

# Using evidence to shape better services



## Croydon Council

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Private Rented Property  
Selective Licensing

**March 2015  
Final Report**

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# 1) EXECUTIVE SUMMARY OF KEY FINDINGS

This summary provides the main findings from stages 2 and 3 of the Croydon Selective Landlord Licensing consultation. This covers experience of problems in Croydon, views on private rented properties, experience of anti-social behaviour and views on the following four options:

- Option 1 – Implement a full scheme
- Option 2 – Implement a partial scheme
- Option 3 – Implement the London Rental Standard
- Option 4 – Do nothing

Where a doorstep interview is mentioned, this refers to face-to-face interviews conducted by professionally trained market research interviews undertaken with a broadly representative sample of residents at Ward level. Where a self-completion survey is mentioned, this refers to respondents that have self-selected to participate and therefore are not necessarily representative of the Borough. Where a reference is made to 'other Croydon residents', this refers to a person living in Croydon who is not a landlord, agent or renting privately from a landlord.

## Experience of problems in Croydon

- ◆ One in ten residents that participated in a doorstep interview claimed to have been affected by anti-social behaviour (ASB) in their local area, relating to private rented properties. A further 5% indicated they had witnessed PRS related ASB.
- ◆ By comparison, 23% of those providing a self-completed survey indicated they had been affected by private rented property related ASB, with a further 15% having witnessed ASB.
- ◆ Overall, 41% of Private Rental Sector (PRS) tenants that returned a survey indicated they had been affected by or witnessed ASB in their local area.
- ◆ Respondents were asked the extent to which they had experienced problems with noise, neglected or derelict properties, untidy gardens, fly tipping, nuisance from neighbours and pest and vermin issues. For those interviewed on their doorstep, none of the identified ASB issues were seen as particularly problematic with the highest mean scores being attributed to fly tipping (score of 4.4 out of 10).
- ◆ For those that returned a self-completed survey, each of the identified ASB issues achieves higher mean scores. Again, it was fly tipping that was seen as the biggest problem (score of 5.1 out of 10).
- ◆ Considering how effective Croydon Council is at dealing with ASB, those interviewed on their doorstep provided a mean score of 6.4 out of 10, while those returning a self-completion survey provided a lower mean score rating of 4.5 out of 10.

## Views on private rented properties and landlords and agents

- ◆ The majority of respondents to the doorstep survey believed that PRS properties were maintained to a good standard; 57% indicated this. This figure rose to 64% for PRS tenants.
- ◆ By comparison, 50% of those that returned a self-completion survey believed that PRS properties were maintained to a good standard, with 33% suggesting this was not the case. 47% of PRS tenants suggest that PRS properties were not maintained to a good standard.
- ◆ The majority (55%) of those interviewed on their doorstep believed that all or most private landlords and their agents acted responsibly in letting, managing and maintaining their properties. A further 20% indicated that they believed some private landlords and their agents acted responsibly. These figures rise for PRS tenants, where 60% believe that all and 27% believe that some private landlords and agents act responsibly.
- ◆ For those returning self-completion surveys, overall 52% believed that all private landlords and their agents acted responsibly with a further 20% that indicated some private landlords and agents acted responsibly. The majority of PRS tenants (60%) stated that all or most private landlords and agents acted responsibly.

## The overall level of support for each of the four proposed options

### Option 1 – Implement a full borough wide scheme

- ◆ The majority of landlords/agents did not support this proposal (84%). Over three-quarters (77%) of landlords/agents stated that implementing a full borough wide scheme would have a negative impact on them.
- ◆ Around one half of PRS tenants (49%) fully supported this proposal, while a further 22% partially it. Just over one-quarter (26%) of PRS tenants were against this proposal. Over one half (54%) of PRS tenants indicated that this proposal would have a positive impact on them, while 22% believed it would have a negative impact on them.
- ◆ Around one half of other Croydon residents (51%) fully supported this proposal. A further 23% partially supported it. 59% of other Croydon residents stated that this proposal would have a positive impact on them. Only 16% of other Croydon residents believed it would have a negative impact on them.

### Option 2 – Implement a partial scheme

- ◆ 77% of landlords/agents did not support this proposal. 67% of landlords/agents indicated that implementing a partial scheme would have a negative impact on them.
- ◆ Compared to option 1, proportionally fewer (25%) PRS tenants fully supported this proposal. A higher proportion (40%) indicated that they did not support this proposal. 41% of PRS tenants felt this proposal would have a positive impact on them, whilst 31% felt it would have a negative impact.

- ◆ 40% of other Croydon residents did not support this proposal, although 24% supported it. If implemented, 36% of other Croydon residents felt it would have a positive impact, 22% stated it would have no impact, and 29% felt it would have a negative impact.

### Option 3 – Implement the voluntary London Rental Standard

- ◆ 51% of landlords/agents stated that they did not support this proposal. However, 16% of landlords/agents fully supported this proposal with a further 29% partially supporting it. Around one out of three (33%) landlords/agents stated that implementing the London Rental Standard would have a negative impact on them, whilst 32% state that it would have no impact. 17% indicate that this proposal would have a positive impact.
- ◆ Around one half of PRS tenants either fully (22%) or partially (30%) supported the proposal to implement the London Rental Standard. Only 30% of PRS tenants felt that the proposal would have a positive impact on them. 21% stated it would have a negative impact.
- ◆ Nearly half (47%) of other Croydon residents did not support the proposal to implement the London Rental Standard. Only 14% indicated support for it. 22% felt it would have a negative impact on them, 35% felt it will have no impact and 26% a positive impact.

### Option 4 – Do nothing

- ◆ The majority of landlords/agents (67%) fully supported the proposal to do nothing. 36% of landlords/agents indicated that doing nothing would have a positive impact on them, whilst 47% state that it would not have any impact on them.
- ◆ The majority of PRS tenants (61%) do not support this proposal. Only 11% stated that they fully support the proposal to do nothing. 44% believed doing nothing would have a negative impact on them. Just 11% suggested it would have a positive impact.
- ◆ 61% of other Croydon residents did not support the proposal to do nothing. 42% stated that, if nothing was done, it would have a negative impact on them. 34% believed it will have no impact, whilst only 9% stated it would have a positive impact.

### Licence costs

- ◆ 90% of landlords/agents feel that paying £750 for up to five years, if the scheme were to be introduced, would be totally (80%) or fairly (10%) unreasonable. Although the discounted fee of £350 sees a higher proportion of landlords/agents who stated that the fees are totally (11%) or fairly reasonable (13%), the vast majority (72%) still saw the costs as unreasonable.
- ◆ PRS tenants had mixed opinions on whether the proposed £750 fee was reasonable; 57% stated the fee was reasonable compared to 36% that felt it was unreasonable. The majority of PRS tenants that stated that it was unreasonable did so as they felt it was likely increase of their rents. Proportionally

more PRS tenants felt the £350 fee was reasonable (68%), although 27% still stated that the fee was unreasonable.

- ◆ Nearly two thirds (64%) of other Croydon residents felt that the £750 fee was reasonable, whilst 29% felt it was unreasonable. For the discounted fee of £350, 69% stated it was reasonable, and 23% stated it was unreasonable.

## Conclusions

While there is general support from PRS tenants for the introduction of a borough wide selective licensing scheme, it would appear that residents' support is primarily based on improving property and contractual arrangements, such as timely repairs, rather than tackling PRS related ASB. Tackling 'rogue' landlords is the primary driver for this group. Others recognise that rents would rise, which would have a negative impact on them.

*"Conditions of the properties needs improving."*

*"Tenants feel more confident to approach landlords and landlords can keep their property in good condition."*

*"We deserve better conditions and through the scheme we are most likely to receive that."*

These findings also need to be balanced against the wider survey results. These show that the majority of PRS tenants believe private landlords and agents act responsibly in letting, managing and maintaining their properties – just 7% suggest none or very few landlords and agents act responsibly.

Other Croydon residents also show wider support for the introduction of a borough wide scheme. These residents more readily recognise that the scheme could tackle PRS related ASB.

*"A good idea. Through this licensing any wrong doing will be dealt with harshly and landlords will give good housing to their tenants and if tenants are involved in any ASB, they will face the consequences... so it's good for both parties."*

*"Hopefully a positive impact to tackle ASB and the standards also."*

While the above findings from PRS tenants and other Croydon residents indicate general support for the borough wide proposal, these views need to be considered alongside other survey findings. These indicate general low levels of ASB across the borough. The most problematic issue appears to be fly-tipping; with mean scores of 4.4 for the doorstep interviews and 5.1 for self-selection respondents. Experience of problems with noise, neglected or derelict properties, untidy gardens, nuisance from neighbours and pest and vermin issues are relatively low – with mean scores hovering around 3 or 4 out of 10.

Nevertheless, one in ten residents participating in a doorstep interview claim to have been affected by PRS related ASB, with a further 5% having witnessed this. This figure rises dramatically for the self-selecting

sample where 23% indicate they have been affected by PRS related ASB and a further 15% have witnessed this behavior.

By comparison, there is little support from landlords and managing agents for the introduction of the proposed borough wide selective licensing scheme. Most suggest that this scheme would have a negative impact on them. The primary reasons given by landlords and agents for not introducing a selective licensing scheme relate to the scheme's objectives of tackling PRS related ASB and this not being seen as necessary. Here landlords cite Council provided evidence that indicates there to be c. 32,500 private rented properties in the borough yet, of the 257 ASB complaints recorded covering the 22 month period from January 2013 to October 2014, just 140 related to the private rented sector. This equates to just a 0.4% incidence rate over this 22 month period.

*"The Council has plenty of powers to deal with rogue landlords which they could implement, so what you are trying to do here is not going to alter those powers. You have a distorted view as a Council... there are only 0.7% out of 32,500 problem cases."*

*"Using your own statistics there are ASB problems at less than 1% of PRS properties (257 out of 32,500). What are the figures for your own managed properties? It also mentions in your papers that your actions on ASB displace the problem into the private sector."*

*"There are two reasons the scheme can be implemented; one is demonstrating a shortage of demand for rented housing in the borough, which they can't... the other is a problem with ASB, where the statistics show that less than 1% of properties have a problem. Do you feel with those statistics you are justified in implementing a borough wide scheme?"*

In addition, landlords and agents suggest that the Council has sufficient existing powers to deal with the levels of ASB reported, including the Anti-Social Behaviour, Crime and Policing Act 2014. Landlords and agents therefore do not feel that the Council has provided sufficient evidence to support the proposals and many believe that this is just a revenue raising scheme.

*"I cannot believe that Croydon would use the £22m to implement changes. You would just pocket the money as another tax. Do you really have the backbone to pursue a case against a landlord if it meant going as far as the Supreme Court?"*

While there is opposition to the introduction of a selective licensing scheme, most landlords agree with the Council that 'rogue' landlords should be dealt with appropriately, using the existing powers available to the Council.

The Council will therefore have to consider whether sufficient evidence has been gathered from the consultation process, combined with its existing evidence base, to support the introduction of its preferred option of a borough wide selective licensing scheme.

## 2) INTRODUCTION

### Background

The London Borough of Croydon (the Council) are considering the implementation of a borough wide selective licensing scheme for landlords operating in the Private Rented Sector (PRS).

The Housing Act 2004 contains provisions for the introduction of a scheme of selective licensing of private landlords in a local housing authority's area. Selective licensing is intended to address the impact of poor quality private landlords and antisocial tenants. In an area subject to selective licensing, all private landlords must obtain a licence and if they fail to do so, or fail to achieve acceptable management standards, the authority can take enforcement action, such as prosecution leading to a fine of up to £20,000 or in some cases, assuming management control of the property.

The Council's proposal to implement selective licensing is based on the second set of general conditions provided by the 2004 Act based upon which the Council may designate the borough as a selective licensing area. These general conditions are:

- that the area is experiencing a significant and persistent problem caused by anti-social behaviour;
- that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take; and
- that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem.

The Council considers that these conditions are satisfied and that there is evidence in the borough of a lack of management of the private rented sector properties. However, before making a final decision as to whether or not selective licensing should be introduced the Council has a duty to consult with those likely to be affected by a designation.

### Public consultation – Stage 1

Public consultation was undertaken to determine the levels of support for the council's proposal(s). The consultation was advertised on the Croydon Council and M-E-L Research websites and was conducted in a number of stages.

Firstly, consultation was undertaken with PRS landlords, managing agents and associations that support private landlords or have an interest in private landlord affairs. This was undertaken between 1<sup>st</sup> September 2014 and 30<sup>th</sup> October 2014.



An online questionnaire was made available via a link on the Council and M·E·L Research websites. This included a downloadable information leaflet titled 'A Better Place To Rent - A guide to Selective Landlord Licensing' (see appendix 1) that provided background information to selective licensing, indicative licence costs and the Council's proposal. M·E·L Research's website also included an online feedback form, consultation email address and postal address for those that wished to provide additional comments and suggestions.

Croydon Council also provided a database of 9,032 Landlords and Agents with properties in Croydon and a postal survey, using a paper version of the questionnaire, along with a copy of the 'A Better Place To Rent' leaflet and Freepost envelope, was conducted between 15<sup>th</sup> September 2014 and 17<sup>th</sup> October 2014.

In total, 768 survey responses were received to this consultation; 403 from a paper based questionnaire and 365 via the online survey. In addition, letters, emails and comments made on the online feedback form have also been collated. These have been analysed along with findings from a qualitative workshop held on 16<sup>th</sup> October 2014 with eleven landlords and agents to gather further feedback and comments on the proposed scheme. Representation was also received from the National Landlords Association and Residential Landlords Association.

