

53rd Edition October 2023

## LLAS & Partners Conference & Training Day VIRTUAL Thursday 29 February 2024 From: 10pm to 2:30pm

[BOOK HERE](#)

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# Welcome to the latest edition of the PReSs

Who can believe we are looking at the end of 2023? Am I alone in thinking that 2022 was only 5 minutes ago?

It's been a good year for LLAS/ATLAS, face to face training started again properly: and, due to the efforts by the LLAS/ATLAS team, landlords and agents the virtual live courses, and training videos offered during the pandemic have continued - proving to be a popular alternative.

Personally, I prefer face to face training, but I'm old fashioned like that.

2023 saw a virtual training day in March attended by over 200 people which saw speakers updating us on landlord and tenant law; taxation; licensing; Rent to Rent; and financial planning. Ending with an update from the Head of Policy of the PRS at the Department of Levelling up Housing & Communities – (DLUHC). Hopefully you were one of the people who joined us on that day.

And the BBQ and conference in July, at the Taj, was the best ever, according to the people I talked to after the event. It had a fantastic atmosphere, again due to the LLAS/ATLAS team and to the speakers on the day. We covered legal updates; the work of the NRLA with the Government; the Renters Reform Bill according to the housing ministry (DLUHC); taxation; and mortgages. Ending with a very useful panel session, that went on so long we had to abandon the quiz.

I hope you attended one of these, if not both. LLAS/ATLAS is all about keeping you informed, and training and conferences are the best way to do this.

We can only do this with 4 things:

1. The fantastic LLAS/ATLAS team
2. All the sponsors.
3. Great speakers.
4. All the attendees.

So, thanks to all those that participated.

Not to be outdone, we will be doing it all again in 2024, so put these dates in your diary:

- **Thursday 29 February 2024- Virtual Conference & Training Day**
- **Thursday 11 July 2024- Training, Networking & BBQ event.**
- **Friday 6 December 2024- 20yrs Celebration of LLAS/ATLAS**

Yes, we will be celebrating 20 years of training landlords and agents, having trained, and accredited over **61000** landlords and agents in that time.

Have you got any ideas for speakers at any of these events? Did you hear a great speaker at another event recently? Let us know, as we are always looking for good speakers.

**In the last two editions of Press, I have led with the Renters Reform Bill being imminent, and its potential effect on landlords and agents. The situation has not changed, the Bill has been published, but has been stalled – no one knows why.**

Any Bill has to be published, and then will be given a second reading in the House of Commons, when MP's will be given the opportunity to criticise, or commend it. After that it will then go before a special All Party Parliamentary Group (a committee) where it will be scrutinised line by line: this is the chance for MPs to make amendments to be voted on by the House of Commons, before going to the House of Lords for their comments.

None of this has happened. Michael Gove (the Housing Secretary) mentioned at a couple of Fringe meetings at the recent Tory Conference, that time would be found in the Autumn, but it is difficult to know when this will be. It is interesting to note that Gove hardly mentioned housing in his speech at the conference - in fact he talked more about other departments than his own.

We will keep you updated. In the meantime, ensure you carry out your lets correctly, with due diligence. Good luck.

Hope you enjoy this edition.

**Peter Littlewood (LLAS & ATLAS Chair)**



Peter Littlewood, iHowz Director  
For more info on iHowz Landlord Association, visit <http://ihowz.co.uk/>



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Web: [www.azadayub.co.uk](http://www.azadayub.co.uk)



Investor in People



# Specialist landlord & tenant lawyer -Tessa Shepperson Answers landlords' FAQ: Why Property Inspections are critical for landlords.

Your rental property is probably the most expensive thing you own. Yet you hand it over to strangers to look after!

Although it is their home it is still your property, and you need to be sure that it is being looked after properly. For example:

- **Have your tenants allowed someone else to live there?** This can turn it into an HMO. If it becomes a licensable HMO you could be prosecuted and fined if you don't have a license. Or if it is already a licensed HMO, additional occupiers could breach the terms of your license.
- **Are there illegal activities going on?** For example, have they turned it into a cannabis factory (not as unusual as you may think) or maybe they are growing cannabis in the attic or a wardrobe to make a bit of extra cash? If you 'turn a blind eye' to this YOU could be prosecuted along with them!
- **Is there repair work that need doing?** You can be sued for compensation if the property is in disrepair or 'not fit for human habitation' or (for serious situations) your Local Authority may issue an improvement notice. Plus, if repair work gets left, it will end up being more expensive.
- **Your insurance policy may require regular inspections.** This is increasingly a condition of landlord insurance policies. If you don't do them – they may refuse to cover claims.

However, landlords often fail to inspect as often as they should – or at all!

- Landlords often feel embarrassed about doing inspections and are reluctant to intrude into their tenant's privacy.
- Tenants resent someone coming and poking around in their home.

However, if you have a plan, and come armed with checklists and a list of things to do, it is much easier. Here is a plan!

## 1. Preparation

Always give tenants at least 24 hours' notice in writing – but preferably longer. Ideally, arrange the next inspection at the end of your current inspection visit.

### Then:

- Have a list of all the authorised occupiers, so you can check out anyone, not on your list, who appears to be living there
- Make a note of any authorised pets
- Have a note of any conditions in your insurance policy, and
- A note of any issues that arose during your last inspection visit

Write a list of everything you need to check – for example, smoke alarms, whether fire escapes are being blocked, and whether tenants have done any unauthorised works. You may also want to do meter readings, check for legionella and use a plug-in circuit checker to check electrical circuits are sound.

Have ready to take with you:

- A camera (with fully charged batteries) - ideally, one which will date stamp your pictures.
- Your diary - for arranging the next visit.
- Spare paper for making notes.
- A hard clipboard for holding your notes and for writing on, and
- Several pens (don't just have one!)

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## Have ready to take with you:

- A camera (with fully charged batteries) - ideally, one which will date stamp your pictures
- Your diary - for arranging the next visit.
- Spare paper for making notes.
- A hard clipboard for holding your notes and for writing on, and
- Several pens (don't just have one!)

## 2. On the day

Be extra polite and pleasant to your tenants during inspections, and try to make the visit a positive experience for them. If there is a problem, try to offer help rather than criticism and give them respect. Check through everything on your list and tick them off when done. Make detailed notes (don't try to rely on your memory) and take photos - but try to avoid tenants' items and particularly avoid photographing their children. If possible, get the tenants to sign your notes as correct at the end of the visit.

## 3. After the visit

Sort out your notes and put them somewhere you will be able to find them later (if on computer, have special folders for inspection visits). Always write to tenants after the inspection, confirming what was agreed and the date for the next inspection visit. If any work needs to be done – arrange to do this asap. That's it!

