

Wolves Rent with Confidence scheme & Landlord Accreditation



- Scheme Aims & Code of Conduct

*“Be Supported, Be Accredited,
Be a RWC recognised Landlord”
So that your tenant’s can Rent with Confidence!*

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“Levelling up the Private Rented Sector in Wolverhampton”

Section 1 – Introduction & Aims of the Scheme

The City of Wolverhampton Council aims to improve the quality and quantity of properties for rent in the private rental sector, to help provide a better housing option to people in the City – “Better Homes for All”.

We recognise the positive contribution of the Private Rented Sector (PRS) and wish to coordinate and extend the support we provide towards having an accreditation & for those accredited Landlords in the provision of professionally managed good quality rental accommodation.

The Wolverhampton Rent with Confidence (RWC) scheme is to encourage, acknowledge, raise awareness and actively promote good standards and management practices in the private rented sector. The aim of the scheme is to work with the Private Rented Sector to improve the standard of property conditions and management of private rented stock in the city. The RWC scheme works in partnership with Landlords and Managing agents to drive up property conditions and management standards, thus providing a gateway to widen the choice for residents & tenants.

RWC Landlord Accreditation is a **bespoke programme** for helping landlords & agents to meet agreed standards of competence, skills and knowledge about the business of owning, managing or letting a private rented accommodation, and a public recognition of having met that standard. It will also support landlords & tenants in undertaking their responsibilities. Accreditation is open to all landlords and managing agents who own or manage property in the region. Accredited Landlords are able to demonstrate their professionalism and skill base to manage properties & tenancies, in line with best practice. This will support the City in achieving more & better homes alongside **developing strong, resilient and healthy communities**.

Reference to “Landlords” in the scheme documentation includes managing agents.

This scheme & the approach will significantly contribute towards driving up the standards in the Private Rented Sector in Wolverhampton.

Aims of the RWC scheme are to:

- to support landlords in their development and knowledge by making available resource materials to inform, educate, raise awareness and encourage good practice
- Support landlords to become “accredited” and “recognised” in providing a good property standard & management service in Wolverhampton.

- to raise the profile and promote the public image of the private rented sector in Wolverhampton
- encourage, acknowledge, raise awareness of and actively promote good standards and management practices in the PRS.
- Support and to assist landlords and tenants to undertake their respective responsibilities to each other.
- support landlords to increase the supply of good quality accommodation in the city, while reducing the number of empty, unused properties.
- provide opportunities for partnership working, training, business development and networking.
- increase the percentage of decent homes in the City
- enable tenants to obtain information about, and access to, better quality accommodation.
- commit to partnership working.

In addition to the training and continual professional development, The Rent With Confidence scheme will offer a support system awareness so that people in the lettings market are aware of their responsibilities in terms of tenant management and housing standards.

A percentage of all rented properties registered with this RWC accreditation Scheme are checked to ensure they offer a satisfactory level of health and safety and assistance is offered, where necessary, to address any issues found.

Tenants benefit from the reassurance that RWC accredited landlords will strive to provide a quality service.

Accreditation offers the private rented sector **a means of 'self regulation'**; that is to say Wolverhampton RWC scheme is not an enforcement body. Our success comes from working in partnership with landlords and a range of other services/partners to help raise housing standards. Educated Landlords will ensure they are in compliance of all required regulations.

Landlords who are welcomed onto the scheme are expected to commit to these Terms of Reference so please read through the information and keep

this document for reference or contact the Rent With Confidence Lead Officer with any queries.

We look forward to welcoming you as a member of the RWC Scheme and for you to acquire the Landlord accreditation and confirming your access to all the membership benefits.

Section 2 – City of Wolverhampton council responsibilities

This guiding document highlights the Terms of References & the overall aims & responsibilities of the key stakeholders involved in the Wolverhampton RWC scheme.