The key findings from all respondents to this initial stage of consultation suggested that:

- ◆ the proposed costs were too high with no justification on how they had been arrived at;
  - seen as a 'stealth tax', even though any charges would be 'ring fenced' to only administer the scheme
  - costs would simply be passed on to tenants, increasing rents
  - if introduced, it could possibly lead to landlords selling up, resulting in reduced PRS housing stock

*"£1,000 per property for more than 30,000 properties will raise over £30,000,000. I will be very surprised if the council can justify this level of expenditure to enforce good housing conditions in private rented accommodation over a five year period."*

*"I would like to know what real benefits Landlord's would gain from this TAX, and not that meaningless gobbledegook so far put out by the Council as benefits?"*

*"If the license is enacted without substantial changes then I fear good accommodation will be lost, poorer tenants will be made still poorer and greater demands will be made to housing benefit funds and to provision of emergency accommodation provided by RSLs (registered social landlords)."*

- ◆ that the Council's objectives for introducing selective licensing were not sufficiently detailed or with sufficient evidence of problems with ASB relating to PRS properties;
  - problems with ASB were felt to be related to social housing tenants and not PRS tenants
  - problems with PRS related ASB was felt to be very low and mainly isolated to northern wards
  - the majority of landlords were 'good landlords', therefore they disagreed with a 'one size fits all' approach

*“The council argues that this is necessary because of serious ASB over the whole of the borough. Our property is in Purley Oaks and I am not aware of any ASB there. I contend, along with the other landlords at the meeting, that serious ASB is found around areas where there is a lot of social housing managed by the council and other RSLs. Private landlords should not be made liable for this.”*

*“My concern about this proposal is that it is not selective ... it will be imposed on good as well as bad landlords. If it is intended to sort out bad landlords why is it not just aimed at those with properties that have raised complaints / caused problems and why is there a flat charge per property and not per landlord?”*

*“Such legislation is avoided and ignored by the rogue landlords, and merely becomes another tax and imposition on the majority of good ones... by definition, local authorities and lawyers never hear about all the good landlords and lets.”*

- ◆ that existing legislation was available to the Council to tackle any issues with ASB or ‘rogue’ landlords;
  - Use of Criminal Behaviour Orders and Crime Prevention Injunctions
  - Interim Management Orders
  - Empty Dwelling Management Orders
  - Directions regarding the disposal of waste (e.g. under section 46, and litter abatement notices under section 92, of the Environmental Protection Act 1990)
  - The power to require rubbish to be removed from land under section 2 – 4 of the Prevention of Damage by Pests Act 1949
  - Powers under the Noise Act 1996 to serve fixed penalty notices or confiscate equipment (sections 8 and 10)

## **Public consultation – Stage 2**

Following feedback from this first stage of the consultation the Council revised its proposals to include a detailed 28 page report that provided a summary of the overall proposal, more detail on the objectives for introducing selective licensing, the likely impact(s) on landlords and tenants, how the proposal supports wider Council objectives and details of how to get involved in the consultation process. The report also identified four options that the Council wished to consult on:

### **Option 1 – Implement a full scheme**

This option would involve implementing a borough-wide selective licensing scheme. All private sector landlords would require a licence and have to meet the necessary criteria in order to hold a licence.

### **Option 2 – Implement a partial scheme**

This option would involve introducing a scheme to certain wards chosen based on evidence and consultation responses. This is not the preferred option as there is concern this approach may cause displacement of problems. This concern is based on evidence from

the introduction of HMO 6 licensing which found that some poor landlords started to rent properties in wards not covered by a licensing scheme.

### **Option 3 – Implement the London Rental Standard**

This option would encourage landlords to sign up to the Mayor of London's Rental Standard. Costs to landlords would be £125 to complete the necessary course, which would have to be repeated every five years. However it is felt that the measurable benefits for Croydon would be difficult to determine and as the standard is a Pan London initiative, it is unlikely to address the specific issues of the borough. There are no specific enforcement powers relating to landlords who fail to comply, as this is a voluntary scheme, and therefore this is not our preferred option.

### **Option 4 – Do nothing**

This means we would not implement any form of the scheme and the existing structures in place would remain. For the reasons given in the consultation document (available to download below) regarding poor standards of accommodation for tenants, or where tenants cause persistent levels of antisocial behaviour (ASB). This is not the preferred option.

In addition to the Council report on its proposals, other specific reports from its ASB team, Pollution Team, Area enforcement team as well as maps showing hotspots of reported ASB were provided. A revised cost and fee summary was also included. All of this supporting information was available from the Council's consultation website along with a link to a new online survey. This information was replicated on M·E·L's website, along with other options for providing additional comments and suggestions (via email, telephone, etc.).

This second stage of the consultation was available to landlords, agents and other interested parties as well as the wider public. It was advertised via the Council website, on social media channels, via a newspaper advert (Guardian), a press release, flyers and posters around the borough.

To support the self-selecting methods of gathering feedback, a doorstep face-to-face survey was conducted across the borough. A random sample of 1,071 households, representative by ward area, were interviewed using a paper version of the survey. This was supported by showcards that contained relevant background information (see appendix 1).

This second stage of public consultation ran from 17<sup>th</sup> November 2014 to 12<sup>th</sup> December 2014.

## **Public consultation – Stage 3**

Following a High Court judgement on 11<sup>th</sup> December 2014 relating to the London Borough of Enfield's selective licensing consultation, a decision was taken to not cut off the Croydon consultation on 12<sup>th</sup> December 2014, while the implications of the Enfield judgement were considered.

Croydon Council decided to extend the consultation on the four proposed options by a further 10 week period to allow those in the borough more time to provide feedback and give people in neighbouring boroughs a more targeted opportunity to have their say.

This decision was taken because, if Croydon was to go ahead with its preferred option and introduce a borough wide scheme, it may cause displacement of problems to Croydon's neighbouring boroughs.

Croydon Council updated its consultation website to indicate the extended consultation period and, alongside the existing online survey, provided a separate online survey for those in neighbouring boroughs. A separate feedback form for those that may have already completed the original Croydon online survey was also provided for anyone that wished to provide additional comments.

Local Authorities in adjoining boroughs were provided with links to Croydon Council's website and asked to advertise the consultation via social media channels, websites and through their wider networks.

This additional consultation period ran from 23<sup>rd</sup> December 2014 to 2<sup>nd</sup> March 2015.

## **Report scope and purpose**

This report provides the main findings from stages 2 and 3 of the public consultation. Stages 2 and 3 of the public consultation sought to identify:

- ◆ The extent to which respondents had experienced or witnessed anti-social behaviour in the Borough
  - The extent to which any ASB related to private rented properties
  - Whether PRS properties are maintained to a good standard
  - Whether landlords and agents act responsibly in letting, managing and maintaining their properties
  - The extent of different types of ASB problems experienced in the Borough
- ◆ **The overall level of support**
  - What are respondents overall views of the proposed scheme? What are their views on the four options?
  - What is the likely impact of each option?
- ◆ **The likely impact of the scheme**
  - What do respondents think the impact of licensing will be in the area (for example will it reduce anti-social behavior (ASB), increase rents to tenants, etc.)
- ◆ **Licence costs**
  - What do respondents think about the proposed cost of a licence?
  - What do respondents think about the early bird discount?

The consultation findings have been analysed according to respondent 'type', as this was a logical method of structuring findings. The findings indicate that different groups have more or less to gain from the proposals, so grouping responses according to the following stakeholder types enables collective views to be considered:

- Landlords;
- Croydon residents who are renting from a private landlord (PRS tenants);
- Other Croydon residents;
- Other associations/stakeholders
- Neighbouring Authorities

Each of the above sections includes the following elements:

- Overall views of the scheme
- The likely impact of the scheme
- Licence costs

The executive summary provides an overview of the findings across the above groups, principally views on the scheme according to each stakeholder group, highlighting where these are similar or differ.

### 3) EXPERIENCE OF ASB IN CROYDON

This section looks at the views of all respondents to the stage 2 and 3 surveys, whether face-to-face or online, and compares the views of the landlords and agents with PRS tenants and residents.

#### Experience of problems in Croydon

Respondents were surveyed for their views on Croydon in relation to the following:

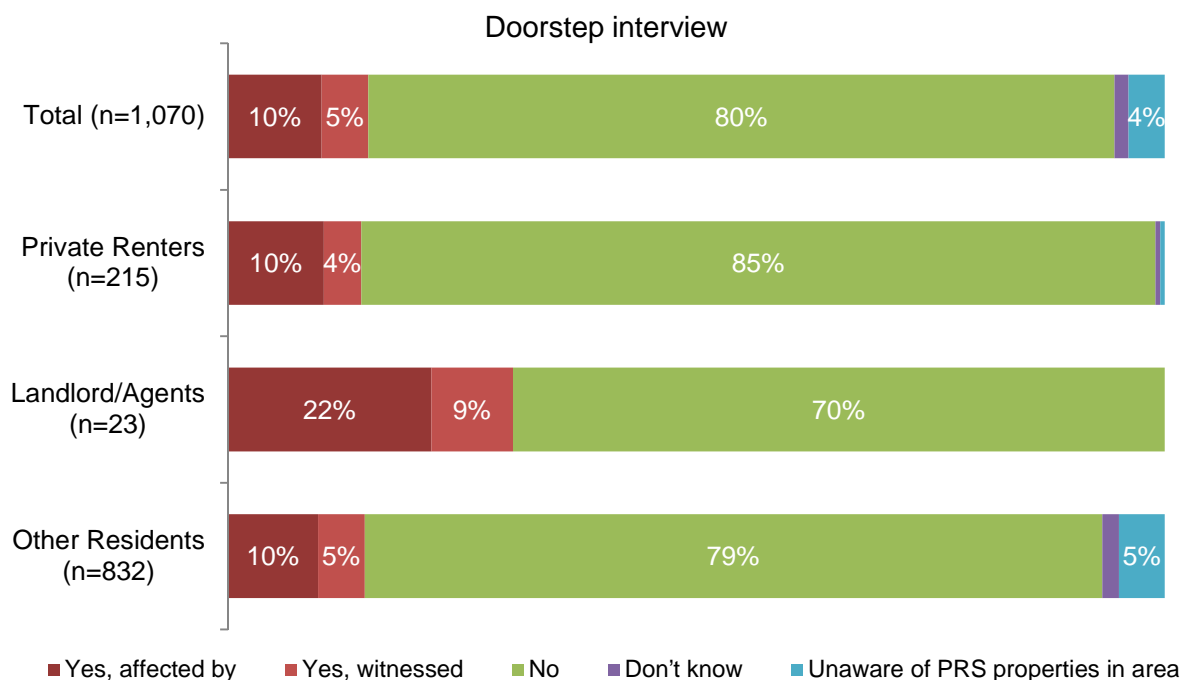
- Anti-social behaviour experienced/witnessed
- Maintenance and upkeep of private rented properties
- Problems related to private rented properties.

#### Anti-social behaviour affected by/witnessed in the area

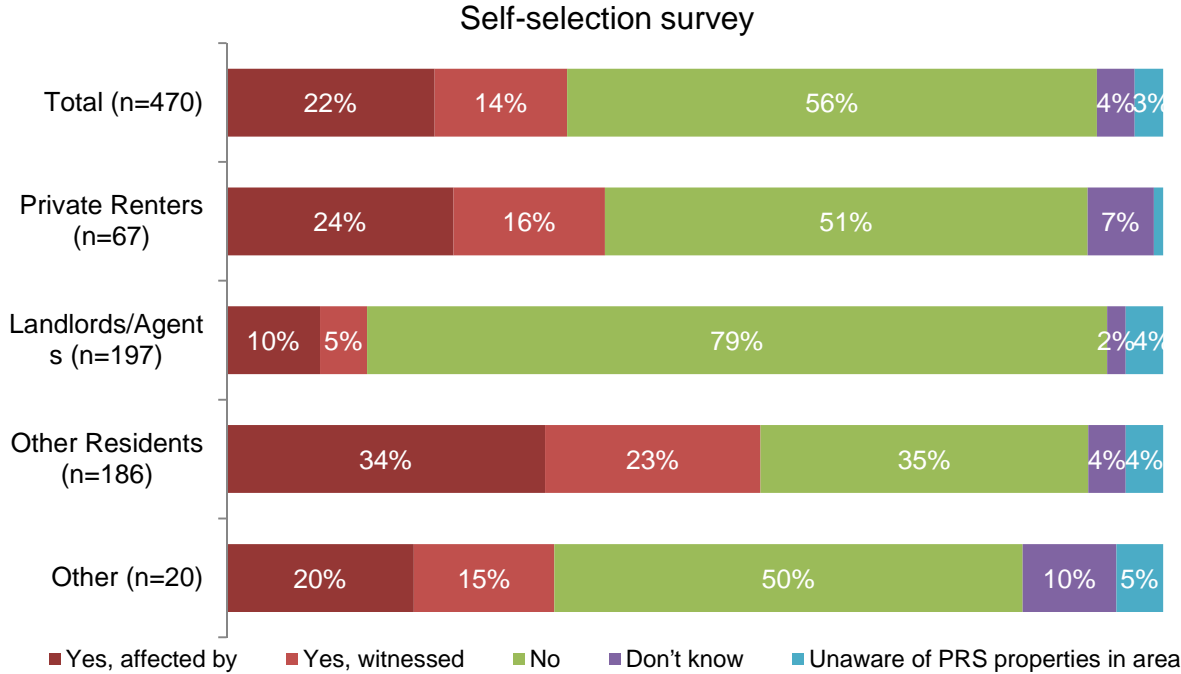
Thinking about privately rented properties you know of in your area, have you been affected by or witnessed anti-social behaviour relating to these properties?

The vast majority (80%) of respondents that were interviewed on their doorstep have not been affected by or witnessed anti-social behaviour in their local area relating to private rented properties they were aware of. However, one in ten respondents claimed to have been affected by ASB, with a further 5% having witnessed PRS related ASB.

The figures are highest for landlords and agents but please note the relatively small base size.



The above findings compare to those that returned a self-completion survey where just over one-third (36%) indicated they had either experienced and/or witnessed ASB in their local area. Other residents (those not privately renting) indicated the greatest prevalence of being affected by ASB relating to PRS properties; 34% identified this. A further 23% of this group suggested they had witnessed ASB.



The table below shows the proportion of residents that claim to have been affected or have witnessed PRS related ASB. Care should be exercised when considering this data due to the extremely small base sizes of each area.

