

### Grants

At the time of writing, all local authorities are being required to review their grants policy, and from July 2003 will be given greater discretion in determining how they allocate the funds they have available.

It is the intention of Warwick District Council to offer a new form of grant - an 'Accreditation Grant', aimed exclusively to landlords of properties which will achieve the accreditation standard on completion of certain prescribed works. Although policy has not yet been agreed, it is expected that grants will be available for certain improvements, thermal insulation, security and fire safety for example. It is unlikely that grants to landlords will be awarded for repair work, particularly where the need for the work has arisen out of neglect or failure to maintain property.

The level of grant to be awarded to landlords has yet to be agreed. It is suggested that landlords make enquiries regarding the availability of accreditation grants, prior to submitting their application forms, since grants will not be available for works already completed.

In the interim period, before accreditation grants become available, HMO grants are currently available for groups of students who are considered too large to form a single household. Priority will be given to three storey houses which are deficient in fire precautions. Further information is available on request.

## **Documentation**

Landlords should use the checklist of documentation on the application form, to ensure that they have copies of all necessary documents to submit with their application. A separate application form allows landlords to apply for Star Rating, and guidance is enclosed on this with the landlord pack (see Section 7- Star Rating System).

A declaration must be signed to confirm the landlord will comply with physical property standards, a Management Code, and to the best of their knowledge, the property complies with Planning and Building Regulations requirements. A declaration to confirm the landlord is a 'fit and proper person' is also required (see Section 10 - Qualifying Criteria ). There is no charge to apply for accreditation.

Once the application is submitted, it will be checked by the Council. A sample of properties will be visited to check that the standards are being complied with. Where works are required, these will be brought to the attention of the landlord, to allow an opportunity for correction. The landlord should then notify the Council when corrective works are completed.

## **10. QUALIFYING CRITERIA**

All applicants must meet the following requirements in order to make an application for accreditation:-

To confirm that :-

- They have had no convictions for illegal eviction or harassment of tenants within the last 5 years
- They have had no convictions for violence or intimidating behaviour within the last 5 years
- They have had no convictions for mortgage or housing benefit fraud or breach of grant conditions within the last 5 years
- They have not been prosecuted for failing to comply with any statutory notice served by the Council within the last 5 years
- To the best of their knowledge, the property complies with Planning law and Building Regulations, both in terms of its use and in respect of works which they have undertaken to it.

## **11. CERTIFICATION**

Landlords meeting the accreditation standards will be issued with a laminated accreditation certificate in respect of each accredited property. Certificates may be displayed in the property to demonstrate to tenants that the property meets the standard. Landlords should take care to ensure that certificates are displayed so as to minimise the chances of them becoming lost or damaged. A copy of the certificate should be given to the tenants at the start of the tenancy.

Each certificate will be dated and be valid for a period of 3 years, unless serious contraventions of the standards result in accreditation being revoked. Shortly before the Certificate is to expire, the Council will write to the landlord, or their agent, inviting them to re-apply.

## 12. REVOCATION OF ACCREDITATION

Any complaint about non-compliance with the physical standards should be dealt with according to the Complaints Procedure.