## For more information

We have a detailed Property Inspection Kit, which goes into a lot more detail than we have space for here.

Find out more at <https://landlordlaw.co.uk/pik>. The kit is also available to Business Level Landlord Law members as part of their membership entitlement.

Find other kits, including our Property Access Kit to help landlords whose tenants won't let them in, at the Landlord Law shop at <https://landlordlaw.co.uk/theshop>.

## Tessa Shepperson.

Tessa is a specialist landlord and tenant lawyer and runs the Landlord Law online information service at [www.landlordlaw.co.uk](http://www.landlordlaw.co.uk). You can sign up to her free weekly bulletin (and get a free ebook) at [www.landlordlaw.co.uk/bulletin](http://www.landlordlaw.co.uk/bulletin).



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- ✓ **Guidance on dealing with bad and non paying tenants and effective eviction**
- ✓ **Not sure about something?**  
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# Section 21 and gas safety records

*This was a County Court appeal against a District Judge's decision on whether the failure to obtain a gas safety record prior to a tenant taking possession meant that the landlord had lost his right to serve a section 21 notice to end the assured shorthold tenancy.*



## **Byrne v Harwood-Delgado**

County Court at Luton, 21 June 2022, Case no: H00HF202

This case echoes that of *Trecarrell House Ltd v Rouncefield* where essentially the Court of Appeal decided that if landlords have not given the tenant a valid gas safety record (GSR) at the commencement of the tenancy, a copy must be provided before serving a section 21 notice.

In *Byrne v Harwood*, the court decided that the circumstances around the validity of a section 21 notice in relation to a GSR could be distinguished from the *Trecarrell* case, giving a very different outcome.

In this case, the tenant, Mr Harwood, took occupation of a property in Hatfield near Hertford in August 2019. When the tenant signed various paperwork prior to moving in, he also signed a checklist which included having received a GSR. However, in court, neither party could provide a copy of the GSR. This issue was not resolved by the District Judge and the case proceeded to the Court of Appeal on the basis that Byrne was entitled to possession because he had subsequently served a GSR, although as late as in November 2019. The record was dated September 2019 which was at least one month after the tenant had moved in.

The legal framework here is not straightforward, because it relies upon the Housing Act 1988 and the Gas Safety (Installation and Use) Regulations 1998. The decision in the *Trecarrell* case did not provide guidance to landlords on the position where no gas inspection had been undertaken prior to move in.

HHJ Bloom's decision in the County Court was that the appeal should be allowed because the gas regulations stipulate that: "*the last record made in respect of each appliance or flue is given to any new tenant...*".

This does not mean, as in the *Trecarrell* case, that the landlord needs to serve the record before the tenant occupies the premises because late delivery of that record will suffice. However, the appeal judge's view was that it must refer to a record that existed before the tenant occupied the premises. She concluded that the purpose of the regulations is to ensure that the property is safe for the occupiers, and how could that be so if a record had not been obtained in the first place?

In the *Trecarrell* case, the view was taken that the landlord should not be locked out of the section 21 procedure because, although served late, a record did exist. However, in *Byrne v Harwood-Delgado*, the Judge held that there should be consequences for a landlord's failure to comply with the safety regulations that exist to protect the occupants of the property from day one.

### **Editor's note:**

This case is a clear warning to landlords who do not have a valid GSR in place prior to tenants moving in.



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# Green Homes Grant



Would you like to ensure that your property follows **Minimum Energy Efficiency Standards (MEES)**, improve the warmth and comfort of your property, and help your tenants save on their energy bills? The Green Homes Grant is here to assist.

Landlords with properties in Camden can receive up to **£5k of grant funding** to cover two thirds of the costs for the installation of efficiency measures, such as low carbon heating systems, insulation, and smart heating controls.

To be eligible your property must have an energy rating of D, E, F or G (the lowest ratings) and your tenants must have an annual income of no more than £30k per annum or up to £20,000 income after housing costs.

Click [here](#) for more information or check your eligibility and register your interest [here](#). You can also call our project partners, **Warmworks** free on **0808 196 8255**

## Are you a landlord looking to rent out your property? Barking and Dagenham Council can help.



### We offer a range of benefits to landlords, including:

- Upfront Incentives – we can offer you an upfront incentive to let your property to us. This means you'll get paid a lump sum of money as soon as your property is let.
- Quick Payment Terms – payments to landlords are typically paid in 5-7 working days. We offer negotiable rent payments to cover at least the first month's rent, as well as upfront deposit payments to provide peace of mind in the unlikely event of damages.
- Flexible Terms on Tenancy Duration – we find many landlords prefer the security of a 24-month tenancy.
- Quick Lettings Times – we have a large pool of tenants waiting to move into your property. This means you're more likely to get your property let quickly, with minimal void periods.
- Access to a Council approved Tenancy Sustainment Team for you and your tenant to utilise for long-term tenancy sustainability.

If you're interested in letting your property to Barking and Dagenham Council, you can liaise with one of our friendly staff today via the below contact details. We'll be happy to discuss your needs and provide you with more information.

Why wait, let your property to Barking and Dagenham Council today and start enjoying the benefits.

Please email the property team via the below contact details, expressing your interest, and outlining any queries, details, or available properties.

**Telephone: 0208 227 2739 / 5082**

**Email:**

[Helen.burke@lbbd.gov.uk](mailto:Helen.burke@lbbd.gov.uk)

[Angela.nicholson@lbbd.gov.uk](mailto:Angela.nicholson@lbbd.gov.uk)

[Wayne.samuels@lbbd.gov.uk](mailto:Wayne.samuels@lbbd.gov.uk)



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for more information.





# Oxford City Council 16 November 2023 10am In-person Landlord Forum

We are holding an in-person landlord forum on 16 November 2023 in the Assembly Room, Oxford Town Hall at 10.00am.

You must book your place in advance, as capacity is limited, using the Eventbrite link below. If you do not book in advance, then we cannot guarantee you a space.

Please arrive from 9.45am for a 10am start, refreshments will be available. The session will cover:

1. An update about selective and HMO licensing schemes.
2. Energy Efficiency in Private Rented Homes.

Sign up via <https://www.eventbrite.com/e/oxford-city-council-landlord-agent-forum-16th-nov-2023-in-person-session-tickets-703302415457?aff=oddtcreator>

The presentations will be available on our website soon after the event. There will be no recording available.

If you are from a letting agency, then we would appreciate if you only book one space.

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Photo: Nish Dattani, Director of Green Assessors, Award Sponsor (left) with Romesh Muthiah, Co-Director of Central Housing Group Ltd (right).