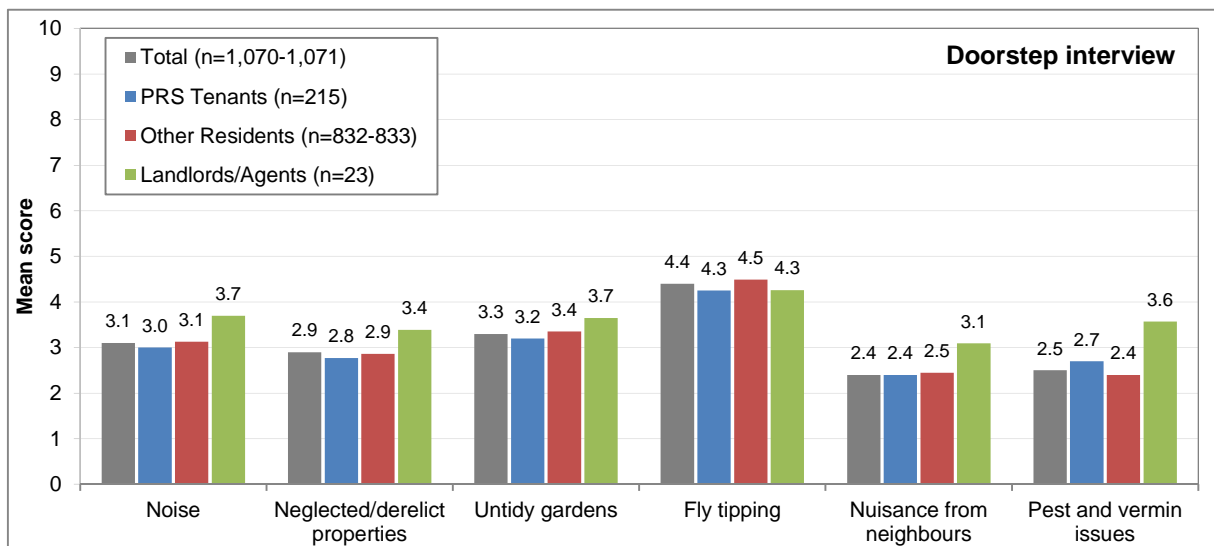
Area	Affected/ witnessed ASB	Base
Thornton Heath	71%	38
Norbury	69%	26
Crystal Palace & Upper Norwood	67%	6
Selsdon	58%	12
Waddon	57%	7
Addiscombe	53%	30
South Croydon	53%	34
Broad Green & Selhurst	50%	10
South Norwood & Woodside	40%	35
Croydon Centre	37%	27
Shirley	36%	11
Coulsdon	29%	17
Purley	18%	22
Kenley & Old Coulsdon	11%	9
Sanderstead	6%	16
New Addington	0%	2

## Problems related to anti-social behaviour

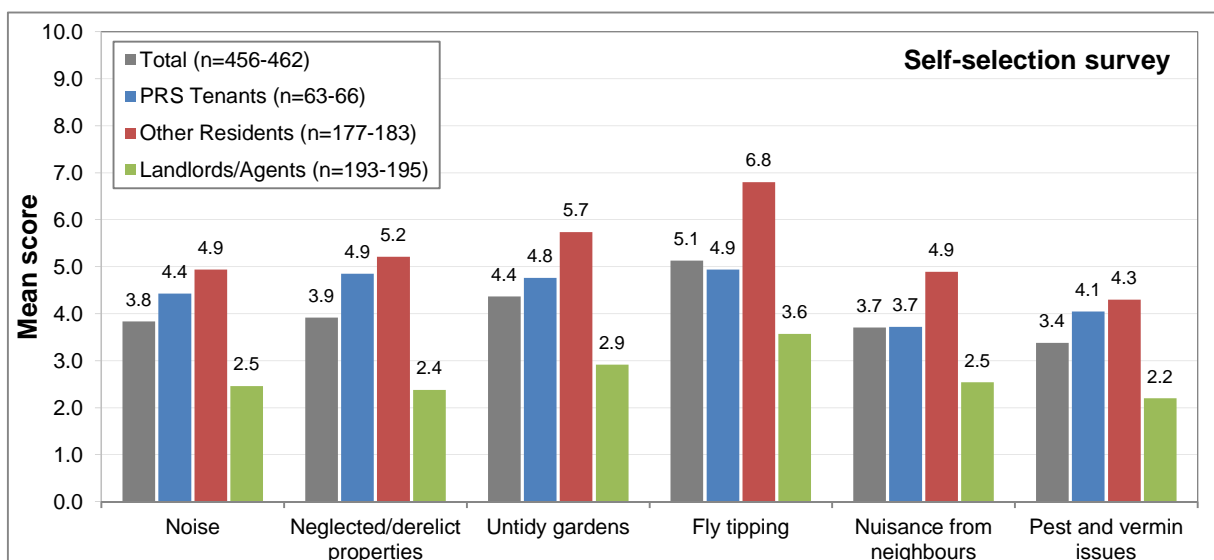
On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon?

Respondents were asked the extent to which they had experienced problems with noise, neglected or derelict properties, untidy gardens, fly tipping, nuisance from neighbours and pest and vermin issues. The following analysis shows mean scores; the closer the score to ten, the greater the experience of a problem.

For those interviewed on their doorstep, none of the identified ASB issues were seen as particularly problematic with the highest mean scores being attributed to fly tipping at 4.4. For all other problem areas, landlords/agents believed each to be more of a problem than other respondents, but please note the small base size.



By comparison, for those that completed a self-selection survey, each of the identified ASB issues achieved higher mean scores, with non-private renting residents attributing the highest scores. Again, it is fly tipping that was seen as the biggest problem.

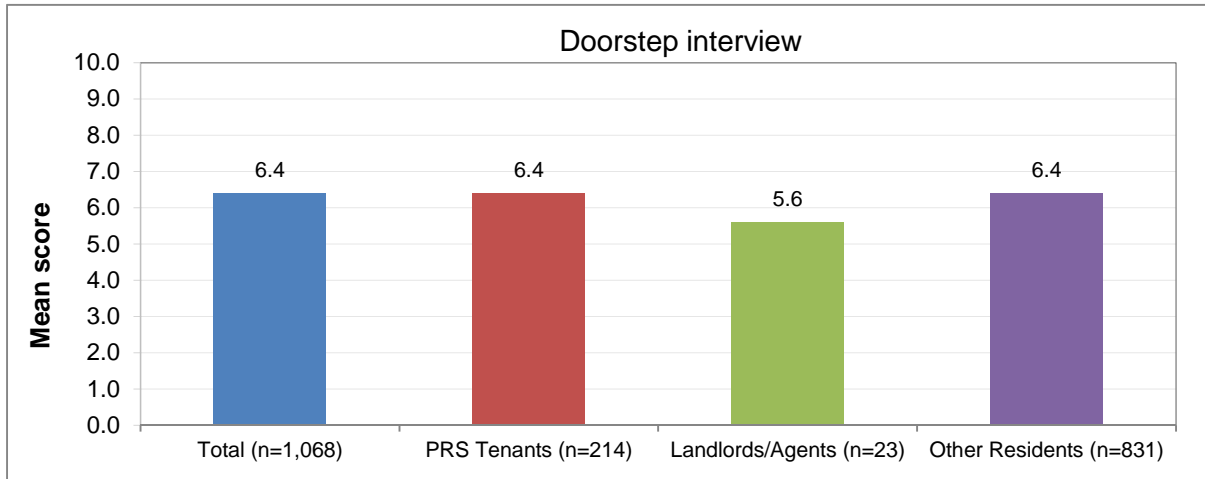




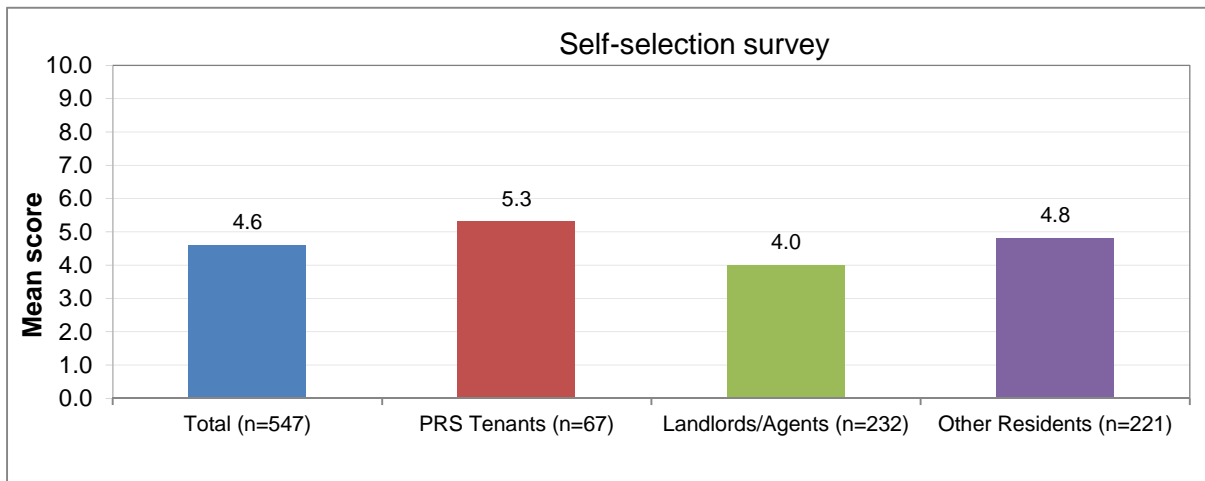
## Effectiveness of Croydon Council in dealing with ASB

On a scale of 1 to 10, where 1 is not at all effective and 10 is totally effective, how effective do you think Croydon Council is in dealing with anti-social behaviour?

Overall, those interviewed on their doorstep provided a mean score of 6.4 out of 10 for the effectiveness with which the Council is dealing with ASB. Views are broadly similar for residents but dip for landlords.



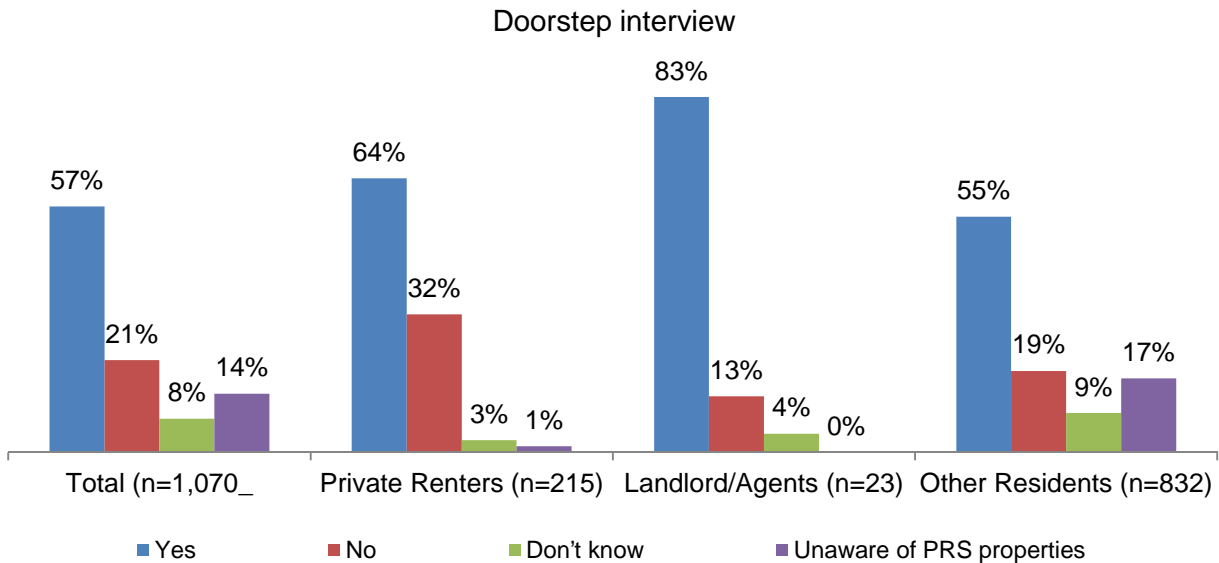
By comparison, those that completed a self-selection survey rate the Council lower with a mean score of just 4.6. Those most positive from this sample are PRS tenants, providing a mean score of 5.3.



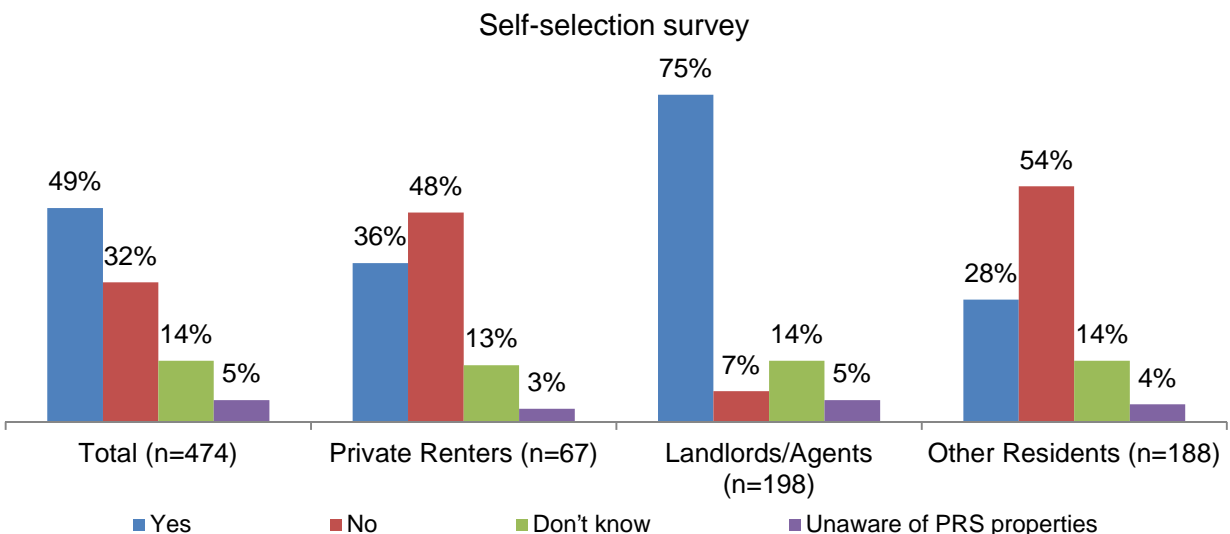
## Views on private rented properties

Still thinking about privately rented properties you know of in your area, do you think they are maintained to a good standard?

The majority (57%) of respondents to the doorstep survey believed that PRS properties were maintained to a good standard – just over one fifth (21%) would disagree. In terms of PRS tenants, around two-thirds believed that PRS properties were well maintained with most of the remainder suggesting they were not.



By comparison, a greater proportion of PRS tenants in the self-selection survey indicated that PRS properties were not maintained to a good standard (48%), but please note the relatively small sample size. The majority of other non-PRS residents (54%) also felt that properties were not maintained to a good standard.