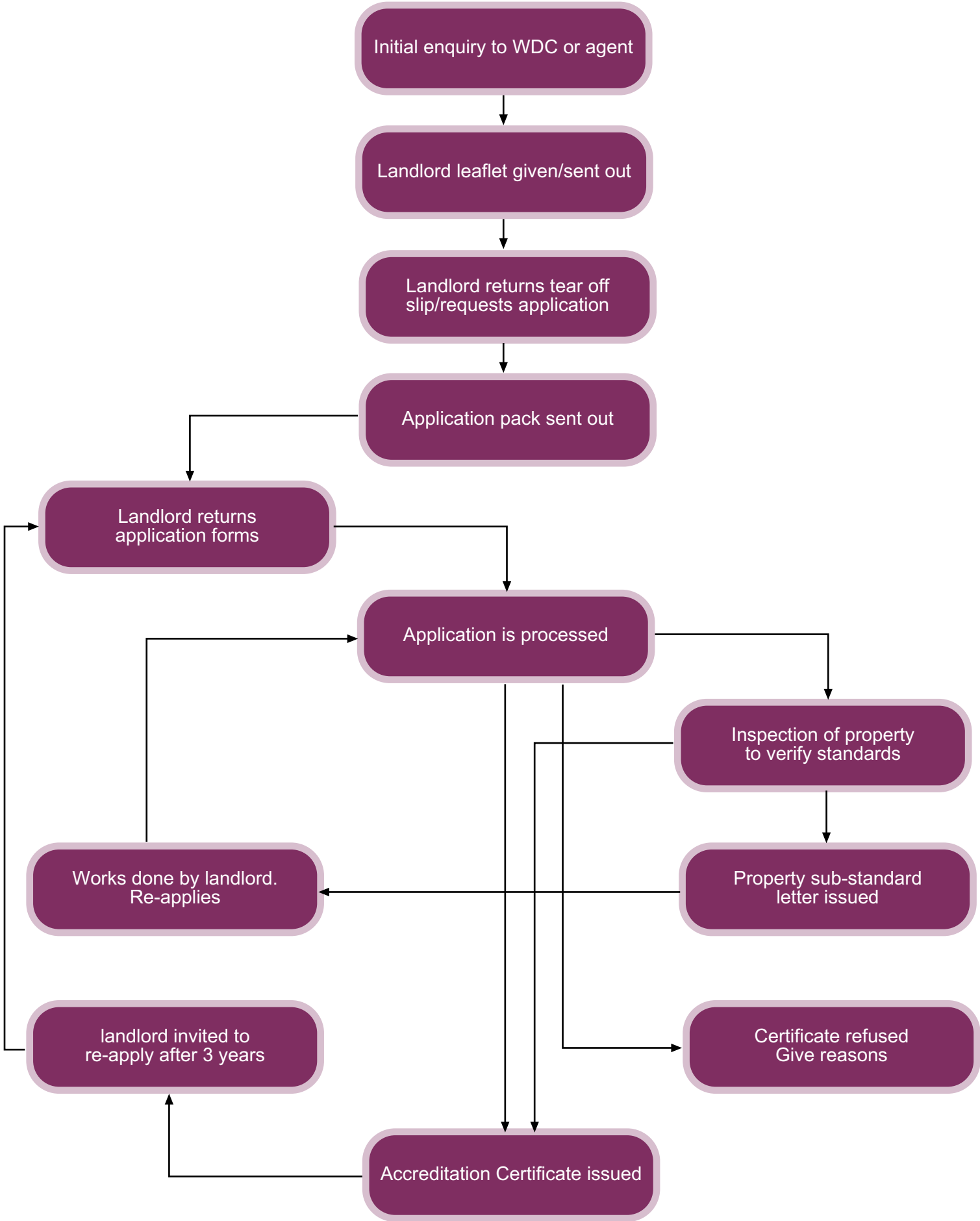
Where a dispute is not resolved according to the Complaints Procedure and the Council considers that the contravention is so serious, it reserves the right to withdraw the Accreditation Certificate from that property.

Where there is a serious breach of the Management Code, or the landlord is found to have made a fraudulent application in terms of his declarations given in the application, Accreditation Certificates may be withdrawn from all properties under the landlords control.

Where the landlord is convicted of an offence for matters listed in the Qualifying Criteria given in Section 10 above, at any time after submission of an application, Accreditation Certificates may be withdrawn from all properties under the landlords control.

Re-admission to the scheme will be at the Council's discretion.