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# How to Avoid Common Landlord Mistakes

By Lynne Swanson, Legal Executive, [Percy Hughes & Roberts Solicitors](#)

It can be very rewarding to be a landlord and, when you have a great relationship with your tenants, it can feel like a very easy way to earn a living. However, as straightforward as it can seem, there are significant legal responsibilities you must uphold as a landlord in the UK, and important obligations you must fulfil. The consequences if you fail to do so can be extremely serious, ranging from fines and other legal penalties to a need to pay compensation to tenants.

Unfortunately, there are many small and seemingly insignificant mistakes that can cost landlords dearly and, as experts in advising, representing and defending landlords in court, we have experienced many of them first-hand. Here, the longstanding landlord law team at Percy Hughes & Roberts Solicitors explains some of the most common mistakes you can make when managing a rental property, the potential legal consequences you could face, and the steps you can take to ensure that you do not fall afoul of the law.

## Complete your pre-rental checks.

Landlords have a legal responsibility to ensure that anyone over the age of 18 who pays to live in their property has the legal right to reside in the UK. If you do not carry out these checks thoroughly, you will fall afoul not only of landlord regulations, but also immigration law. Renting to someone who does not have leave to reside in the UK, or whose leave to stay has expired, can result in a civil penalty and a fine of up to £1,000 for a first offence, or £3,000 for further offences.

Thankfully, the government has published detailed guidance that can help landlords to ensure they meet this requirement. The landlord's guide to 'right to rent' checks explains what documentation you should request from tenants and how to interpret it. It also has information on what to do if you have reason to believe that your tenant's documents are fake or illegitimate in some way.

Once you have determined that your tenant has the legal right to rent in the UK, you will also be responsible for carrying out follow-up checks, either at the end of your tenant's permission to stay in the UK, or 12 months after your initial check. While some landlords feel that there is little risk in not carrying out or following up on these checks, the penalties can be even more severe if your tenant's leave to remain in the UK runs out, and you do not report this to the Home Office. Alongside the fines that we have already mentioned, you may receive a sentence of up to five years in prison.

As well as carrying out checks on your prospective tenants before you provide a tenancy agreement, you should also perform some checks on the property itself. For example, you need gas and electrical safety certificates for every appliance in your rental property and may need to provide copies of these to your tenant. Before a new tenant moves in, have all of your appliances tested for compliance and ensure that everything is safe and in good working order.

## Provide the correct information.

There are several key pieces of information you need to provide tenants when they move in. This includes a valid Energy Performance Certificate and a copy of the government's 'How to Rent' guide, the latter of which can be sent via email. You should also ensure that your tenancy agreement is fit for purpose and suits your specific requirements - for example, you should determine whether a break clause or other provisions are appropriate and identify who will be responsible for maintenance of the property, so that these can be included in the contract.

The other important consideration is to secure the tenant's deposit in a deposit protection scheme within 30 days of receipt. Failure to do so can result in a court order to pay back the tenant up to three times their initial deposit, and to cover their court costs if they take legal action against you. Alongside the documents we have detailed above, you must also provide your tenant with information about the deposit protection scheme you have used.

## Check the process before an eviction.

If you want to bring a tenancy agreement to an early end, you may be able to carry out an eviction. However, there are very specific rules governing how and when evictions can be carried out, and these are generally designed to uphold the rights of tenants, rather than landlords. As such, it is vital to ensure that you follow all of the necessary procedures correctly in order to ensure that your eviction is able to move ahead. Otherwise, a court may rule that you cannot evict your tenant, and this can lead to problems like a strained landlord/tenant relationship, or a need to try again and take further legal action.

Typically, if you evict a tenant either at the end of a tenancy agreement, you can do so without needing to provide a reason. However, if you want to evict the tenant before the agreement has ended, you must rely on legal grounds to do so. For example, you may be able to evict a tenant who has used the property for an illegal purpose, or who owes a significant amount of rental arrears. However, you cannot simply say that you want to take back control of the property, as this is not a legally valid cause for eviction.

Choosing the right type of eviction notice, providing your tenant with sufficient notice to move out of the property, and following procedures correctly throughout can be difficult, but it is vitally important to do so. For this reason, working with an [expert landlord solicitor](#) to support you during the eviction process can be the difference between success and failure - not only this, but you can face legal penalties if you enter your property without properly notifying your tenant, or for a wealth of other reasons. Guidance from a solicitor throughout your tenancy can ensure that you uphold your rights and keep your property and business secure while maintaining your tenants' rights and avoiding falling on the wrong side of the law.

## Letting Legally



### Permitted Payments

It is illegal to charge certain fees to tenants, unless they are classed as 'permitted payments'.

These are the **ONLY** payments you are permitted to charge:

- ✓ Rent
- ✓ Holding deposit (capped at 1 weeks rent)
- ✓ Tenancy deposit (capped to 5 weeks rent)
- ✓ Utility bills and council tax
- ✓ Default fees – including key loss and rent arrears (reasonable charges)
- ✓ Changes to a tenancy at the tenant's request - £50 / reasonable costs
- ✓ Fees for leaving a tenancy early, known as termination charges (to cover actual loss suffered by the landlord)

To work out the weekly rent, multiply the monthly rent by 12 then divide this sum by 52.

It is safer to receive payments in a traceable manner, but if you are paid in cash, always provide a receipt.



### Prohibited Payments

You can 'no' longer charge the following:

- X Administration fees
- X Contract negotiation fees
- X Application fees
- X Inventory charges
- X Set up fees
- X Referencing fees
- X Check-in and check-out fees unless by mutual agreement, e.g. for an out of office hours checkout
- X Credit check fees
- X Renewal fees
- X Guarantor fees
- X End of tenancy fees
- X Permitted occupier fees
- X Default professional cleaning fee
- X Right to Rent fees

This list is not exhaustive and if the payment is not permitted within the Tenant Fees Act 2019 then it will be deemed prohibited. You should no longer make reference to these fees in your tenancy agreement or property adverts - they cannot be charged.

# Domestic abuse in the PRS: how can landlords and agents respond?

Domestic abuse is very common but remains very difficult to talk about. Victims often feel shame about the situation, and people around them might not know what is happening, don't know how to help, or are scared to do the wrong thing.

One in four women and one in six men in England and Wales will experience domestic abuse in their lifetime, and the police take on average 100 calls per hour related to domestic abuse. The reality is that if you have several properties, you will likely be in contact at some point with tenants who are experiencing abuse in their own home from their partner, ex-partner, or a family member. Tragically two women a week are killed by their partner or ex-partner, so turning a blind eye is not an option.

## What does it have to do with landlords?

Domestic abuse is by its very nature a housing issue, because it takes place behind closed doors. Abusers might appear as the perfect partner, parent or neighbour to the outside world, but within the home they create an environment of fear and control that victims often describe as having to "walk on eggshells", watching everything they do or say, what they wear or who they speak to, knowing that the abuse can escalate at any moment. This can take different forms from verbal, physical or sexual violence to financial or economic abuse, which can have long-lasting consequences.