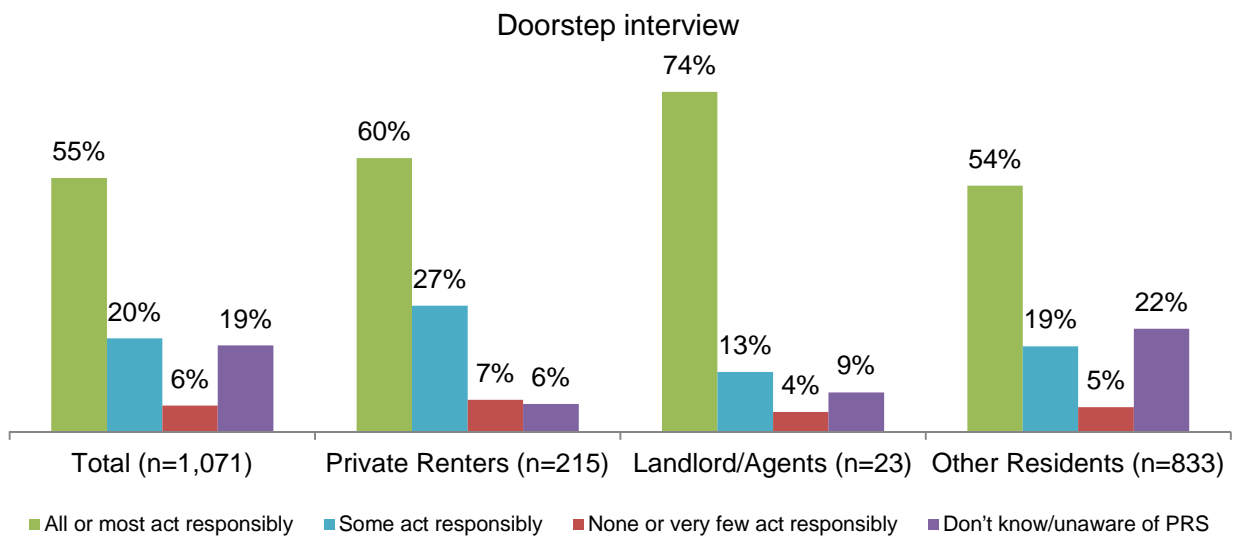


## Responsible landlords and agents

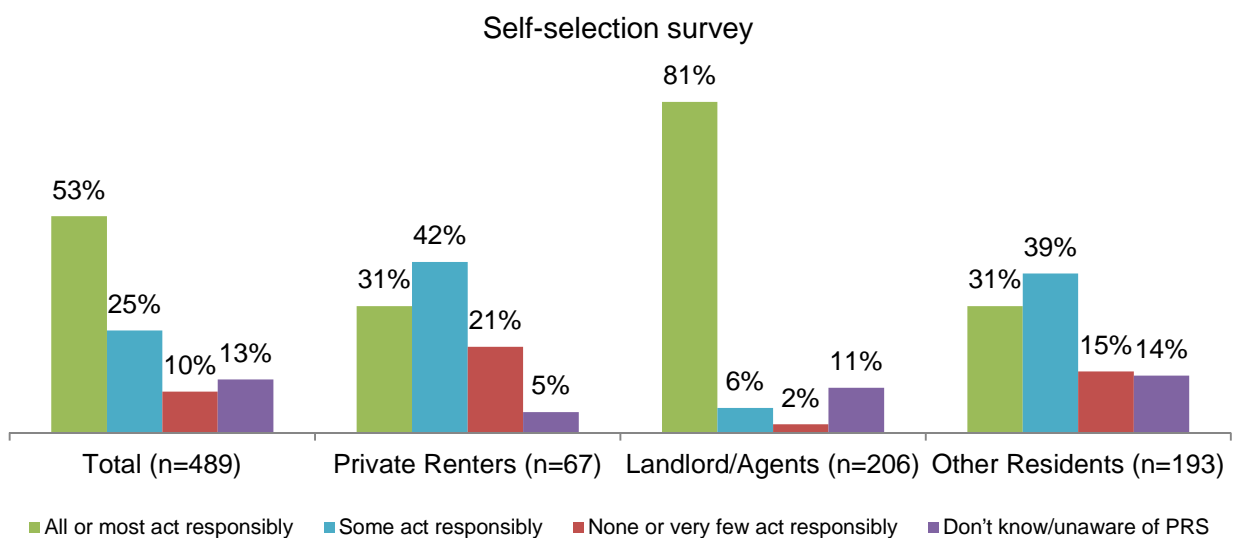
Thinking about the private landlords or their agents you know of in your area, to what extent would you say they act responsibly in letting, managing and maintaining their properties?

The majority (55%) of those interviewed on their doorstep believed that private landlords and their agents acted responsibly in letting, managing and maintaining their properties. This figure increases to 60% for PRS tenants.

Extremely few respondents believed that landlords/agents acted irresponsibly.



The overall proportion that believed private landlords and their agents act responsibly, for those that completed a self-selection survey, was similar at 53%. Again, views of PRS tenants and other residents from the self-selecting samples vary.



## 4) FINDINGS FOR THE FOUR PROPOSED OPTIONS

### Landlords and Agents

A total of 257 landlords had taken part in stages 2 and 3 of the consultation exercise; 234 via an online survey and 23 via a doorstep face-to-face interview. Landlords and agents were also given the opportunity to attend two public meetings to find out more about the proposals and to give their views. The first of these was held in the morning of 16<sup>th</sup> October 2014 (stage 1 of the consultation) and the second in evening of 27<sup>th</sup> November 2014 (stage 2 of the consultation). A total of 53 landlords/agents attended these open events.

Within the survey, respondents were provided with the following contextual information and asked the extent to which they support the four separate proposals under consultation:

#### **Croydon Council believe introducing a selective licensing scheme would:**

- a) Provide greater confidence in the private rented sector both for landlords and tenants and help dispel any poor image of the sector;
- b) Build partnership working with landlords and tenants to address anti-social behaviour (ASB) where behaviour links to the private rented sector;
- c) Improve management standards;
- d) Ensure a consistent and professional property management ethic among private landlords and take action against those landlords who persist in providing a poor standard of accommodation or whose tenants cause persistent levels of ASB;
- e) Create a level playing field to promote consistent standards and an understanding for tenants about what they can reasonably expect from their landlord so that informed choices can be made.

#### **The Council is therefore considering the following options:**

- Option 1 – Implement a full borough wide scheme
- Option 2 – Implement a partial scheme
- Option 3 – Implement the voluntary London Rental Standard
- Option 4 – do nothing

The following pages provide the survey results for each of the four proposed options from landlords and agents that completed a doorstep interview or an online survey, followed by views on the proposed costs. Findings from the stage 2 workshop, online feedback forms, emails and other correspondence provided by landlords and agents is summarised after these sections.

## Option 1 – Implement a full borough wide scheme

The following information described the council's preferred option for introducing a borough wide scheme.

This option would involve implementing a borough wide selective licensing scheme whereby all private sector landlords would require a licence and to meet the necessary criteria in order to hold a licence. This option would reduce the possibility of poor landlords avoiding regulation and would create a level playing field in each ward in Croydon.

### Support for this proposal

The majority of landlords/agents did not support this proposal (81%). However, 12% of landlords/agents who took part in the survey partially supported this proposal and 6% fully supported it.

### Impact of the proposal

76% of landlords/agents who participated in the survey stated that implementing a full borough wide scheme would have a negative impact on them. Only 5% stated that implementing this scheme would have a positive impact on them. Some landlords suggested that selective licensing schemes could impact on their ability to access PRS finance, which might mean they could no longer remain a landlord in the borough. Others indicated they would move their operations outside of Croydon - these views were echoed at the public forum.

*"I own a number of properties in Croydon - I have no problem renting them, I have no ASB problems. I feel that a licensing scheme would pass on an unnecessary cost burden. In addition, it will impact my ability to finance my properties the way I want to as lenders look unfavourably on these schemes. In fact it would force me to consider selling my properties. Any "poor" landlords will not apply for a licence - the council will struggle to find the "30,000" rental properties let alone inspect them."*

*"I will be selling any rental properties I own within the London Borough of Croydon should this selective licensing scheme be introduced."*

*"I will not invest in Croydon borough any further, sell up and move my investments to other boroughs where there are no such regulations."*

*"If Croydon introduced any type of scheme I would immediately withdraw from the private rented sector and move my investments outside of the borough."*

### Comments on this proposal

Landlords and agents indicated that they were against a borough wide scheme as they believed there was insufficient ASB related to PRS properties, nor sufficient evidence provided by the Council to justify the scheme. They also believed that the Council already had existing powers to tackle any problem areas.

*"Conjecture! I don't believe there is a poor image of the private rental sector. Using your own statistics there are ASB problems at less than 1% of PRS properties (257 out of 32,500). What are the figures for your own managed properties? It also mentions in*

*your papers that your actions on ASB displaces the problem into the private sector. You already have strong powers under HHSRS.”*

*“There is no tangible benefit to landlords from licensing. The Council already has all of the power under current legislation to address poor housing issues. It is inappropriate to make a "per property" charge where a landlord has a number of properties. Costs to landlords will be passed on to tenants through higher rents.”*

*“The council has and should use their existing powers to deal with any ASB or Bad Landlords, there is no need for any additional regulation.”*

*“The Council has enough powers in place to tackle ASB & sub- standard properties. There also has to be an emphasis on tenant’s unreasonable behaviour.”*

They also suggested a borough wide scheme would unfairly penalise good landlords to simply target the small proportion of ‘rogue’ landlords operating in the borough – therefore a more targeted approach, rather than a borough wide scheme, was suggested by some landlords.

*“... ‘take action against those landlords who persist in providing a poor standard of accommodation or whose tenants cause persistent levels of ASB’ is exactly what the council should be doing to root out so called ‘rogue’ landlords, and that does not require making all the good landlords pay an unnecessary licence fee.”*

*“A cross-borough scheme would just be Croydon trying to make some money. If there are specific problems in specific wards then limit the scheme to those wards and concentrate on the problem landlords who give the rest a bad name. Implement a borough-wide scheme and all you will do is penalise tenants who are already struggling to pay rents.”*

*“As a responsible landlord, I already adhere to the principles of being a good landlord; by buying empty properties, doing them up to a very high standard, using local labour/builders, etc. and shops (thereby encouraging local economy growth) before letting them to tenants via a local managing agent. Any problems are dealt with straight away and no complaints have been made, in fact the contrary. I would feel that we are being penalised for the minority of rouge landlords, who would no doubt get round your proposed licensing system, as it would be very difficult to ‘police’ the hard to reach/ find rouge landlords.”*

Other comments related to the scheme being seen as a ‘tax’ on landlords, with the costs simply being passed on to tenants if it were to go ahead.

*“Although the intentions are good, this feels like an additional tax for honest landlords this will have to be passed onto the tenant and increase their rent leaving only the rich that can afford to rent and those who can’t afford it will have to approach the council or stay with family or hope there are cheaper properties on the black market, so to speak.”*

*“I have ticked the "A negative impact" as I know the licence will affect the tenants costs.”*

*“Costs will be passed onto Tenants and additional costs will not improve housing stock, additionally the council will be exhausting its resources pursuing Landlords.”*

*“Any scheme should be funded by levies/fines on offending landlords! It is unfair to burden good landlords and tenants for which a cynic would only view as another stealth tax imposed by the council!”*

*“Believe it’s a further tax on landlords.”*

*“I would pass on the cost of the scheme to my tenants. Because the cost of the licence is paid upfront and all at once, the rent will be raised by £750 per year so that I am not out of pocket. Both tenants have already said that this would cause them great difficulties. However, there is a queue as long as my arm of prospective tenants so I do not anticipate any difficulties for me, only for my tenants. This may sound heartless but I am running a business and the Council is making it even more difficult to run it.”*

Other landlords and agents suggested that a landlord register would be more appropriate than a licensing scheme, and that landlords that only had a single property should be exempt from any scheme.

*“I believe a register of landlords would be appropriate borough wide, but not a full licensing scheme.”*

*“I suggest that single landlords be exempt from this scheme but that a system is put in place where a private tenant can complain about any such landlord.”*

For those landlords that indicated support of a borough wide scheme, most still suggested they would be negatively impacted by the proposals. Nevertheless, they generally felt the proposals were designed to target poor landlords and therefore improve property conditions, as the following comments demonstrate.

*“I only fully support this scheme as a partial implementation or voluntary would be ignored by those landlords who aren’t reputable. In addition I think councils should look at themselves as I know of a number of properties which are council house but the tenants illegally sublet.”*

*“It’s important that bad landlords (and tenants) are targeted. It would be a step backwards if the law abiding landlords are taxed while the bottom of the market carries on as normal.”*

*“I am a responsible landlord, therefore this scheme would only have the effect of increasing my costs. However, it would have an indirect positive affect in that it would weed out the rogue element that charge the same rent as the well maintained, responsible landlords, thus increasing the pool of well maintained properties and in the longer term make it a more equally competitive market place, so better for tenants and landlords.”*

*“As always, the few spoil it for the majority. The unscrupulous will always take advantage as and when they can and will seek to avoid their responsibilities. Unless the council act robustly with the powers and also actively helps landlords to remove bad tenants it will merely be another form of tax.”*

## Option 2 – Implement a partial scheme

This option would involve implementing a scheme whereby certain wards are chosen based on evidence and consultation responses. This is not the Council's preferred option as there is concern that this approach may cause displacement of problems to other wards.

### Support for this proposal

Three-quarters (75%) of landlords/agents who took part in the survey were against this proposal. 17% of landlords/agents partially supported it, with just 4% that fully supported it.

### Impact with the proposal

65% of landlords/agents who responded to the survey indicated that implementing a partial scheme would have a negative impact on them. Only 5% stated that implementing this scheme would have a positive impact on them.

### Comments on this proposal

Landlords and agents typically gave the same reasons for not supporting a partial scheme as those indicated for the proposed borough wide scheme. Others indicated that they believed that a partial scheme would be ineffective, with displacement into other wards the probable outcome.

*“For the reasons in your commentary, I would not agree with partial licensing. If there is any licensing system, which I disagree with, then it needs to be borough wide.”*

*“Not liking the sound of this one. Pushing bad landlords to other areas seems pointless and unfair on those areas. What if my area was the one chosen by the bad landlords?”*

*“I share the concerns that it will just shift the problem to the unlicensed areas.”*

Others suggested any scheme would be a bureaucratic burden for landlords and/or that by taking a ward by ward approach this might not be effective - a more targeted street by street approach was therefore suggested.

*“Responsible Private landlords provide an essential and much needed service and should not be penalised or subjected to cumbersome licensing legislation, which, if implemented, would be the thin end of ever more bureaucratic requirements. This entire initiative is ill founded and unnecessary. Rogue landlords are few and the market itself eventually dictates that they find other enterprise as tenants avoid them or leave their tenure as soon as possible. The answer is more investment in local community and environment. Not council or government interference.”*

*“A partial scheme somehow targeted at ineffectual landlords would provide social benefit but a non-selective scheme will have a negative effect.”*

*“Wards are too vague, streets or properties should be isolated and managed correctly.”*



*“It would depend upon in which wards the scheme were to be introduced. I’m guessing this would mostly be in the north of the borough.”*

Other comments indicated that landlords and agents were simply skeptical about whether the Council’s objectives could actually be met through the proposed scheme.