- actively promote the RWC scheme & the Landlords Accreditation.
- assist landlords to achieve accreditation status by offering advice on statutory requirements, property maintenance and repairs
- commit to working in close partnership with landlords, tenants, local landlord associations, the Police, Fire Brigade and other key private rented sector stakeholders to achieve a vibrant private rented sector that is professionally managed and offers decent homes.
- provide incentives to encourage landlords to join the scheme.
- provide relevant information, including changes and likely pending changes in legislation by such means as landlord forums, email bulletins and local landlord associations.
- maintain a database of accredited landlords and properties covered by the scheme
- consult with accreditation stakeholders and act positively on feedback.
- administer and monitor the accreditation including undertaking property inspections, consulting with stakeholders and checking the validity of relevant certificates.
- be responsible for the issue, administration, suspension and revocation of RWC Landlord accredited status.
- on receipt of a completed application, ensure as far as reasonably practicable, that the landlord is responsible, competent and suitable to be a member of the RWC Landlord accreditation.

Section 3 - Accredited Landlord responsibilities

- Be committed to partnership working and work with City of Wolverhampton Council, tenants, the Police, Fire Brigade, the UK Border Agency and other key stakeholders to achieve the aims of the Scheme.
- Pre requested information for joining the scheme, including a list of all properties that they own or manage in the City of Wolverhampton in a timely manner.
- Assist with access to properties to carry out inspections.
- Inform tenants, in writing, or as part of their tenancy agreement, of the responsibilities imposed on them by the Gas Safety (Installation and Use) Act 1998.
- Advise the tenants that they should take out their own content's insurance.
- Agree that as a landlord who owns properties bound by a tenancy agreement to manage the risk associated with asbestos and protect occupants and contractors visiting the property to carry out repairs all in accordance with the Control of Asbestos Regulations 2012.
- Working with the Council to address incidents of any illegal/criminal and anti-social behaviour, associated with your tenant/s and or property.
- Working with the Council on future private sector improvement initiatives.
- Ensure that their properties meet the **Wolverhampton RWC scheme Letting Standard** and seeking support from the RWC Scheme & Private Sector Housing Team if you have any queries about your obligations as a private landlord.
- You must ensure that no person or group of persons applying for housing or related services will be treated less favourably than any other person because of their race, colour, ethnic or national origin, gender, disability, marital status, sexual orientation, age, religious belief or social status which ensures that the requirements of the **Equality Act 2010** are satisfied.

Section 4 – RWC Code of Conduct

Landlords should read through this guide thoroughly as it outlines the Code of Conduct required by Landlord & Agents also to ensure that they can commit to it before applying to be a member. By making an application for membership to the scheme, the landlord is signing up to, and agreeing to abide by, the RWC aims & code of conduct.

A landlord shall take all reasonable steps to ensure that any staff (or person acting on their behalf) complies with the Code of Conduct, as decisions taken by these people can affect the status of accreditation. A landlord shall ensure that they comply with RWC scheme Lettings Standards & the Code of Conduct.

By completing this application, you are agreeing to the terms of reference & code of conduct that commits you to:

- act in a fair and reasonable way and to respect the rights of tenants to peaceful and quiet enjoyment of the property
- give tenants 24 hours' notice when access to the property is required
- provide tenants with a tenancy agreement, inventory, details of how the deposit will be managed, and contact information for the landlord
- not to interfere with tenants right to privacy
- ensure all accommodation is in a reasonable state of repair and has adequate fire safety amenities
- attend to repairs and defects promptly

The Code of Conduct will be reviewed on an ongoing basis to ensure compliance with new legislation. A full review of the content and standards will be carried out annually.