***There is no legal requirement for private landlords and agents to act on or report domestic abuse in their properties, but sitting with a feeling that someone is at risk for their life is not something that anyone wants to do.***

Landlords and agents are in a unique position to spot potential warning signs such as a tenant with bruises or unexplained injuries, damage to the property such as punch marks in the wall, requests for lock changes, or the accumulation of rent arrears. Antisocial behaviour at the property is also a key indicator of domestic abuse, for example neighbours reporting shouting or banging noise.

## How can I help a tenant?

As landlord or estate agent, you are uniquely placed to access people in their homes and offer help in simple yet effective ways. These include:

- Recognising the signs of abuse such as damage to the property, antisocial behaviour or rent arrears, and offering help before taking punitive actions against the tenant.
- Telling your tenant that you are worried about them and that it is safe for them to talk to you if they want to, making sure to speak to them alone and out of earshot from anyone. If they don't want to talk to you, or if they're not experiencing abuse, at least they'll know that they can talk to you in the future.
- Always believe someone disclosing abuse without judgement, and tell them that help is available.
- Give them the contact numbers for support helplines (see below). It is vital that victims receive support from specialist professionals to help them manage risk and safety for them and their children.
- As landlord you can help your tenant with their housing, for example if they want to move out before the end of the tenancy or being flexible for rent arrears caused by economic abuse.
- You can help if they need to secure their home against their abuser(s), for example by changing the locks. Most London boroughs provide a Sanctuary Scheme where victims of domestic abuse can get free security measures and additional alarms in their home, with approval from their landlords.

Domestic abuse thrives in silence, so it is vital that we all speak out about it. Don't ignore the signs, read our tailored [guidance for private landlords](#), and reach out to your local domestic abuse charity if you'd like advice on how to help someone.

Contact: [c.traynard@standingtogether.org.uk](mailto:c.traynard@standingtogether.org.uk)

Clementine Traynard, PRS Lead, Standing Together Against Domestic Abuse (STADA)

## Domestic abuse support helplines

National Domestic Abuse Helpline run by Refuge: **0808 2000 247**

National LGBT+ Domestic Abuse Helpline run by Galop: **0800 999 5428**

Respect Helpline (for those who harm): **0808 8024040**

Support in London: Solace Women's Aid helpline **0808 802 5565**

# LANDLORD LICENSING & DEFENCE



**CONTEST a Rent Repayment Order (RRO) from the council or a tenant.**

Received an application for a **Rent Repayment Order (RRO)** or a notice from the **First Tier Tribunal (Property Chamber)** that a claim has been made against you?

**Do NOT ignore. Do NOT talk to the tenant or council.**

You have limited time and you need immediate advice. Most tenants use ruthless no-win-no-fee solicitors.

**TALK TO US 0208 088 3494**



**PROTECT yourself from enforcement with a Property COMPLIANCE Audit.**

- HHSRS 29 Hazards - Confidential audit to bring your property into compliance (that the council cannot use against you)
- Professional Fire Risk Assessment - the best defence against Gross Negligence Manslaughter
- Council & Amenity Standards
- Full confidential audits covering all of the above

**TALK TO US 0208 088 3494**



**CHALLENGE A CIVIL FINANCIAL PENALTY**

Councils can issue massive Civil Financial Penalties for breaches of housing law.

- Failure to licence a property or having the wrong licence.
- Breaches of your property licence or HMO conditions.
- Failure to comply with an Improvement Notice, Prohibition Order or Management Order.

The council gets to keep all the money so their motivation to fine you is immense.

Stay silent with the council and get immediate professional defence.

**£30,000 FINE**

**TALK TO US 0208 088 3494**




**Unwitting, Accidental or Unlicensed HMO?**

Any property with 3 persons where one is not related to the others IS an HMO even if you are unaware.

If it should be licensed but isn't you have already committed a criminal offence and the fines can be £30k+

Do NOT talk to the council. Get professional defence to mediate for you and apply for the missing licence in the safest way possible.

**TALK TO US 0208 088 3494**



**Compliant HMO design advice**

90% of architects and builders do NOT understand HHSRS and Amenity standards requirements.

Advice on compliance after 2nd Fix can cost a fortune in reworks.

Get a professional review of your drawings or at 1st Fix and save yourself a fortune.

**TALK TO US 0208 088 3494**



**HHSRS: Protect Your Property Now**

What is it and why do you need to know?

- ▶ Every residential property in England and Wales must comply with HHSRS.
- ▶ It's the system councils use to assess properties for enforcement.
- ▶ There are 29 potential 'Hazards' that often lead to enforcement and fines.

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# HMRC warns against tax avoidance scheme marketed to property industry.

HMRC says it is aware of a scheme being marketed as a tax planning option available to individual landlords to structure their property business.

## Sometimes referred to as a hybrid business model, the arrangement claims to:

- bypass mortgage interest relief restrictions allowing increased deductions for mortgage interest.
- reduce the tax payable on profits generated by the property business.
- reduce Capital Gains Tax payable when properties are sold.
- reduce Inheritance Tax payable on death.

HMRC's view is that this scheme does not work, and they have asked us to inform readers that people who use these arrangements may have to pay more than the tax they tried to avoid as well as paying interest, penalties and high fees for using such schemes.

## Post from HMRC:

### How the arrangements claim to work

The arrangements seek to avoid tax by allowing individual or joint property landlords to transfer their properties to a limited liability partnership (LLP) with a corporate member. The LLP then allocates profits on a discretionary basis to members.

The arrangements are claimed to work as follows:

1. The individual landlords or their family members, or both, set up a limited company.
2. The individual landlords set up an LLP alongside the limited company — the limited company is considered the corporate member.
3. The individual landlords transfer their properties to the LLP.
4. The members of the LLP (the individual landlords and corporate member) allocate the LLP profits to themselves on a discretionary basis to make sure that:
  - the individual members remain basic rate taxpayers.
  - the remaining profits are allocated to the corporate member.
5. The corporate member claims a deduction for finance costs (such as mortgage interest) relating to the properties.

Landlords are advised that this arrangement results in less tax being payable for the following reasons:

- the transaction relating to the contribution of properties to the LLP has no upfront tax cost and the properties' base costs (the amount that can be set against the sale price of an asset when calculating Capital Gains Tax) are uplifted to their market value at the date of transfer for Capital Gains Tax purposes.
- the landlords remain basic rate taxpayers meaning they are not impacted by finance cost restrictions.
- the corporate member can claim a full deduction for its share of finance costs as finance cost restrictions do not apply to it
- the corporate member is subject to Corporation Tax on its net profit share instead of paying higher or additional income tax rates that would apply if the profits had been allocated to the landlords
- calculating the capital gain using an uplifted base cost at the date the properties are contributed to the LLP reduces the Capital Gains Tax paid compared to using the original purchase and improvement costs, if the properties are sold.
- Business Property Relief (BPR) may be claimed in respect of a hybrid structure carrying on a property rental business resulting in no Inheritance Tax being due, if the landlords die.