*“Whilst it is clear from your data some wards are more negatively affected by ASB problems in the PRS (Broad Green, Thornton Heath, South Norwood) you also point out that these are areas of greatest PRS density so in % terms the issue is no greater in real terms.”*

*“Eventually, once a partial scheme has been introduced, it would be rolled out borough wide.”*

*“The whole idea seems flawed to me. There must be a better way of monitoring standards in the Private Rented sector than this? It is so unfair to good landlords who really care about their tenants. Why should the good ones be punished because of a few bad ones?”*

*“The council needs to implement the powers it already has to tackle anti-social behaviour. It feels like it is side stepping it’s responsibility and putting it onto the shoulders of landlords.”*

*“I am not confident that Croydon Council have articulated the benefits or shown how landlords would be better served by such a fee. Furthermore, I disagree with that assertion that landlords would only offer properties for rent in non-taxed wards.”*

### **Option 3 – Implement the voluntary London Rental Standard**

This option would encourage landlords to sign up to the Mayor of London’s Rental Standard. Costs to landlords would be £125 to complete the necessary course, which would have to be repeated every 5 years. The impact of this would be that the measurable benefits for Croydon would be difficult to determine as the standard is a London-wide initiative and it is unlikely to address the specific issues of the borough. There are no specific enforcement powers relating to landlords who fail to comply, as this is a voluntary scheme.

#### **Support for this proposal**

17% of landlords/agents who participated in the survey fully supported this proposal with a further 26% that partially supported it. However, 53% landlords/agents stated that they did not support this proposal.

#### **Impact with the proposal**

Around one in three (32%) landlords/agents who completed the survey stated that implementing the London Rental Standard would have no impact on them, whilst 34% stated that it would have a negative impact on them. 17% indicated that this proposal would have a positive impact.

## Comments on this proposal

Most comments, including those that supported this proposal, suggested that the benefits of signing up to the voluntary scheme were largely unknown and being a 'voluntary' scheme, landlords questioned how this would tackle any ASB problems or identify 'rogue' landlords.

*"This is a useless scheme. I am a member of the NLA and have the necessary training already."*

*"Landlords would not elect to do it as there would be no benefit to them."*

*"Represents cost without demonstrable benefit."*

*"Really not much point in a voluntary scheme is there? It would benefit me or my tenants in no way at all."*

*"As this seems only to apply to already good landlords, I do not see any point in such a scheme."*

*"If not enforceable, then a waste of time."*

*"I consider myself to be a good landlord and do not really feel that I need to take a course & pay for it will help me. Any responsible landlord would do some research about the renting issue before they enter into it."*

*"I am signed up to the scheme, my letting managers don't even care when I tell them, so I would infer that means tenants do not either."*

Those that supported the voluntary London Rental Standard scheme suggested it should be made mandatory and introducing it would align Croydon with the rest of London.

*"I would prefer to see this proposal as the mandatory scheme so that all landlords carry out this exercise which will help improve standards but is also more cost effective."*

*"Croydon would then be in line with the rest of London and approved by the Mayor."*

*"I am already doing my accreditation with the National Landlords Association. Such a scheme needs to be heavily publicised, and landlords incentivised to join."*

*"This proposal makes sense as it is a London wide initiative. We do not need any more licenses! There is enough bureaucracy already! The crooks and dishonest people will always find ways of getting around laws. They are the ones who should be punished and levied fines to fund any schemes! DO NOT persecute the good landlords and the tenants! At the very least, exempt small landlords (1 or 2 properties) from any licensing scheme and only impose London Rental Standard on such landlords!"*

## Option 4 – Do nothing

This means we would not implement any form of the scheme and the existing structures in place would remain.

### Support for this proposal

Perhaps not surprisingly, the majority of landlords/agents (67%) fully supported the proposal to do nothing, although it is worth noting that 15% did not support this and 13% only partially supported this proposal.

### Impact with the proposal

35% of landlords/agents who participated in the survey indicated that doing nothing would have a positive impact on them, whilst 48% stated that it would not have any impact on them. Only 9% believed that doing nothing would have a negative impact.

### Comments on this proposal

As with the public forum, landlords' comments continued to suggest that the Council had not provided sufficient evidence to prove a link between ASB and PRS properties. Where any such ASB existed, whether in the PRS, Social or Private housing sectors, landlords' believed that the Council already had sufficient powers to tackle cases of anti-social behaviour and should be seen to be doing so.

*"The council should concentrate on using its existing powers to deal with ASB no matter from what sector it originates."*

*"Efforts should be targeted at problem landlords using existing legislation."*

*"There is no causation between rented accommodation and anti-social behaviour. Only HMOs are more likely to cause ASB and the Council already licences those. It is within the Council's powers to decline HMOs licences. Therefore, a proper enforcement of HMOs licences will, in my view, solve any ASB issues."*

*"I would like the Council to become and be seen to be more active in addressing issues of anti-social behaviour."*

*"Use Environmental Officers to do spot checks on such properties. Encourage tenants to report poor housing conditions."*

*"Thank you... I am a NLA member, and use a letting agent so feel this is enough."*

*"Tenants who are unhappy with their accommodation can already 'vote with their feet', and if conditions are bad can also ask the Council to intervene using their powers under legislation already in place. This would not change under the proposed licensing scheme. I doubt whether it will encourage rogue landlords to act in a responsible way. It is already hard to prosecute people bearing in mind the standard of proof that is required to successfully secure a conviction and good evidence is also required - I very much doubt that tenants of rogue landlords would be willing to come forward to give evidence in court about problems with their tenancies."*

*“I support clamping down on poor landlords, and providing help to those that are genuinely mistreated. The scheme is not the way to do it. Communication and use of the law is the best way.”*

## Licence costs

If selective licensing were to be introduced, in order to cover the councils costs of administering the scheme, the Council would need to charge landlords a fee to apply for a licence that would last up to five years. The current proposed fee is £750 to cover up to five years. In simple terms this equates to £150 per year or £2.88 per week.

If selective licensing is implemented, it becomes a mandatory requirement within the Borough, and as the licence fee would then be a mandatory cost to landlords it will be subject to relevant tax relief, which will further lower the actual cost to landlords and the cost which landlords might pass on to tenants.

### £750 for up to five years

90% of landlords/agents felt that paying £750 for up to five years, if the scheme were to be introduced, would be totally (78%) or fairly (12%) unreasonable. Only 5% of landlords/agents believed that £750 was totally reasonable and 5% fairly reasonable.

### Comments on the proposed costs

The majority of comments provided by landlords suggested that the fees were a ‘tax’ and would be simply passed onto tenants through increased rents. Many believed the Council were simply trying to raise revenue to support other services.

Other comments suggested there was insufficient detail on the benefits to landlords, how the costs had been calculated and where the revenue would be spent. Again, landlords suggested that problems with ASB were related to social housing tenants rather than PRS tenants.

*“This is quite obviously a money-making scheme, which will force many landlords to leave the buy-to-let market, and force many of the others that remain to increase rents to cope with the extra costs, thus making it even harder for tenants who want to remain in the area to live here. £750 is a very large amount for anyone owning several properties, which may well be heavily mortgaged, and allowing tax relief will only partially numb the effect of this proposed scheme.”*

*“As a landlord I would like to know what I get for £750. I have one property I rent out, and I treat the place as my own as it is my first property. I don’t see what benefit my tenants would get out of the scheme, as my property is of a high standard. Ironically enough, a lot of the council rented properties are problematic with issues of antisocial behaviour, and I think more should be concentrated there.”*

*“This seems like an arbitrary figure that does not detail any of the proposed actions, their costs and how they would be applied. I feel the majority of anti-social behaviour and activity occurs on council operated property. This should be the prime concern of the council. The vast majority of private landlords operate their properties in a professional and fair manner.”*

*“The landlord will get nothing for the payment. The worst tenants are Council Tenants and Housing Associations.”*

### **Discounted fee of £350 for up to five years**

The Council recognises that a licensing scheme represents a cost burden to landlords which might be passed on to tenants. The Council recognises that there are good landlords as well as poor landlords, and wishes to acknowledge this by not treating all landlords in the same manner. Therefore it proposes to offer a fixed fee for licensing which will be discounted for applications received prior to any statutory implementation date. The discounted fee period will be offered in recognition of the fact that good landlords will apply voluntarily, without the need for the Council to pursue them or take enforcement action against them, and that such landlords should be charged less than those who do not voluntarily apply to licence their properties.

The proposed early application discount fee, for landlords who register within three months of the start of any introduction of any scheme, would be £350 to cover five years, equivalent to £70 per year or £1.35 per week.

Although the discounted fee of £350 sees a higher proportion of landlords who stated that the fees were totally (9%) or fairly reasonable (16%), the vast majority (71%) still saw the costs as unreasonable.

## Feedback from the wider consultation: Landlords and Agents

The open public forums and online feedback received throughout the consultation have provided an additional opportunity to take note of views from across sector. The following summary relates to comments made at the second public forum and from other correspondence received from landlords and agents. Many of the original themes from comments made by landlords and agents in the stage 1 consultation were again reflected in stages 2 and 3.

◆ Landlords and agents attending the public forum were vehemently against the proposal to introduce a blanket scheme which covered all landlords. The reasons landlords gave for being against the scheme were:

- The scheme was seen as a 'stealth tax' on landlords, and on tenants as the costs would simply be passed on in higher rents.
- It was felt the evidence presented by the council did not show convincingly that anti-social behaviour was linked to PRS tenants any more than with residents of other tenure, including council tenants.
- It was felt the limited evidence provided was biased as it only identified problems within the private rented sector and did not show the proportion of problems arising within and around council properties or private properties.
- Notwithstanding the above, the actual prevalence of ASB problems associated with PRS tenants was extremely small, accounting to less than 1% of all PRS properties.

*"There are two reasons the scheme can be implemented; one is demonstrating a shortage of demand for rented housing in the borough, which they can't... the other is a problem with ASB, where the statistics show that less than 1% of properties have a problem. Do you feel with those statistics you are justified in implementing a borough wide scheme?"*

- There was a belief that any scheme would simply penalise landlords who already acted in a professional manner (e.g. were members of a professional association and/or use reputable agents for referencing) and would be paying for a licence, while 'bad' landlords would remain 'under the radar' and would neither pay the fee and therefore not be covered by the obligations in the scheme.
- Attendees could not see how the scheme would be effective in its objective to reduce anti-social behaviour and many believed the Council already had sufficient powers to tackle any problem.

*"Under section 79, 80, 81 under the housing act 2004 it does provide for the introduction of a scheme for selective licensing... however under the anti-social behavior crime and policing act 2014 you have enough existing powers under part 1 section 9 & 13, part 3 section 34."*

◆ Landlords also thought that more information should be provided on the benefits that they might expect if a scheme were introduced. Landlords requested more information on what benefits the scheme would bring directly to them – what would they get back for the money?

- ◆ Some landlords also held the view that a closer and more trusting relationship ought to be developed between the council and local landlords, which would help dialogue. For example, the ideas behind this licencing scheme could have been discussed more informally and at an earlier stage, prior to the full consultation on the proposals being initiated, they suggested.

## PRS Tenants

This section provides the headline findings of the stage 2 and 3 public consultation exercise undertaken with Croydon residents who are tenants renting from a private landlord. A total of 215 door-to-door, face-to-face, interviews were conducted across the borough between 17<sup>th</sup> November and 22<sup>nd</sup> December 2014. An additional 67 PRS tenants completed the online self-selection survey. The views of both the doorstep and online survey respondents have been combined and are reported here together.

### Overall views of the scheme

A total of 282 PRS tenants took part in the consultation exercise via an online survey or a doorstep face-to-face interview. PRS tenants were also given the opportunity to attend the public meeting on the evening of 27<sup>th</sup> November 2014 to find out more about the proposals and to give their views. Two private housing tenants attended the public meeting.

As with landlords and agents, PRS tenants were asked the extent to which they supported the four separate proposals and their views of the impact on them of each of the options:

- Option 1 – Implement a full borough wide scheme
- Option 2 – Implement a partial scheme
- Option 3 – Implement the voluntary London Rental Standard
- Option 4 – do nothing

### Option 1 – Implement a full borough wide scheme

#### Support for this proposal

One half of PRS tenants (50%) fully supported this proposal, while a further 20% partially supported it. 26% of PRS tenants did not support this proposal.

#### Impact of the proposal

54% of PRS tenants indicated that this proposal would have a positive impact on them, while 22% believed it would have a negative impact on them. Some PRS tenants stated that this proposal would protect them from 'bad' landlords or improve property conditions (rather than alleviating any anti-social behaviour caused from PRS tenants). The following are examples of comments from those in favour of the borough wide scheme.

*"It will ensure that tenants are protected from bad landlords."*

*"We deserve better conditions and through the scheme we are most likely to receive that."*

*"Tenants will feel more confident to approach landlords and landlords can keep their property in good condition."*



*"Helps to reduce overcrowding subletting and keep landlords in check."*

*"I think it's good to consider the full borough."*

*"More regulation needed for landlords to put people in suitable housing conditions."*

*"It would be good to solve problems that tenants have with landlords."*

*"Through this, landlords will take care of their properties."*

*"It would keep the good landlords and get the ones out that are bad. Good landlords would not mind, it's the bad ones that will make a fuss and don't like it."*

*"It's a good scheme for both landlords and tenants so they should introduce it in the whole of Croydon."*

*"We need to get rid of irresponsible landlords.....period. Bad landlords wouldn't comply so they will be 'turfed out' of the rental sector and avoid through the 'hassle' of the scheme."*

Comments made by those against the proposed borough wide scheme typically focused on the likelihood of rents increasing, any ASB problems more likely relating to non-PRS properties, that any problems were geographically clustered in certain areas of the borough - therefore selective licensing was not needed in all areas of Croydon. Below are example comments made by PRS tenants.

*"Would hit the areas that doesn't need this and rents will go up."*

*"Leave the private rental market alone! Every year my rent rises by over a 100 pound a month!!! You will price all decent private renters out of Croydon and push us into other boroughs! Stop!"*

*"Any problems aren't due to (PRS) tenants."*

*"Believe that council rented properties should be managed better before they start looking at private rented properties."*

*"I think implementing a full scheme, without testing it first would prove difficult to quantify and justify the benefits in the long run."*

*"Landlords will increase the rent and it is not fair."*

*"Might not be needed in some areas."*

*"My landlord is likely to pass the cost onto me as their tenant. You cannot give any guarantee this will not happen. Do not penalise decent landlords and tenants with a one size fits all approach."*

*"Punish those who flout the regulations. Do not adopt a 'one-size fits all approach'. Not all landlords leave their properties to rot and they - nor their tenants - should have to pay for those who do."*

*"Rogue landlords would still operate unlicensed. It would be better to fine the specific landlords who are neglecting to maintain appropriate housing standards rather than penalising the majority of good landlords or using good landlords to subsidise the scheme."*

## Option 2 – Implement a partial scheme

### Support for this proposal

Compared to option 1, a smaller proportion (25%) of PRS tenants fully supported this proposal, while a higher proportion (40%) indicated that they did not support it. 29% of PRS tenants partially support this proposal.