4a) Fit for Accreditation check

When a landlord applies to join or renew their RWC accreditation, the LA will be contacted with a "Fit for Accreditation" check. This involves RWC scheme providing the applicant's name, home address and the address/es of the property/ties that they have declared. The Local Authority is asked if they know of any reason why the applicant should not be considered to be fit for accreditation. If there are any issues with the Local Authority, including civil penalties, failure to licence or not completing works within agreed timeframes, RWC scheme reserves the right to refuse the accreditation application. Please note that any ongoing issues with the Local Authority should be resolved before applying to RWC for accreditation, and if you have received a civil penalty/ been prosecuted, **please contact Lead for RWC for eligibility (insert email address)**. If a landlord is accredited in their own right but is also a Director/ owner of a company and that company is prosecuted, receives a Civil Penalty, this will be a breach of the Code and the landlord's accreditation may be cancelled.

4b) Information Sharing

If an inspector finds significant safety or safeguarding issues/ hazards at a property during a RWC accreditation inspection, the Local Authority may be informed/requested to carry out a joint visit, even if the landlord decides not to proceed with accreditation. RWC will also notify the Local Authority if a landlord's membership is cancelled. For more information on data sharing, you are advised to read our privacy notice:

[www.wolverhampton.gov.uk/site-info/privacy-notice/ ?](http://www.wolverhampton.gov.uk/site-info/privacy-notice/)

Section 5 – RWC scheme Lettings Standard (property & management)

All landlords / Agents shall ensure that properties comply with the **RWC Property & Management Standards**.

Property Standards:

1. Landlords *must* ensure that their properties provide a safe and healthy environment for any potential occupier or visitor. This includes, but is not limited to ensuring that the property is:
 - Free from damp and has adequate natural or mechanical ventilation where necessary to control moisture levels.
 - Provided with adequate thermal insulation and a suitable and effective means of space heating so that the dwelling space can be economically maintained at a reasonable temperature.
 - Free from hazards and provides a safe and secure home for your tenants.

(More information is available here: [Housing health and safety rating system \(HHSRS\): guidance for landlords and property-related professionals - Publications - GOV.UK](#))

2. Landlords *must* ensure that the property has adequate fire detection and where a gas or solid fuel appliance is present, adequate carbon monoxide detection <https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>
3. Landlords *must* ensure that the electrical installation is safe and that adequate checks are undertaken on each property (best practice would include obtaining an electrical safety certificate). <https://www.gov.uk/government/publications/electrical-safety-standards-in-the-private-rented-sector-guidance-for-landlords-tenants-and-local-authorities/guide-for-landlords-electrical-safety-standards-in-the-private-rented-sector>
4. Any furnished properties *must* comply with the [The Furniture and Furnishings \(Fire\) \(Safety\) Regulations 1988](#).
5. All properties *should* be provided in a clean decorative condition at the start of each tenancy.

6. Landlords *should* ensure that all gardens are in a clean and tidy state at the start of each tenancy.

Management Standards:

7. Landlords *must* comply with all relevant housing legislation and regulations, including but not limited to the following:
 - An annual gas safety inspection *must* be carried out in properties with gas installations. [Landlords' responsibility for gas safety](#)
 - The property *must* have an [Energy Performance Certificate - GOV.UK](#); the rating should be "E" or better.
 - Any deposits taken *must* be protected under a Government approved scheme. [Tenancy deposit protection - GOV.UK](#)
 - Correct legal procedures for possession *must* be followed in all cases. [Guidance for landlords who wish to gain possession of their property. Gov.UK](#)
8. Tenants *should* be provided with a written tenancy agreement and written inventory at the start of a new tenancy. Model forms are available from via: [Gov.UK Model Tenancy Agreement](#)
9. Landlords *must* respond to any reported repairs in a timely and professional manner.
10. Landlords *must* give at least 24 hours written notice for access in all cases except where access is required in a genuine emergency.
11. Landlords *should* try to minimise void periods or when this is unavoidable are encouraged to contact the Private Sector Housing's Empty Homes Team for advice and assistance.
12. Landlords *should* always act in a fair, reasonable and professional manner in their dealings with tenants. You must ensure that no person or group of persons applying for housing or associated services will be treated less favourably than any other person because of their race, colour, ethnic or national origin, gender, disability, marital status, sexual orientation, age, religious belief or social status which ensures that the requirements of the Equality Act 2010 are satisfied.