## What to do if you're using this arrangement

If you think you're already involved in this arrangement and want to get out, HMRC can help. HMRC offers a range of support to get you back on track or avoid being caught out in the first place.

If you're using this or similar schemes or arrangements, HMRC strongly advises you to withdraw from it and settle your tax affairs. You can do this by emailing HMRC at [spotlight63@hmrc.gov.uk](mailto:spotlight63@hmrc.gov.uk) and we will tell you what further information we require.

Anyone concerned about the schemes they are currently using should also consider:

- getting independent professional tax advice
- speaking to one of the tax charities such as TaxAid — find out more about the TaxAid helpline on the TaxAid website

## What this means for promoters

Scheme promoters must comply with the disclosure of tax avoidance schemes (DOTAS) legislation ensuring that arrangements they are marketing are disclosed to HMRC.

Promoters will be liable to a penalty if they fail to disclose a scheme to HMRC within 5 days of the scheme being made available or implemented. The initial penalty is up to £600 a day. If this is not considered to be a sufficient deterrent promoters may have to pay a penalty of up to £1 million.

HMRC can publish information about tax avoidance schemes we are aware of, and about the people involved in the supply and marketing of these schemes.

HMRC will pursue anyone who promotes or enables tax avoidance. This includes using the enablers penalty regime for anyone who designs, sells or enables the use of abusive tax avoidance arrangements which are later defeated by HMRC.

HMRC will also use its powers under the Promoters of Tax Avoidance Schemes regime against those who continue to promote tax avoidance schemes.

### Report a scheme.

You can report tax avoidance arrangements, schemes and the person offering you them to HMRC using our report tax fraud or avoidance online form. You can submit this form anonymously and do not have to give your name, address or your email.

You can phone HMRC to report tax fraud or avoidance if you cannot use the online form.

Source: [Click here](#)

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# Renters Reform Means Better Compliance Required: Implications for Private Rental Sector Landlords

By Des Taylor, Casework Director, Landlord Licensing & Defence.

The PRS (Private Rental Sector) has experienced significant changes in recent years, and the Renters Reform Bill, published and proposed in May 2023, will bring about further transformations.

This bill aims to introduce a range of reforms that will impact landlords and their businesses models as well as significant enforcement around the initiation, conduct and termination of tenancies.

Some key provisions and details to give you an oversight what is going on, what is proposed and what it might mean.

## Abolition of Section 21 Notices:

One of the most significantly discussed and impacting changes proposed is the abolition of Section 21, commonly known as "no-fault" evictions.

The proposal aims to protect tenants from unfair evictions and provide them with greater security and stability. What is also clear is any part of getting this process wrong will result in local housing authority enforcement. The local housing authority will have statutory duties here.

Instead of Section 21 notices, landlords will be required to use Section 8 notices, which necessitate a legitimate reason for eviction, such as rent arrears or breach of tenancy agreement. This will need an overhaul of the court system to manage such a major change along with rewriting the enforcement policies of local housing authorities.

It will be crucial to maintain thorough records of any breaches of the tenancy agreement or non-payment of rent. In fact, meticulous record keeping is a major part of being a landlord today in order to protect your position. The reform aims to encourage responsible tenancy management and discourage indiscriminate evictions. However, landlords may face challenges in the event of problematic tenants who do not meet the criteria for eviction under Section 8.

## Changes to Section 8 Notices:

Section 8 notice changes aim to streamline the possession process and provide more clarity to both landlords and tenants. The reforms include revised grounds for possession and simplified procedures for obtaining possession orders.

The proposed changes aim to make the possession process more efficient and predictable. However, it is important for property owners to recognise that navigating the legal process currently does require professional assistance and most definitely in the future this will need law firms to provide guidance to ensure compliance and successful outcomes. Again getting it wrong will lead to statutory enforcement action.

## Lifetime Deposits:

To enhance tenant mobility and alleviate financial burdens, the Bill proposes the introduction of lifetime deposits. Tenants will be able to transfer their deposit from one tenancy to another, eliminating the need for multiple deposits and reducing upfront costs for tenants.

Lifetime deposits may well simplify the renting process for both tenants and landlords by reducing administrative burdens associated with managing and returning deposits. With the introduction of lifetime deposits, landlords will need to ensure they protect the deposit in a government-approved tenancy deposit scheme and follow the necessary procedures to transfer the deposit between tenancies. This will involve additional paperwork and coordination. In many respects it will make sure that there is no more overlooking protecting deposits and reduce the number of claims by tenants against landlords for failing to do so. The diligence will be the most important part.

How this will work for landlords who do not wish to hold deposits or what will happen will be a remarkably interesting audit trail to look at because of course the right to not want to take a deposit is most likely to remain the elective of the landlord.

For the Department of Levelling Up, Housing and Communities, it does not appear to be levelling matters for landlords and this will be necessary to level matters on both sides as Landlords are renters too. They are renters to the tenant.

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Introducing a matter such as rent control has shown an under market is created and more illegality happens, and other problems are created which we at Landlord Licensing & Defence currently see quite often in the rent-to-rent business.

For landlords, longer tenancies can offer landlords a more predictable rental income, reduced voids, and potentially lower tenancy change costs. This stability may be appealing to some property owners, especially those who already provide long-term tenancies. However, the introduction of rent controls may limit the ability to increase rents to market levels, potentially impacting rental yields.

### **Property Standards and Safety:**

The Bill also emphasises the importance of maintaining high property standards and safety. It proposes the establishment of a new Housing Ombudsman, which will manage disputes between landlords and tenants, ensuring fair and efficient resolution. Additionally, it introduces mandatory electrical safety checks and minimum energy efficiency standards for rental properties. These are already covered in legislation and as we move forward, enforcement which is generally increasing across the board will now become every day for everybody who is renting property in the PRS. It is a statutory duty of the local housing authority to carry out enforcement in many areas under the reforms, which is being missed by many.

Regular inspections and compliance audits will be necessary in all properties and for landlords to be able to protect themselves from enforcement by the local housing authorities and by the proposed ombudsman. Landlords with large portfolios will need to employ professionals to conduct HHSRS inspections and fire risk assessments on an annual basis and similar as many have proposed from the landlord side to something akin to a property MOT.

Adhering to these standards will help build trust with tenants and mitigate potential legal issues and enforcement.