### Impact of the proposal

Two-fifths (40%) of PRS tenants stated that this proposal would have a positive impact on them, whilst 31% felt it would have a negative impact.

For those that supported the proposal, PRS tenants suggested that it would be a useful way to test if introducing a license would have the intended outcomes and would enable the Council to focus on the areas with the greatest anti-social behaviour problems.

*“Because it gives a chance to see if it works.”*

*“It would be good to have it in all because it would not be fair to have it in some area.”*

*“Concentrate on the area rather than spreading everywhere.”*

*“If there are some major issues in some parts maybe it will move the suitability of this scheme and council will tell others the outcome of that particular area.”*

*“It will give them some time to study the outcome of this scheme.”*

*“Need to be some regulations in areas where there is more ASB.”*

*“Should start with problem near and then more to borough wide scheme.”*

*“That’s a good option, in some certain areas if they implement, they can get and see the outcome and if any changes are required, they can do it.”*

*“They can easily monitor the progress of the scheme and decide easily about its future.”*

*“You can have a taste of how it works and then farm it out.”*

However other PRS tenants disagreed with this proposal as they felt it should be rolled out across the entire borough to avoid displacement or that any partial scheme might give certain areas of the borough a ‘bad name’. Others remained concerned that any scheme would increase rents or that the scheme would simply not be effective.

*“Because all landlords will have to be included in this scheme and it will stop bad housing being rented to vulnerable tenants quickly.”*

*“Needs to be for the whole city - to prevent different boroughs being more expensive.”*

*“Would be seen as discriminatory and unfairly penalising people for owning property/ living in property in certain areas. Would probably give a general impression that these areas are somehow ‘bad’ and to be avoided.”*

*“Have it all across borough or don’t do it at all.”*

*“It would stop landlords renting in some areas and push out landlords to other areas. it pushes the problem out into other areas.”*

*“Landlords would pass the cost to the tenants.”*

*“Landlords will get tenants to pay... will not stop “rogue” landlords as they won’t get a license.”*

### **Option 3 – Implement the voluntary London Rental Standard**

#### **Support for this proposal**

Around one half of PRS tenants either fully (22%) or partially (29%) supported the proposal to implement the London Rental Standard. Around one third (35%) stated that they did not support this proposal.

#### **Impact of the proposal**

Only 30% of PRS tenants felt that the proposal to implement the London Rental Standard would have a positive effect on them. 22% stated it would have a negative impact on them, whilst 30% indicated it would have no impact on them.

For those that supported the proposal, many felt the reduced cost would be more appropriate and would therefore have less of an impact on themselves. Others felt it would educate landlords on the required housing standards, improving the sector.

*“Much better, it’s up to the landlords to attend and provide education.”*

*“Education is a good idea but no impact as it is voluntary.”*

*“It would be better as there is low cost to landlord and he can’t pass on the cost to tenants.”*

*“Some landlords are unaware of the requirement relating to maintaining and providing appropriate housing. Educating them would be a good option followed by fines for specific landlords who then go on to perpetrate irresponsible acts in relation to maintaining housing standards.”*

*“Support any form of regulation that addresses accountability.”*

*“This scheme could be beneficial, as it would create uniformity through London. Though as stated it may not provide specific regional data, it would still at least provide the grounding for a system without the burdensome costs.”*

However, other PRS tenants believed that this would have little impact due to the voluntary nature of the proposal - they therefore did not believe that ‘rogue’ landlords could be tackled by a voluntary scheme that did not include enforcement activity or penalties for failure to comply. Others were still concerned about costs being passed to tenants.

*“It should be mandatory.”*

*"Because bad landlords will not get involved."*

*"They will not join that course so that is why this option is useless."*

*"Without proper enforcement, they will not gain any good result."*

*"Again the fees would be passed on to the tenant!"*

*"It's not compulsory or no penalties."*

*"They will not join that course so that is why this option is useless."*

*"It's voluntary, so might not attend."*

*"No one would want to be in scheme. So bad landlords and tenants will get away with it."*

*"Without penalty bad landlords will not change their attitude."*

*"No one takes voluntary seriously."*

## **Option 4 – A proposal to do nothing**

### **Support for this proposal**

Only 12% stated that they fully supported the proposal to do nothing, with a further 23% stating they partially support it. The majority of PRS tenants (61%) did not support this proposal.

### **Impact with the proposal**

Similar to the extent of support for this proposal, only 11% of PRS tenants stated that the proposal to do nothing would have a positive impact on them; 44% believed it would have a negative impact on them.

For the small number of PRS tenants that supported the proposals, some suggested that there was no need for a scheme as they had not experienced ASB problems related to the private rented sector, or that any issues were dealt with by their landlord or agent.

*"Don't agree with the council and this system is running fine without any problems."*

*"We don't have ASB or tenant issues."*

*"I think this existing system looks fine to me."*

*"This isn't needed here."*

*"In my case the landlord is good and very on the ball with repairs."*

*"We can solve issues directly with agency."*

*"In my personal relationship with landlord he is good. No issues."*

*"That works for me. So why change it? I have never experienced any problems with my previous five landlords."*

Tackling rogue landlords to improve property conditions was the principal reason given by those that were opposed to doing nothing – few directly identified tackling ASB as a reason for wishing to see a scheme introduced. Others felt that a scheme was needed to give tenants greater rights.

*“In some properties people are really suffering and it will protect them so council shouldn’t drop this.”*

*“Because bad landlords do need some treatment.”*

*“Something must be done to stop the rogue landlords/ladies in Croydon - there are too many charging ridiculous amounts of rent for substandard and lower lettings.”*

*“Don’t like this option because through this licensing housing conditions will be improved.”*

*“Landlords don’t follow the rules and fail to give good accommodation.”*

*“The private rented sector is already bad enough for tenants. Something needs to be done. If the status quo remains more and more people in the sector will have to put up with substandard and expensive properties because landlords know they do not have anything to lose.”*

*“I don’t have any rights (as a tenant).”*

*“I support this licensed scheme.”*

*“It is high time a landlord holds a valid licence to rent properties and maybe they will be more respectful of their tenants and be held responsible for the upkeep of property maintenance, which seems lacking.”*

*“Most tenants can’t resolve some issues with landlords.”*

*“Problems don’t get solved at present. So a license scheme would help.”*

*“Some form of licensing needs to definitely be brought in to weed out those who are just interested in the money and not prepared to do timely repairs, etc.”*

*“It is good to improve ASB in Croydon.”*

*“Bad landlords will continue to abuse the system.”*

## **Licence costs**

### **£750 for up to five years**

PRS tenants had a mixed opinion on whether the proposed £750 fee was reasonable; 56% stated the fee was reasonable, and 35% stated it was unreasonable. The majority of PRS tenants that felt it was unreasonable suggested it was likely to increase their rent.

### **Discounted fee of £350 for up to five years**

A higher proportion of PRS tenants felt that the £350 fee was reasonable (68%), although 26% of PRS tenants still stated that the proposed £350 fee was unreasonable.

## Other Croydon residents<sup>1</sup>

### Introduction

This section provides the headline findings of the stage 2 and 3 public consultation exercise undertaken with Croydon residents who were not landlords, agents, or renting from a private landlord. A total of 833 door-to-door, face-to-face, interviews were conducted across the borough between 17<sup>th</sup> November and 22<sup>nd</sup> December 2014. An additional 223 residents completed the online self-selection survey. The views of both the doorstep and online survey respondents have been combined and are reported here together.

### Overall views of the scheme

A total of 1,056 Croydon residents took part in stages 2 and 3 of the consultation exercise. Residents were also given the opportunity to attend one public meeting on the evening of 27<sup>th</sup> November 2014 to find out more about the proposals and to give their views. A total of 4 Croydon residents attended the public meeting.

Respondents were asked the extent to which they supported the four separate proposals:

- Option 1 – Implement a full borough wide scheme
- Option 2 – Implement a partial scheme
- Option 3 – Implement the voluntary London Rental Standard
- Option 4 – do nothing

### Option 1 – Implement a full borough wide scheme

#### Support for this proposal

Similar to levels of PRS tenant support for this proposal, around one half of Croydon residents (51%) fully supported this proposal. A further 22% partially supported it. 23% of Croydon residents stated they did not support this proposal.

#### Impact of the proposal

58% of Croydon residents stated that this proposal would have a positive impact on them. Only 17% of Croydon residents believed it would have a negative impact on them. Whilst some stated that this proposal would increase rents or was not needed in all areas of Croydon, others suggested that it would help improve the conditions of properties, and improve neighbourhoods. Some residents stated that they felt the scheme was being introduced too quickly, or was just being introduced as a money making scheme for the Council.

*“Nobody wants to live next to an ASB neighbourhood and it will work against this problem and it should be across the area.”*

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<sup>1</sup> Croydon residents are defined here as a person living in Croydon who is not a landlord, agent or renting privately from a landlord.

*“Principally it’s a good scheme for everybody, i.e. landlords, tenants and neighbours... also because the area will be safer and quieter. It should be used widely in the whole borough.”*

*“Don’t support the scheme, another way of making money.”*

*“So primarily I am not in favour of this scheme because of the cost implications and more responsibility and council wants to shift the burden on their (landlords) shoulders... and absolutely not convinced about the fee.”*

## **Option 2 – Implement a partial scheme**

### **Support for this proposal**

24% of Croydon residents fully supported the proposal to implement a partial license scheme, while a further 30% partially supported it. 40% of Croydon residents did not support this proposal.

### **Impact of the proposal**

Croydon residents’ opinions on the impact of this proposal was mixed; 36% stated it would have a positive impact, 22% stated it would have no impact, and 30% stated it would have a negative impact.

Residents who did not support the scheme or felt it would have a negative impact either believed the license itself was not a good idea, or felt that the license should be rolled out borough wide. Other residents, who supported this proposal, felt that it would help target areas with the greatest anti-social behavioural problems. The comments below demonstrate the divided opinions.

*“Needs to be done across the borough to make areas equal.”*

*“Because in some wards there are so many issues... so I think they should consider that area first.”*

## **Option 3 – Implement the voluntary London Rental Standard**

### **Support for this proposal**

Only 14% of Croydon residents fully supported the proposal to implement the London Rental Standard. Nearly half (48%) did not support this proposal.

### **Impact of the proposal**

As seen with option 2, opinion amongst Croydon residents on the impact of this proposal was varied; 26% felt it would have a positive impact on them, 35% felt it would have no impact on them, and 23% felt it would have a negative impact on them. Although Croydon residents recognised that this could have a positive impact, there was the feeling this would be limited due to the voluntary nature of the standard.

## **Option 4 – Do nothing**

### **Support for this proposal**

Only 14% of Croydon residents fully supported the proposal to do nothing. 61% did not support the proposal to do nothing.

### **Impact of the proposal**

42% of Croydon residents stated that this proposal would have a negative impact on them, while 35% believed it would have no impact on them. Only 9% stated it would have a positive impact.

### **Licence costs**

#### **£750 for up to five years**

Nearly two thirds (64%) of Croydon residents stated that the £750 fee over five years seemed reasonable, whilst 29% felt that it was unreasonable.

#### **Discounted fee of £350 for up to five years**

There were similar levels of support indicated by Croydon residents for the discounted fee of £350; 69% stated it was reasonable, and 24% stated it was unreasonable.



## Views from neighbouring boroughs

As identified in the background information within Section 2 of this report, following a High Court judgement on 11<sup>th</sup> December 2014 relating to the London Borough of Enfield's selective licensing consultation, a decision was taken to extend the Croydon consultation to include consultation with neighbouring Boroughs. A separate online survey was developed to gather feedback on any potential impact of the proposals. It was made available for businesses, residents, landlords and agents and other interested parties living in Croydon's neighbouring areas. The 10 week additional consultation period started on 23<sup>rd</sup> December 2014.

Thirty responses had been received from neighbouring areas: 2 from business owners, 9 from residents, 19 from PRS landlords, 2 management agents and one from another stakeholder. Please note that these definitions are not mutually exclusive, e.g. business owners and/or residents can also be private landlords.

Area	Business/ other stakeholder	Resident	Private landlord	Managing agent
London Borough of Bromley	-	1	4	-
London Borough of Hackney	-	-	1	-
London Borough of Lambeth	-	-	9	1
London Borough of Lewisham	1	2	1	
London Borough of Merton	1	1	1	1
London Borough of Southwark	1	-	-	-
London Borough of Sutton	-	1	1	-
Reigate and Banstead	-	2	-	-
Tandridge	-	2	-	-
Other (Sussex) / unknown	-	-	2	-
<b>Totals</b>	<b>3</b>	<b>9</b>	<b>19</b>	<b>2</b>

The views of business owners, other stakeholders and managing agents have been combined and reported with private landlords due to the relatively small number of respondents.

## Summary of views of residents

- ◆ Six of the nine residents felt that implementation of a full borough wide scheme (option 1) would have a positive impact on them. Two suggested it would have a negative impact, while the remaining one could not comment.
- ◆ Five residents chose to provide a comment on the proposals:

*"It is for sure landlords will pass the scheme cost to tenants, which is unfair... with already paying too high rent cost."*

*"Licensing will drive bad landlords and tenants into surrounding areas without a scheme."*

*"There are too many rogue landlords."*

*"Raise the confidence and credence of the private rent sector. Offer protection to tenants and set clear standards for landlords to follow and hold them to account for poor property condition and management."*

*“Whilst it would not impact on me personally, it would benefit the private tenants renting properties in Croydon and ultimately the introduction of option 1 nationally would be beneficial to ensure that landlords cannot allow their tenants to live in sub-standard conditions. There is the danger that some unscrupulous landlords will decide not to own and rent out properties with Borough of Croydon if option 1 is introduced and buy properties instead outside of the Borough and lower standards elsewhere!”*

- ◆ Just two of the nine residents felt that the introduction of a partial scheme (option 2) would have a positive impact, while five of the nine suggested it would have a negative impact. The remaining two residents indicated no impact or could not comment. Two residents chose to comment:

*“There should not be any room for landlords to avoid conforming and providing decent homes for rent. A partial scheme would result in a displacement of the problem to other areas that do not have a strict policy. Would bring marginal benefits but not long term as those boroughs would need more funding to deal with the effects of this... not really fair.”*

*“No impact on me personally but will create sub-standard conditions within pockets of Croydon if this partial scheme is introduced.”*

- ◆ The Voluntary London Rental Standard (option 3) was felt to either have no impact or a negative impact. Two residents chose to comment on this proposal:

*“It could mean the borough would ask for more money to deal with the problems and this would mean an increase in taxation to satisfy this.”*

*“As a voluntary option (those that you would like to see participate will not!) and the subscription cost of £125 is unlikely to properly cover the administrative costs involved. This option is not good use of public money regarding of which borough you reside.”*

- ◆ Only one resident felt the option to do nothing would have a positive impact, while two felt it would have no impact. Six felt it would have a negative impact. Three comments were made by residents:

*“Allows poor quality housing to carry on existing.”*

*“As a resident it would not give me any faith in local government in dealing with matters in their own backyards. Something has to be done.”*

*“Impact emotionally. I have witnessed some of the sub-standard conditions people have lived in and this situation needs to stop.”*

## **Summary of views of landlords, managing agents and businesses**

- ◆ Fifteen of the twenty one stakeholders suggested that Croydon’s proposal to introduce a borough wide scheme would have a negative impact on them. Four felt it would have a positive impact. Those against the scheme believed it was an additional tax, would reduce the availability of PRS property and was unnecessary as existing powers were available to deal with anti-social behaviour.