Section 6 – Support for you to become “Accredited”

In order to be awarded accreditation status, alongside other requirements, landlords or agents are required to **undergo specialist training and development**, either face to face, online or a combination of the two. Accreditation can also often involve continuing professional development.

With regards to training & sector related development, Wolverhampton RWC scheme works in partnership with **National Residential Landlord Association (NRLA)** to provide the required training & on-going development opportunities.

You will attend a **Landlord Fundamental eLearning training** to learn about best practice for landlords, housing legislation, and what is expected of you. You must also sign a legal declaration to say you are a **fit and proper person** to be a landlord.

The **National Residential Landlord Association (NRLA) website Link** will allow you to join and the special discount code from Rent With Confidence provided to you will allow free membership for 12 months. You will have access to complete the Landlord Fundamental training.

Section 7 – Certification & Benefits of being “Accredited”

- accreditation certificates will be awarded to landlords with special codes to access the website & wider benefits of being the RWC scheme accredited membership.
- **Getting accredited** is good for business. Tenants have the peace of mind that you are a good landlord or agent, and you can access a range of training courses and benefits.
- The training is delivered by an expert trainer and is widely regarded as the most competent landlord training course on offer.
- Wolverhampton RWC scheme will have a membership make up, you can secure **accreditation for two years?** without any additional costs or charges.
- Stand out from the crowd. Use the Wolverhampton RWC Landlord Accreditation logo when advertising your property to give prospective tenants confidence in you.
- It will help you demonstrate that as a Landlord are compliant and professional.
- Recognize & maintain your status of being a good landlord.
- Help from the Council Officers to access other Wolverhampton Council and partner agency services.
- Access to training and development opportunities.
- Discounts on goods and services.
- Access to a **bond guarantee scheme**.
- Free advertising of properties to let.
- There may also be incentives available to members such as the scheme grows around key property services, like insurance, property valuations, accountancy etc.

Section 8 – Landlord Fit and Proper Person Declaration

When determining whether an applicant is a **'fit and proper person'** and their ability to manage the property, Rent With Confidence Landlord Accreditation Scheme requires information about any problems that have arisen in the past, relevant convictions do not automatically mean that you cannot be deemed fit and proper but should be declared. These may be considered alongside matters such as whether you have undertaken training or other accreditation schemes or have a record of engagement with initiatives with the local authority to improve the sector. These Terms and Conditions apply equally to relevant Directors, Partners and/or employees of Companies that are accredited under RWLAS, and the term 'landlord' shall be construed accordingly.

In considering the application it is necessary to ascertain whether or not all of the above parties are fit and proper to be the licence holder / manager of the property.

Please sign the "Fit and Proper person" declaration included in the appendices to this application form.

Section 9 – How do I apply to be accredited?

In order to become Wolverhampton RWC scheme accredited landlord, you will need to:

1. Complete the RWC scheme online [application form](#)
2. Complete "landlord fit and proper declaration".
3. Complete the [Landlord Accreditation training](#) from **National Residential Landlord Association (NRLA)**
4. Pass a property health check (**only a %age of the stock will be checked**)
5. Commit to the code of conduct and agree terms and conditions highlighted in this guidance.
6. Have a valid accreditation certificate that will provide your current/future tenants with the confidence your properties are safe and of a high quality.
7. Agree to listing your name on a public register of RWC accredited Landlords

Section 10 – Breaches & Complaint

Whilst we will seek to resolve any complaints made against accredited landlords informally, any alleged breaches of the requirements of the

Scheme will be investigated by RWC Lead officer, who will consider the nature of the breaches, any representations of the landlord, tenants and any other relevant parties and decide, if necessary, on any appropriate sanction. Landlords who lose their accredited status following the decision of the investigation will be entitled to make an appeal against the decision to Wolverhampton City Council's Service Manager, Private Sector Housing. The appeal must be made in writing and will be considered and responded to within 21 days.