# ACCREDITATION APPLICATION FLOWCHART



## 13. USEFUL CONTACTS

<b>STUDENT AGENCIES</b>			
	<b>ADDRESS</b>	<b>TELEPHONE</b>	<b>E MAIL / WEBSITE</b>
Central Housing	44-48 Bath Street, Leamington Spa CV31 3AE	01926 339781	
Heritage	15 Newbold Street, Leamington Spa CV32 4HN	01926 451045	mail@heritagelettings.co.uk www.heritagelettings.co.uk
Sandhu Estates	18 Victoria Terrace, Leamington Spa CV31 3AB	01926 423986	sandhuestates@onetel.net.uk
Spa Estates	2 Clemens Street, Leamington Spa CV31 2DL	01926 425774	
Unique Enterprises	21-23 Clemens Street, Leamington Spa CV31 2DW	01926 422077	mail@uniq.demon.co.uk www.unique-enterprises.co.uk
<b>EDUCATIONAL ESTABLISHMENTS</b>			
Warwick University Accommodation	Coventry CV4 7AL	02476 523772	accommodation@warwick.ac.uk www.warwick.ac.uk/accommodation
Warwick University Advice & Welfare Students Union	Coventry CV4 7AL	02476 572822	kharris@sunion.warwick.ac.uk www.sunion.warwick.ac.uk
Warwickshire College Residential Services	Moreton Morrell, Warwick CV35 9BL	01926 318304	www.warwickcol.ac.uk
<b>WARWICK DISTRICT COUNCIL</b>			
Environmental Health	PO Box 2176, Riverside House, Milverton Hill, Leamington Spa CV32 5QF	01926 456729	paul.hughes@warwickdc.gov.uk ehhousing@warwickdc.gov.uk www.warwickdc.gov.uk
Planning / Building Control	PO Box 2178 Riverside House, Milverton Hill, Leamington Spa CV32 5QH	01926 450000	www.warwickdc.gov.uk
Council Tax	PO Box 258, Riverside House Milverton Hill Leamington Spa CV32 5RU	01926 456066	ctax@warwickdc.gov.uk www.warwickdc.gov.uk
<b>WARWICKSHIRE COUNTY COUNCIL</b>			
Warwickshire Fire & Rescue Service	Old Budbrooke Road, Warwick CV35 7DP	01926 410800	www.warwickshire.gov.uk
Trading Standards Dept.	Old Budbrooke Road, Warwick CV35 7DP	01926 414000	www.warwickshire.gov.uk/tradingstandards businessadvice@warwickshire.gov.uk
<b>SECURITY</b>			
Warwickshire Police	Leamington Spa HQ, Hamilton Terrace, Leamington Spa CV32 4LX	01926 415000 for reporting of crime  01926 415613 for Community Safety Team & crime prevention	www.warwickshire.police.uk

<b>GAS SAFETY</b>			
Health & Safety Executive	Midlands Division, 1 Hagley Road, Birmingham B16 8HS	0121 607 6200	<a href="http://www.hse.gov.uk/gas">www.hse.gov.uk/gas</a>
CORGI	1 Elmwood, Chineham Business Park, Crockford Lane, Basingstoke, Hants RG24 8WG	01256 372200	<a href="http://www.corgi-gas.com">www.corgi-gas.com</a>
Transco (emergency gas service)		0800 111 999	
<b>ELECTRICAL SAFETY</b>			
NICEIC	Vintage House 37 Albert Embankment London SE1 7UJ	020 7564 2323	<a href="http://www.niceic.org.uk">www.niceic.org.uk</a> <a href="mailto:enquiries@niceic.org.uk">enquiries@niceic.org.uk</a>
<b>HOUSING ORGANISATIONS</b>			
Chartered Institute of Environmental Health	Chadwick Court 15 Hatfields London SE1 8DJ	020 7928 6006	<a href="http://www.cieh.org">www.cieh.org</a>
National Approved Letting Scheme	Warwick Corner 42 Warwick Street Kenilworth CV8 1HE	01926 866633	<a href="http://www.nalscheme.co.uk">www.nalscheme.co.uk</a> <a href="mailto:eha@mcmail.com">eha@mcmail.com</a>
<b>LANDLORD REPRESENTATIVE ORGANISATIONS</b>			
Small Landlords Association	78 Tachbrook Street London SW1V 2NA	0870 241 0471	
National Federation of Residential Landlords	PO Box 4840, Wimbourne BH21 3WZ	0845 4560357	<a href="http://www.help4landlords.org">www.help4landlords.org</a> <a href="mailto:executive@nfrl.org.uk">executive@nfrl.org.uk</a>
Residential Landlords Association Ltd	1 Roebuck Lane Sale, Manchester M33 7SY	0161 962 0010	<a href="http://www.rla.org.uk">www.rla.org.uk</a> <a href="mailto:info@rla.org.uk">info@rla.org.uk</a>

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March 03.