*“As a law abiding landlord I don’t see why I should have additional expense imposed on me.”*

*“Licensing will reduce the amount of available property to let and probably increase rentals as a result.”*

*“There is no proof that the licensing of landlords will reduce anti-social behaviour. Councils are now able to pursue these types of complaints under the Anti-Social Behaviour, Crime and Policing Act 2014. The blanket licensing of landlords is purely a revenue raising exercise intended to subsidise council tax. It is inevitable that landlords will avoid areas where licensing is implemented and will only push them into neighbouring boroughs, pushing up rents in neighbouring areas where there is already a shortage of high quality rental properties and in the proposed areas pushing up the rents to cover costs of licensing.”*

*“This is another local tax.”*

*“However, it’s another cost on top of all the letting fees, certificates, insurance to eat away at the rental income. I feel confident that I am a good landlord, and don’t feel I need a full license.”*

*“Too much red tape imposed by the govt.”*

*“It will discourage the small investor due to the main reason of cost of licencing and process. Either the licence is free than it will be positive, if not the same as HMO will happen the process is long and 90% of people try to avoid it. I personally don’t think it will improve anything just extra burden on private landlords and another money making trick for council. Yeah I will say again a free or licence will be better, if council is concerned and worried about private letting they should do it on their own cost not others.”*

*“There is a need to regulate bad landlords, but the majority are small landlords with decent well equipped flats at a reasonable rent. If this scheme is implemented, there is the possibility of a loss in the private sector of rented flats because of increased overheads for landlords who are operating on small profit margins. Then the costs of implementing the scheme would be considerable, which would in turn increase the fee.”*

*“Poor landlords are unlikely to pay fines.”*

- ◆ Just one of twenty stakeholders believed that introducing a partial scheme would have a positive impact. Twelve indicated it would have a negative impact, while four suggested no impact. Few commented, and those that did generally mirrored those for the borough wide scheme.
- ◆ Eleven of twenty stakeholders felt that introducing the Voluntary London Rental Standard would have no impact. Five felt it would have a negative impact and just one claimed it would have a positive impact. Comments suggested that a voluntary scheme would not target ‘rogue landlords’ and that this was still some form of cost/tax on landlords.
- ◆ Five of twenty stakeholders felt that doing nothing would have a positive impact on them while twelve suggested this would have no impact at all. Just four stakeholders commented on this proposal:

*“Leave the good landlords alone to get on with running their properties and go after the bad landlords as a rule. It feels like I’m teaching you to suck eggs. The honest and hardworking landlords do NOT exist to make the councils an ‘easy buck’ but the councils*

*exist - as they are paid for by those hard working individuals - to provide value for money, safety, security and to look after the vulnerable.”*

*“Rents will remain competitive, neighbouring boroughs will not experience increased rents and shortage of rental accommodation.”*

*“I think there should be more public housing/council housing and a rent cap.”*

*“The existing legislation and powers are enough to ensure landlords comply - just enforce them properly!”*

## 5) REPRESENTATIVE SAMPLING

Stages 2 and 3 of the consultation included an analysis of survey data as well as comments and suggestions received via email, via online forms, from telephone calls and from letters sent directly to M-E-L Research. It also includes analysis of comments provided at two public forums and from two in-depth interviews held with private rented tenants. The survey data has been collected using self-completion online surveys and paper versions and via doorstep face-to-face interviews.

### Self-selection bias and representative sampling

Self-selection bias relates to a condition where survey respondents choose to / actively seek out to participate in a survey. In some instances, self-selection will lead to biased data, as the respondents who choose to participate will not necessarily represent the entire target population. Those self-selecting can typically hold polarized views of the subject matter, either more positive or more negative, than the wider target population.

To gain a better understanding of whether the views held by those returning a self-completed survey were representative of the wider Croydon population we undertook doorstep face-to-face interviews. These were designed to provide a broadly representative sample of responses by Ward and to generate statistically reliable results. In total, 1,071 doorstep interviews were conducted achieving a +/-3% confidence interval at the 95% confidence level. In terms of the confidence interval, this means that if 50% of respondents indicated they had witnessed anti-social behaviour then the real figure, had the whole population been surveyed, lies somewhere between 47% and 53%. The confidence level indicates that we can be confident that we would see the same results 95 times out of every 100.

### Profile of respondents: Doorstep interviews

Gender	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
Male	524	49%	101	47%	16	70%	407	49%
Female	547	51%	114	53%	7	30%	426	51%
<b>Base</b>	<b>1071</b>	<b>100%</b>	<b>215</b>	<b>100%</b>	<b>23</b>	<b>100%</b>	<b>833</b>	<b>100%</b>

Age	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
18-24	94	9%	30	14%	1	4%	63	8%
25-34	213	20%	80	37%	5	22%	128	15%
35-44	226	21%	65	30%	7	30%	154	18%
45-54	214	20%	29	13%	3	13%	182	22%
55-64	140	13%	8	4%	4	17%	128	15%
65 and over	180	17%	3	1%	3	13%	174	21%
Prefer not to say	4	0%	0	0%	0	0%	4	0%
<b>Base</b>	<b>1071</b>	<b>100%</b>	<b>215</b>	<b>100%</b>	<b>23</b>	<b>100%</b>	<b>833</b>	<b>100%</b>

Ethnicity	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
White British	600	56%	56	26%	11	48%	533	64%
Other White	87	8%	50	23%	3	13%	34	4%
Mixed	20	2%	5	2%	0	0%	15	2%
Asian	152	14%	48	22%	6	26%	98	12%
Black	174	16%	44	21%	3	13%	127	15%
Other/refused	38	4%	11	5%	0	0%	26	3%
<b>Base</b>	<b>1071</b>	<b>100%</b>	<b>215</b>	<b>100%</b>	<b>23</b>	<b>100%</b>	<b>833</b>	<b>100%</b>

Employment status	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
Employed	520	49%	124	58%	12	52%	384	46%
Self-employed	105	10%	28	13%	6	26%	71	9%
Out of work	46	4%	9	4%	0	0%	37	4%
Looking after the home or family	101	9%	34	16%	2	9%	65	8%
Unable to work/ long term sick	33	3%	4	2%	0	0%	29	3%
Retired	212	20%	5	2%	3	13%	204	24%
Full time student	37	3%	9	4%	0	0%	28	3%
Other	17	2%	2	1%	0	0%	15	2%
<b>Base</b>	<b>1071</b>	<b>100%</b>	<b>215</b>	<b>100%</b>	<b>23</b>	<b>100%</b>	<b>833</b>	<b>100%</b>

Time in Croydon	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
Less than 6 months	36	3%	17	8%	0	0%	19	2%
6-12 months	38	4%	22	10%	0	0%	16	2%
1-2 years	43	4%	21	10%	2	9%	20	2%
2-5 years	110	10%	50	23%	1	5%	59	7%
5-10 years	166	15%	49	23%	3	14%	114	14%
More than 10 years	675	63%	56	26%	16	73%	603	73%
Prefer not to say	3	0%	0	0%	1	5%	2	0%
<b>Base</b>	<b>1071</b>	<b>100%</b>	<b>215</b>	<b>100%</b>	<b>23</b>	<b>100%</b>	<b>833</b>	<b>100%</b>

Tenure	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
Owned outright	266	25%	0	0%	4	17%	262	31%
Buying on mortgage	302	28%	0	0%	12	52%	290	35%
Rented/Leased from Council	130	12%	0	0%	1	4%	129	15%
Rented from Social Housing Provider	90	8%	0	0%	1	4%	89	11%
Rented from private landlord	218	20%	215	100%	3	13%	0	0%
Living with family or friends	29	3%	0	0%	1	4%	28	3%
Other/refused	36	3%	0	0%	1	4%	35	4%
<b>Base</b>	<b>1071</b>	<b>100%</b>	<b>215</b>	<b>100%</b>	<b>23</b>	<b>100%</b>	<b>833</b>	<b>100%</b>

Ward	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
Addiscombe	55	5%	19	9%	3	13%	33	4%
Croham	51	5%	11	5%	3	13%	37	4%
South Norwood	58	5%	13	6%	1	4%	44	5%
Woodside	54	5%	12	6%	2	9%	40	5%
Ashburton	41	4%	0	0%	0	0%	41	5%
Bensham Manor	45	4%	18	8%	1	4%	26	3%
Broad Green	54	5%	17	8%	0	0%	37	4%
Coulsdon East	34	3%	4	2%	1	4%	29	3%
Coulsdon West	35	3%	2	1%	0	0%	33	4%
Fairfield	62	6%	24	11%	1	4%	37	4%
Fieldway	30	3%	6	3%	1	4%	23	3%
Heathfield	38	4%	3	1%	1	4%	34	4%
Kenley	43	4%	3	1%	1	4%	39	5%
New Addington	29	3%	2	1%	0	0%	27	3%
Norbury	43	4%	11	5%	1	4%	31	4%
Purley	44	4%	6	3%	1	4%	37	4%
Sanderstead	36	3%	2	1%	1	4%	33	4%
Selhurst	53	5%	17	8%	1	4%	35	4%
Selsdon & Ballards	33	3%	5	2%	0	0%	28	3%
Shirley	41	4%	6	3%	1	4%	34	4%
Thornton Heath	47	4%	7	3%	0	0%	40	5%
Upper Norwood	48	4%	5	2%	1	4%	42	5%
Waddon	53	5%	10	5%	0	0%	43	5%
West Thornton	44	4%	12	6%	2	9%	30	4%
<b>Base</b>	<b>1071</b>	<b>100%</b>	<b>215</b>	<b>100%</b>	<b>23</b>	<b>100%</b>	<b>833</b>	<b>100%</b>

## Profile of respondents: Self-selection surveys

Gender	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
Male	227	41%	19	28%	116	50%	81	36%
Female	233	42%	46	69%	79	34%	99	44%
Not specified	91	17%	2	3%	39	17%	43	19%
<b>Base</b>	<b>551</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>234</b>	<b>100%</b>	<b>223</b>	<b>100%</b>

Age	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
18-24	4	1%	2	3%	0	0%	2	1%
25-34	62	11%	22	33%	18	8%	18	8%
35-44	96	17%	25	37%	39	17%	30	14%
45-54	126	23%	13	19%	62	26%	47	21%
55-64	94	17%	3	4%	44	19%	44	20%
65 and over	66	12%	1	2%	24	10%	37	17%
Prefer not to say	103	19%	1	2%	47	20%	45	20%
<b>Base</b>	<b>551</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>234</b>	<b>100%</b>	<b>223</b>	<b>100%</b>

Ethnicity	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
White British	263	48%	25	37%	108	46%	118	53%
Other White	32	6%	7	11%	13	6%	11	5%
Mixed	18	3%	7	11%	4	2%	6	3%
Asian	35	6%	7	11%	19	8%	8	4%
Black	39	7%	5	8%	13	6%	19	9%
Other	4	1%	2	3%	1	0%	1	0%
Not specified	160	29%	14	21%	76	33%	60	27%
<b>Base</b>	<b>551</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>234</b>	<b>100%</b>	<b>223</b>	<b>100%</b>

Employment status	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
Employed	280	51%	49	73%	102	44%	117	44%
Self-employed	67	12%	3	5%	44	19%	15	19%
Out of work	5	1%	4	6%	0	-	1	-
Looking after the home or family	14	3%	4	6%	8	3%	2	-
Unable to work/ long term sick	7	1%	5	8%	1	0%	1	-
Retired	79	14%	1	2%	32	14%	45	4%
Full time student	0	-	0	-	0	-	0	-
Other	11	2%	0	-	6	3%	3	7%
Not specified	88	16%	1	2%	41	18%	39	26%
<b>Base</b>	<b>551</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>234</b>	<b>100%</b>	<b>223</b>	<b>100%</b>

Time in Croydon	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
Less than 6 months	2	1%	1	2%	0	0%	1	0%
6-12 months	7	2%	2	3%	1	2%	4	2%
1-2 years	23	6%	8	12%	4	6%	11	5%
2-5 years	38	11%	12	18%	4	6%	22	10%
5-10 years	40	11%	10	15%	8	12%	21	9%
More than 10 years	246	68%	33	49%	50	75%	160	72%
Prefer not to say	5	1%	1	2%	0	0%	4	2%
<b>Base</b>	<b>361</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>223</b>	<b>100%</b>

NB: Not asked of Landlords that did not identify themselves as Croydon residents

Tenure	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
Owned outright	109	30%	0	0%	23	34%	85	25%
Buying on mortgage	118	33%	0	0%	35	52%	81	50%
Rented/Leased from Council	6	2%	0	0%	0	0%	5	25%
Rented from Social Housing Provider	3	1%	0	0%	0	0%	3	0%
Rented from private landlord	67	19%	67	100%	0	0%	0	0%
Living with family or friends	8	2%	0	0%	0	0%	8	0%
Other	3	1%	0	0%	1	2%	2	0%
Not specified	47	13%	0	0%	8	12%	39	0%
<b>Base</b>	<b>361</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>223</b>	<b>100%</b>

NB: Not asked of Landlords that did not identify themselves as Croydon residents



Area lived in	Total	%	PRS Tenants	%	Landlord / Agents	%	Other Residents	%
Addiscombe	37	10%	8	12%	7	10%	22	10%
Broad Green & Selhurst	11	3%	4	6%	1	2%	6	3%
Coulsdon	18	5%	-	-	4	6%	14	6%
Croydon Centre	31	9%	8	12%	5	8%	18	8%
Crystal Palace & Upper Norwood	10	3%	-	-	2	3%	8	4%
Kenley & Old Coulsdon	9	3%	2	3%	4	6%	3	1%
New Addington	4	1%	-	-	-	-	3	1%
Norbury	28	8%	3	5%	3	5%	22	10%
Purley	23	6%	6	9%	9	13%	8	4%
Sanderstead	19	5%	2	3%	10	15%	7	3%
Selsdon	12	3%	1	2%	1	2%	9	4%
Shirley	14	4%	1	2%	3	5%	10	5%
South Croydon	37	10%	7	10%	10	15%	19	9%
South Norwood & Woodside	40	11%	14	21%	2	3%	24	11%
Thornton Heath	44	12%	7	10%	4	6%	33	15%
Waddon	8	2%	1	2%	1	2%	6	3%
Other	10	3%	2	3%	1	2%	6	3%
Not specified	6	2%	1	2%	-	-	5	2%
<b>Base</b>	<b>361</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>67</b>	<b>100%</b>	<b>223</b>	<b>100%</b>