Importantly for portfolio landlords it only takes one issue at one property where enforcement action happens for the landlord to be considered by most local housing authorities as incompetent and rogue and intentionally doing things to save money. In fact, quite often this is not the case, and it is an oversight and administrative error, so strategies would need to be put in place and regular business continuity plans revised on at least a six-monthly basis.

### **Minimum Tenancy Duration:**

While the exact duration is still under consideration, this provision aims to discourage short-term tenancies and promote longer-term rental arrangements. Longer tenancies can be advantageous for property owners as they reduce costs, such as advertising, cleaning, and refurbishment expenses between tenancies. Rest assured, the landlord making a minimum term is likely to be an offence in the future. This would mean more local housing authority enforcement for those who get it wrong.

### **Mandatory Repairs and Maintenance:**

The Renters Reform Bill places a greater emphasis on the responsibility of landlords to ensure that rental properties meet acceptable standards of maintenance. This will include addressing issues such as dampness, structural defects, or inadequate heating systems. There is plenty of legislation covering this already, it will be a great government that clears out all the old legislation and replaces it with something, new, understandable and not retrospective. Amnesties and moratoriums will be necessary if this is to be implemented fairly and effectively. Fining landlords out for the business is not the solution; education and support and rehabilitation are the ways forward.

### **Impact on Small-Scale Landlords:**

This bill is likely to have a more substantial impact on small-scale or individual landlords who own a limited number of properties. Some rely on rental income as their primary source of revenue and will face greater challenges in adapting to the proposed reforms. Now is the time for them to re-evaluate their investments and seek professional property management services and external assistance to ensure compliance with the new regulations. They must evaluate the financial viability of their rental properties in light of the proposed reforms and make adjustments to their business plans and include the inevitable enforcement costs which Sec 58 of the Bill is introducing and will make many operations unviable because of risk.

### **Eviction Processes and Legal Support:**

This will add complexity to the legal proceedings for landlords. Good access to reliable legal support and advice to navigate any potential disputes or challenges from the new regulations will be an absolute.

The days of self-management and attending to matters as they arrive are ending. Now is the time to start building relationships with legal professionals who specialise in landlord & tenant law and those specialists in the Housing Act 2004 and the Housing & Planning Act 2016. Access to expert advice will help landlords navigate the intricacies of the new eviction process, and to ensure compliance with the new regulations, and protect their rights and interests, which tenants are likely to seek redress against on a more regular basis than before. This will be supported by more enforcement and fining available to the local housing authority in addition to the existing options.

The local housing authority is not a landlords advice centre; it is a law enforcement body; it is there to ensure the safety of the occupants and must carry out its statutory duties. Enforcement forms part of that as it always has.

### **Impact on Rental Prices:**

The ultimate cost is that rental prices must increase to cover the investment that is required to be compliant and to ensure that landlords have sufficient funds available to operate a business properly, cover inevitable enforcement and as costs go up it is a basic part of economics which must be considered every landlord in the business.

### **Dispute Resolution and Mediation:**

The establishment of a Housing Ombudsman, which will manage disputes between landlords and tenants. This independent body aims to provide fair and efficient resolution to conflicts, reducing the need for costly and time-consuming court proceedings. Legal advisers will become increasingly important as more and more legislation is introduced. It becomes even more crucial for landlords to stay updated on changes in legislation, regulations, and best practices. Professional legal advice, attending relevant training programs, and engaging with landlord associations will ensure landlords navigate this evolving rental landscape successfully, as otherwise the local housing authority will also have its enforcement powers which it will undertake under the proposals.

### **Landlord Database:**

The Renters Reform Bill includes a provision for the establishment of a national landlord database and property portals. This database aims to improve transparency and accountability within the private rental sector by providing a central repository of information on landlords and their properties. The database will likely include details such as property ownership, licensing status, compliance with regulations, and any history of breaches or penalties. As stated before, one misdemeanour may destroy a landlord. On one hand, it can help weed out rogue landlords and provide a level playing field for responsible landlords who meet all legal requirements. It can also offer tenants access to information about their landlords and the properties they rent, promoting greater transparency and informed decision-making and at the same time providing landlords to target by unscrupulous tenants with intentions of seeking compensation from the outset. Although there will only be a small percentage and it will be an exceedingly small number of landlords that it affects; it can be devastating and at the same time can provide weapons for those with intentions are not honourable. The detail of this will need considerable time to understand for stakeholder organisations including the NRLA and the like.

This means there are concerns among landlords regarding data privacy and potential misuse of the information in the database. Landlords may worry about the security of their personal and business information, as well as the potential for reputational damage if incorrect or misleading information is included. It will be crucial for the government to ensure robust data protection measures and a fair and accurate process for landlords to update their information on the database.

Landlords may face administrative burdens in providing the necessary information for inclusion in the database. They will need to familiarise themselves with the requirements, ensure accurate and up-to-date data submission, and face penalties for non-compliance. It may also be necessary to allocate resources to maintain compliance with the database's reporting and registration obligations. What hand this over to professionals it is for them who are familiar with the consequences of everything that is input and the potential risks and rewards it may provide.

### **Conclusion:**

The Renters Reform Bill introduces significant changes to the private rental sector, aiming to provide tenants with increased security and improved rental standards. Landlords will have to do more, pay more, charge more and be more careful to be able to meet the demands.

Whilst these reforms will pose many challenges for landlords, such as rent controls and increased responsibilities, it will be essential to approach them with an initiative-taking mindset.

Seeking advice from those who practise professional advice in these areas is essential in order to stay informed. The seeking of professional advice when needed, will become commonplace even amongst those investors and landlords who currently have been able to keep abreast of things themselves and manage their way through any difficulties and situations.

It is never easy, and change is the first constant that we have for the near future along with more enforcement and costs of doing business.

The future will need diplomacy and ambassadorship to overcome the issues and after that of course we will see a number of landlords leave the industry and select other investments and those with the financial power and ability to survive will fulfil the Darwinian prophecy.



Des Taylor is Casework Director at Landlord Licensing & Defence a specialist firm assisting landlords to navigate enforcement by local housing authorities and from tenants demanding rent repayment orders.

Any queries please contact Phil Turtle [phil.turtle@landlordsdefence.co.uk](mailto:phil.turtle@landlordsdefence.co.uk) 07867 780 676

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## A licence to rent in three Brent wards is now law.

Since 1 August, a new law requiring landlords to have a selective licence has been in force in three Brent wards.

Landlords who rent out properties in Dollis Hill, Harlesden & Kensal Green and Willesden Green, are now legally required to have a licence.

**Failure to have a licence can lead to landlords being prosecuted and fined unlimited amounts.**

“The landlords who work with us take pride in renting out properties that offer decent facilities and living conditions to tenants”.