Similarly, landlords wishing to make a formal complaint about the operation of the scheme can write to the City Council's Service Manager, Private Sector Housing. If the landlord is not satisfied with the outcome they may also consider utilising the Council's "Commendations, Comments & Complaints" Procedure. Landlords who lose their accredited status will no longer be eligible for any of the benefits of the Scheme. The Rent With Confidence lead officer will consider the reinstatement of accreditation status if the landlord is able to demonstrate that following remedial action they are capable of meeting the requirements of the scheme.

Examples of specific breaches include, but are not limited to, the following:

- formal enforcement of statute being taken against a member following a failure to comply with legislative requirements from any appropriate enforcement agency/ organisation.
- illegal eviction of tenants.
- fraudulent activities such as Housing Benefit fraud.
- active discrimination.
- failure to apply for a licence when required to do so for a mandatory HMO or additional licensing scheme or selective licensing scheme as the case may be.
- criminal convictions that would make the landlord unsuitable to manage properties and tenancies

Section 11 – Contact

City of Wolverhampton Council

Civic Centre
St. Peter's Square
Wolverhampton
WV1 1SH

01902 551155

Mob: 07773193566

RwC@wolverhampton.gov.uk

Monday - Friday: 9:00 AM to 5:00 PM

Appendices

Appendix 1 – Landlord Fit and Proper person declaration

I declare that I am a fit and proper person to be accredited in that neither I, nor any person associated or formerly associated with me, have any unspent convictions that are relevant to my application and in particular:

- any offence involving fraud or other dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
- any unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business; and
- contravention of any provision of the law relating to housing or of landlord and tenant law; (including any civil proceedings that you have lost).

And that during the last five years neither I knowingly, nor any person associated or formerly associated with me, have:

- been in control of any property subject to a control order under S379 of the Housing Act 1985;
- been refused a license or had a license removed for any property in relation to HMO, additional or selective licensing under the Housing Act 2004;
- been found to have breached a condition on a license for any property in relation to HMO, additional or selective licensing under the Housing Act 2004;
- been found by a local authority to have acted otherwise than in accordance with any Code of Practice approved under Section 233 of the Housing Act 2004;
- in control of any property that has been the subject of any proceedings by a local authority (such as breaches of the Environmental Protection Act, planning control of compulsory purchase proceedings.);
- been in control of any property on which the local authority has carried out work in default; or
- been in control of any property, which has been the subject of an interim or final management order or a special interim management order under the Housing Act 2004.

*Note: If any of the issues detailed, under the fit and proper person declaration, cannot be satisfied, please return this form and provide brief information about any relevant issues. We will contact you to discuss your application. **The existence of such an issue may not prevent you becoming accredited.***

Useful Weblinks

LACoRS fire guidance

<https://www.dashservices.org.uk/Media/Default/Docs/Lacors%20Fire%20Safety%20Guide.pdf>

Tenancy Deposit Protection

<https://www.gov.uk/tenancy-deposit-protection>

Right to Rent Checks

<https://www.gov.uk/check-tenant-right-to-rent-documents>

How to Rent Leaflet

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/821379/6.5707_MHCLG_

How_to_Rent_v4.pdf NB. this leaflet is frequently updated – search on GOV.UK for How to Rent to ensure you have the latest Version

Minimum Level of Energy Efficiency (MEES) Regulations

<https://www.gov.uk/guidance/domestic-private-rented-property-minimum-energy-efficiency-standard-landlord-guidance>

Tenant Fees Act

<https://www.gov.uk/government/collections/tenant-fees-act>

Homes (Fitness for Human Habitation) Act 2018

<https://www.gov.uk/government/publications/homes-fitness-for-human-habitation-act-2018>

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015

<https://www.gov.uk/government/publications/smoke-and-carbon-monoxide-alarms-explanatory-booklet-for-landlords>