### **Councillor Promise Knight,**

Cabinet Member for Housing, Homelessness and Renters' Security

Cllr Promise Knight, Cabinet Member for Housing, Homelessness and Renters' Security, said: “The landlords who work with us take pride in renting out properties that offer decent facilities and living conditions to tenants. The licensing scheme supports landlords in offering the best they can to tenants, ensuring that tenants' safety and security are protected.

“We encourage landlords and agents with properties in Dollis Hill, Harlesden & Kensal Green and Willesden Green to apply for a licence as soon as possible.”

[Find out whether the property you are renting needs a licence.](#)

## Energy Efficiency in Private Rented Property in Westminster - MEES Plus Grant Pilot Scheme (2023)

Westminster City Council is writing to all landlords whose property may be eligible for financial support through the **MEES Plus Grant Pilot Scheme (2023)** to improve the energy efficiency of their properties.

In 2019 Westminster City Council declared a Climate Emergency and committed to achieving a Net Zero City by 2040. To meet this target in housing, the Pilot Scheme will offer eligible landlords financial support of up to **£10,000** to improve the energy efficiency of their property, measured by the Energy Performance Certificate (EPC). Landlords are expected to match fund grant money (e.g. a grant of £5,000 would require a matched contribution from the landlord).

Current regulations require that private rented property must meet an EPC of E or above. We believe that you are the landlord of: (*insert address*), which is operated as a rented dwelling and is in compliance with the MEES Regulations with EPC rating of xx and may be eligible for grant funding.

Westminster encourages landlords to take advantage of this opportunity to reduce carbon emissions and improve energy efficiency in their properties as early as possible. The UK Government<sup>1</sup> is consulting on a proposal to increase the minimum energy efficiency standard (MEES) from an EPC rating of 'E' to a rating of 'C' for new tenancies from 2025 and to all private rented homes from 2028. Action now will support landlords to meet potential future requirements.

For further information on eligibility and how to apply, please refer to:

[www.westminster.gov.uk/housing/private-sector-housing/landlords/landlord-energy-grant-scheme](http://www.westminster.gov.uk/housing/private-sector-housing/landlords/landlord-energy-grant-scheme)

For any questions please contact: [res@westminster.gov.uk](mailto:res@westminster.gov.uk)

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## Landlord ordered to pay back nearly £15,000 in rent to tenants.

An unlicensed landlord has been ordered to pay back almost £15,000 in rent to his tenants after they were forced to live in “dangerous and disgusting conditions”.

When officers from Barking and Dagenham Council visited the privately-owned two-bed flat in Butteridges Close, Dagenham, they found a catalogue of problems including damp and mould throughout the property and only one functioning heater.

It also had no working smoke alarms, the kitchen cupboards were all broken, the oven plug had been secured using duct tape, there was an exposed light in the bathroom, and a severe infestation of bed bugs.

The flat’s landlord, Kehinde Wilson Gbadegesin, of Greenwich, was charged £1,200 per month for the former local authority flat, however, he had already been fined more than £11,000 in February this year after failing to carry out improvements and failing to register for a private rented property license. EYE carried the story – see below.

At a tribunal, held online on Friday 4 August, at which Barking and Dagenham Council acted on behalf of the tenants to issue the rent repayment order under the Housing and Planning Act 2016, a judge ordered Gbadegesin to pay back rent for the period between February 2022 and January 2023 – totalling £14,400 – as well as a pay a further £300 to cover the costs of his tenant’s application and the hearing fee.

Councillor Syed Ghani, Cabinet Member for Enforcement and Community Safety, said: “No one should be left to live in dangerous and disgusting conditions such as those faced by these tenants, so I am pleased to hear this rogue landlord will be made to pay back every penny he unscrupulously took from them.

“Our private rented property licensing scheme is there to improve standards for all, and I hope this sends a strong message that we will continue to take action against the small minority who think they can flout the rules and do as they please.”

Source: [Click here](#)

## DLUHC introduce new shared ownership rent reforms.

The government yesterday introduced a series of reforms to shared ownership rents. These reforms will apply to the leases of new shared owners who purchase homes delivered through the Affordable Homes Programme and through the planning system via Section 106 developer contributions, with certain exceptions. It will also apply to the leases of new shared owners who purchase a leasehold interest in their homes through the Right to Shared Ownership.

Shared ownership rents can currently be increased once a year by the Retail Prices Index (RPI) plus 0.5%. However, the Department for Levelling Up, Housing and Communities (DLUHC) says it recognises that RPI is now an outdated measure of inflation, that the government has committed to phasing out of usage by the end of the decade.

That is why rents for new shared owners can instead be increased once a year by no more than the Consumer Prices Index (CPI) plus 1%. This reform brings shared ownership rents into line with the limit that normally applies to annual rent increases in other forms of social housing.

Homes England is also amending the Rent Review schedule of its model shared ownership lease to make it clear that registered providers of social housing have discretion to increase rents by less than CPI plus 1%. This ensures that providers have greater flexibility to protect new shared owners from particularly high rent increases during periods of high inflation.

Finally, the DLUHC has reduced the floor for shared ownership rent increases from 0.5% to 0%. This means that rents cannot be increased if CPI is minus 1% or lower.



As a transitional measure to protect ongoing delivery, the government is exempting certain new shared ownership homes from these reforms. This includes new homes that are already in contract to deliver via the Affordable Homes Programme. This is to ensure that providers can continue to deliver these new homes, where the terms of their delivery have already been officially finalised with Homes England and the Greater London Authority.

Any new shared ownership homes that have funding agreed on an indicative basis, and are not part of a firm scheme, as well as homes included in new bids to the Continuous Market Engagement element of the Programme, are required to adopt the reforms.

For new shared ownership homes delivered through the planning system via Section 106 developer contributions, the DLUHC has set out guidance below that explains which homes should adopt the reforms and which homes are exempt.

Guidance for new shared ownership homes delivered through the planning system via Section 106 developer contributions

From 12 October 2023, any new Homes England model shared ownership lease that is granted to a buyer must include a Rent Review schedule that enables the 'specified rent' to be increased once a year by a permitted maximum of CPI plus 1%. Under the previous arrangement, the Rent Review schedule of Homes England's model shared ownership lease enabled the specified rent to be increased once a year by a permitted maximum of RPI plus 0.5%.

It is expected that for any new planning permissions granted on or after this date, the Section 106 planning obligations must reflect this new Rent Review schedule, namely the ability to increase rents once a year by a permitted maximum of CPI plus 1%.

However, where the local planning authority considers that substantial work has already been undertaken (in advance of the above date) to reach agreement of the Section 106 planning obligations on the basis of the previous Rent Review schedule, that authority may allow the agreement to proceed on that basis, if this is pragmatic and necessary in order to secure the affordable homes which are the subject of the obligation.

Where a Section 106 planning obligation is already in place and agreed with the relevant parties on the basis of the previous Rent Review schedule, the parties to that agreement may modify the agreement to reflect the new Rent Review schedule, if they consider it reasonable and practicable to do so and if this would benefit new shared owners.

Source: [Click here](#)

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# London Borough of Tower Hamlets- Landlords Open Day

## Thursday 2 Nov 2023 14:00 - 17:00

At: LB of Tower Hamlets, Town Hall,  
160 Whitechapel Road London E1 1BJ

**Register today and embark on your path to building a partnership with Tower Hamlets Council. [Click here to register](#)**

If you would like to speak to a member of the Accommodation Procurement Team before the event, please email [taprourement@towerhamlets.gov.uk](mailto:taprourement@towerhamlets.gov.uk) or [www.towerhamlets.gov.uk/RentToUs](http://www.towerhamlets.gov.uk/RentToUs)

Join us at our Landlord Open Day. This event gives you with the opportunity to network with landlords and property professionals, find out about the benefits of working with the Council, and make a difference in the community. Our vision is to ensure that everyone has a home to live in, which is of high quality and good standards.

We want to work with you to improve the supply of quality private rented accommodation, in particular for households that are, or may become homeless. Make a community impact, network, and collaborate with the Council and other partners to explore new initiatives. Be a valuable contributor to the community.

**Partnership Opportunities:** Collaborate with Tower Hamlets Council to enhance housing solutions and build on a long-lasting partnership. Work with us and our partners to positively impact the community. We will talk to you about the range of opportunities that we currently have on offer.

**Community Building:** Connect with fellow landlords and property professionals to explore avenues to make a difference and share ideas and solutions.

**Local Resources:** Acquire the resources and support offered by Tower Hamlets Council, such as prospects for community engagement, housing initiatives, and more.

Enjoy complementary refreshments while networking with those who share your enthusiasm for property and community development.

### **There will be a presentation from**

- the Housing Options Accommodation Procurement Team at 3pm,
- followed by comments from Cllr Kabir Ahmed, Cabinet Member for Regeneration, Inclusive Development and House Building.
- We will also have colleagues and partners from our Building Safety Team, Licencing,
- Richard Blanco (National Residential Landlord Association), and the London Fire Brigade sharing information and good practice.
- Peter Littlewood – (iHowz) & Chair of LLAS -London Landlords Accreditation Scheme

### **Let's end homelessness together.**

#### **Who Should Attend:**

- Landlords and agents
- First-time property owners
- Property developers
- Property management professionals with a desire for positive change
- Individuals eager to make a meaningful impact in the community.

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# LLAS & Partners

Virtual Conference & Training Day – Bringing you  
up to date with what the future holds for the PRS.

Thursday 29 February 2024

From: 10am to 2:30pm

Presentations will be on everything that is topical in the private  
rented sector (PRS) including:

- Rentals Reform Bill update
- General Legal update including
  - Courts and Tribunals
  - Compliance, and robust enforcement
  - Dispute resolution
  - End of arbitrary rent review clauses
  - Introduction of a PRS ombudsman
  - Ban on no DSS & no children adverts
  - Decent Homes Standard
- Property Licensing update
- HMO Management, law & Practice, Rent Repayment Orders
- How to save on Property Tax
- Mould & Damp
- Extended Expert Panel Session to answer all your questions, so prepare your questions in advance & bring them along on the day.
- Accredited landlords & agents earn **10 CPD points** for their attendance

## How to get your tickets

**Accredited Landlords/agents £40 & “non-Accredited” £55**

You can pay by credit/debit cards online [Click Here to Book](#)

Phone LLAS/ATLAS staff on 0207 974 6975/ 0207974 2839. & pay over the phone.  
Request for an invoice with a PO number (**amounts £450 and over**) or pay online at  
<https://www.londonlandlords.org.uk/payment/>



# Mortgage guarantee scheme set to be extended for another year.

The chancellor Jeremy Hunt is expected to extend the mortgage guarantee scheme for another year to help those struggling to cope with increasing mortgage rates, as part of the Autumn Statement next month.

It is understood the Treasury is looking at making the scheme, which helps people take out a mortgage with a 5% deposit, available for a further 12 months.

The mortgage guarantee scheme, first introduced in March 2021 by the then chancellor Rishi Sunak, was designed to encourage lenders to offer mortgages to borrowers with a smaller deposit. But mortgage rates have since soared, while many people struggle with the higher cost of living.

The Sunday Times reports that the Treasury is also examining options for a new kind of ISA encouraging people to save for a first home.

Other ISAs, such as Help to Buy, which rolled-out in 2015 under former chancellor George Osborne and ended on 31 March, were criticised as property prices rose higher than the scheme's limit.

Under its rules, buyers were awarded a 25% bonus from the government on homes worth up to £250,000 in England and £450,000 in London.

Hunt is also considering increasing the £450,00 upper limit on house purchases funded by a Lifetime ISA, where government adds 25% to savings aimed at building a deposit, although no decision has yet been made.

The chancellor will announce the Autumn Statement on 22 November.

Source: [Click here](#)

# Property lawyer says delay to Section 21 eviction ban 'practical and sensible'.

Government plans to indefinitely delay its plans to scrap Section 21 evictions in England and Wales until after the court system is reformed, has been welcomed as a sensible decision by a property lawyer specialising in this area of the market.

Ministers initially pledged to end the right of landlords to evict tenants without needing a reason in 2019.

However, housing secretary Michael Gove said this week it was "vital" to update the courts first.

He said the ban cannot be enacted before a series of improvements are made in the court system, which is used by some landlords to reclaim possession of their homes.

Gary Scott, partner at law firm, Spector Constant & Williams, said: "Renters will be disappointed by the news that the abolition of the s21 "no reason" eviction is likely to be delayed indefinitely and be linked to court reforms.

"The Court system is already buckling under the weight of possession claims and would be unable to withstand the pressure of further contested claims, which would require substantial additional court time under the present system. It is therefore a practical and sensible step to link the implementation of the abolition of s21 to changes in Court efficiency and process.

"Unfortunately, for tenants who believe that the end of s21 evictions will be a good thing, there don't appear to be any such plans afoot for reform and it is highly questionable whether there is yet sufficient political will to carry out the requisite investment and reform that would be needed to deliver a high quality and fairly balanced service for the private rental sector."

Source: [Click here](#)



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Some of our clients have been with us since we started our business in 1980. More importantly, we maintain costs at a reasonable practical level for good practice and there is no wasteful expenditure.

As a result of this long period of service, we have been able to provide continuous support to our clients both landlords and tenants.

We own and manage properties in North London and other areas within the M25. Recently we have further expanded our business in Spain, USA and Pakistan.



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