NB: Not asked of Landlords that did not identify themselves as Croydon residents

Time managing properties in Croydon	Landlords / Agents	%
Less than 6 months	14	6%
6-12 months	11	5%
1-2 years	28	12%
2-5 years	55	24%
5-10 years	42	18%
More than 10 years	79	34%
Prefer not to say	5	2%
<b>Base</b>	<b>234</b>	<b>100%</b>

Area have PRS property	Landlords / Agents	%
Addiscombe	32	14%
Broad Green & Selhurst	22	9%
Coulsdon	12	5%
Croydon Centre	49	21%
Crystal Palace & Upper Norwood	18	8%
Kenley & Old Coulsdon	7	3%
New Addington	6	3%
Norbury	11	5%
Purley	28	12%
Sanderstead	8	3%
Selsdon	11	5%
Shirley	13	6%
South Croydon	46	20%
South Norwood & Woodside	43	18%
Thornton Heath	24	10%
Waddon	12	5%
Other	12	5%
<b>Base</b>	<b>234</b>	<b>-</b>

NB: Multiple coded question

## **6) APPENDICES**

**Appendix 1: Stage 1 consultation - Landlord Survey results summary**

**Appendix 2: Stage 1 consultation - National Landlord Association (NLA) correspondence**

**Appendix 3: Stage 1 consultation - Residential Landlords Association (RLA) correspondence**

**Appendix 4: Stage 2 consultation - Face-to-face survey questionnaire**

**Appendix 5: Stage 2 consultation - Face-to-face survey showcards**

**Appendix 6: Stage 2 consultation - Online survey results summary**

**Appendix 7: Stage 2 consultation – Combined data tables**

**Appendix 8: Stage 2 consultation - Generation Rent petition**

**Appendix 9: Stage 2 consultation - Resident letter**

**Appendix 10: Stage 3 consultation - Neighbouring areas results summary**

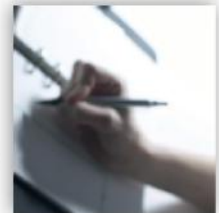
**Appendix 11: Stage 3 consultation - Other online feedback**

**Appendix 12: List of other correspondence received**

# Using evidence to shape better services



Research



Public  
Consultation



Evaluation



Surveys



Consultancy  
Evaluation



Skillbuilding



M·E·L Research Ltd  
8 Holt Court Aston Science Park Birmingham B7 4AX  
T: 0121 604 4664 F: 0121 604 6776 W: [www.m-e-l.co.uk](http://www.m-e-l.co.uk)

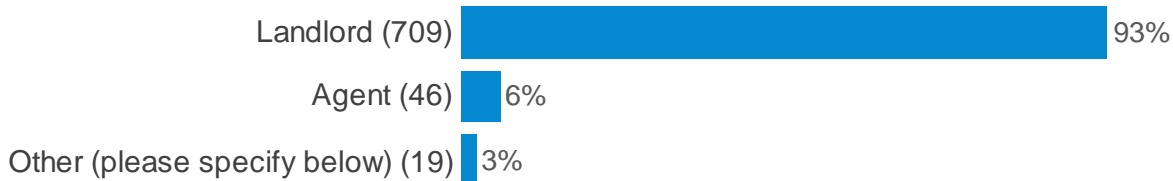
**Measurement ♦ Evaluation ♦ Learning**

## Selective Licensing Questionnaire - Landlords (Online and Paper versions)

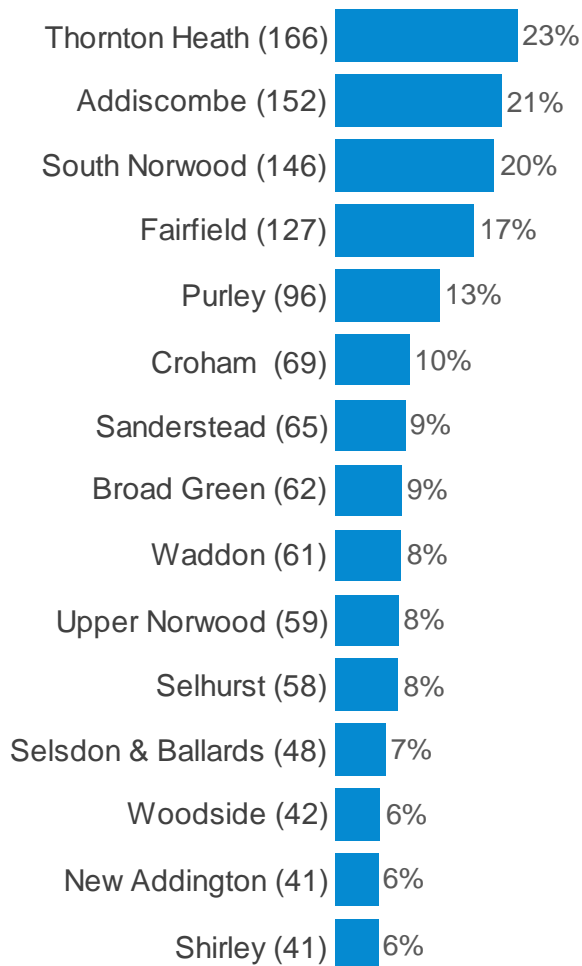
This report was generated on 23/11/14, giving the results for 768 respondents.  
A filter of 'All Respondents' has been applied to the data.

The following charts are restricted to the top 15 codes. Lists are restricted to the first 0 rows.

### Are you a landlord or agent of one or more properties in Croydon?



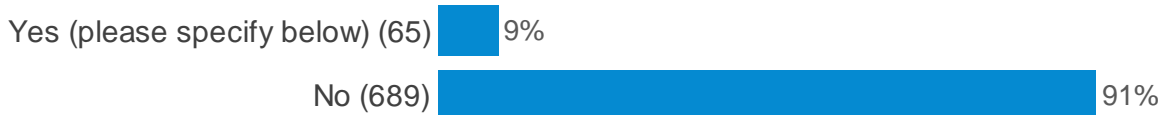
### Which ward(s) do you own or manage properties in Croydon? (please tick all that apply)



### Are you a member of the London Landlords accreditation scheme or any other recognised landlord body?



## Are any of your properties subject to Croydon Council landlord schemes? (E.g. Croylease, Croybond)



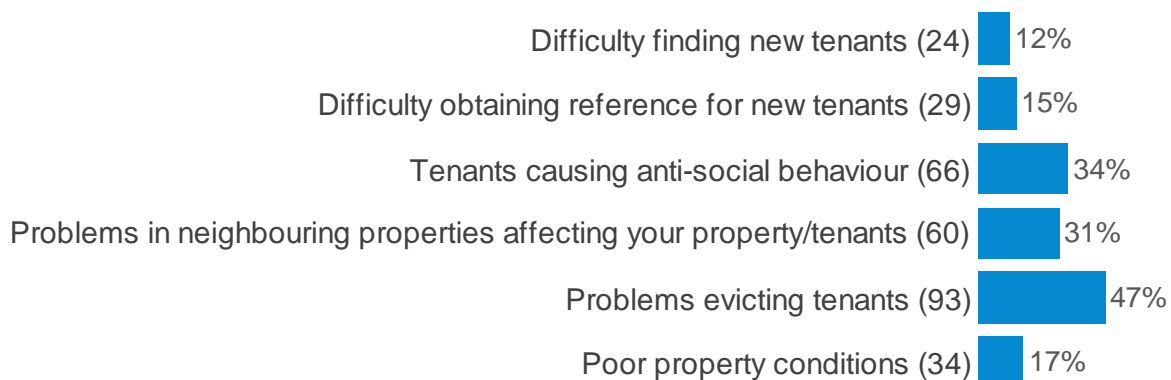
## Do you own or manage property(s) in other local authority areas?



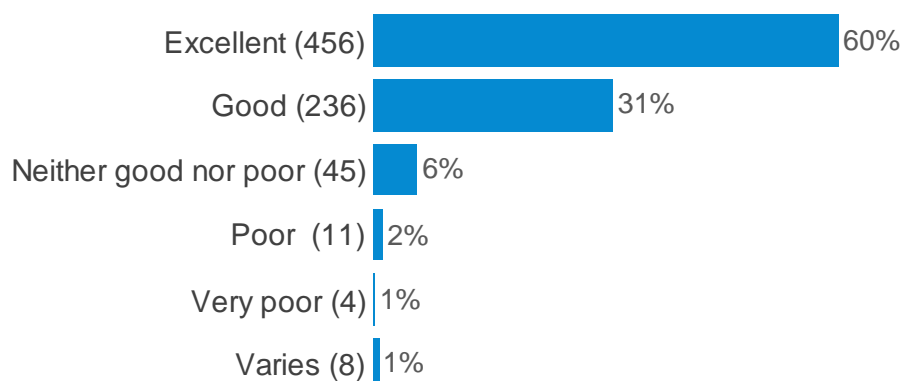
## Do you have any property(s) that is subject to selective licensing in other local authority areas?



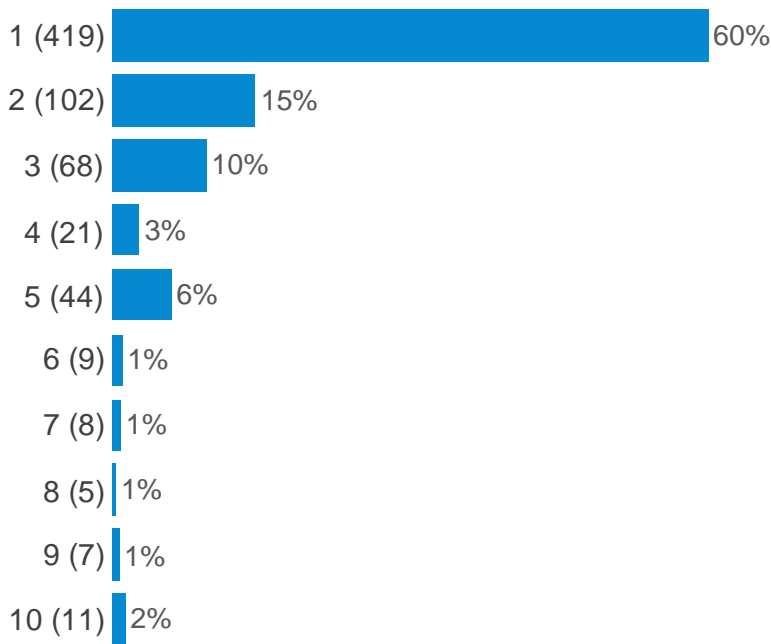
## In the last 12 months have you encountered any of following problems in your property(s)? (please tick all that apply)



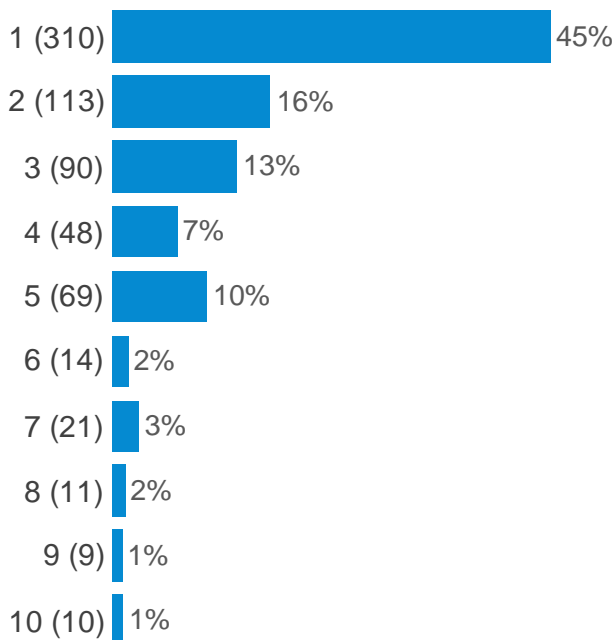
## How would you describe the ability to communicate between you and your tenants?



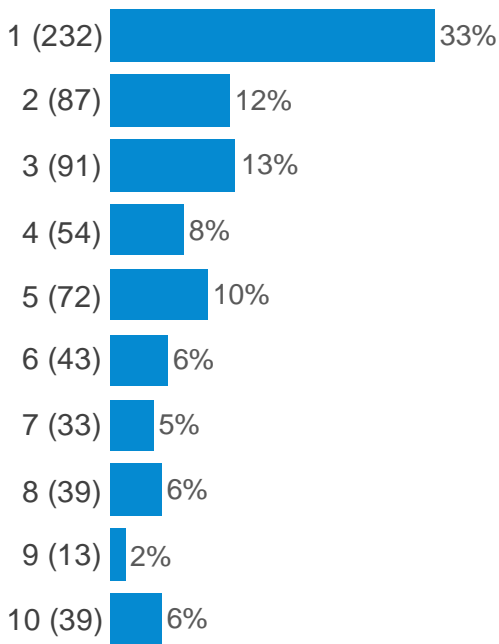
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Low demand for housing (difficulty letting))**



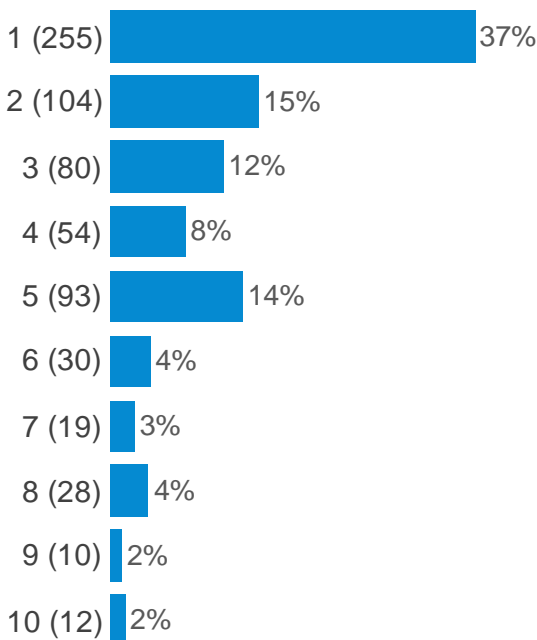
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (High turnover (tenants not staying long))**



**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Anti-social behaviour)**

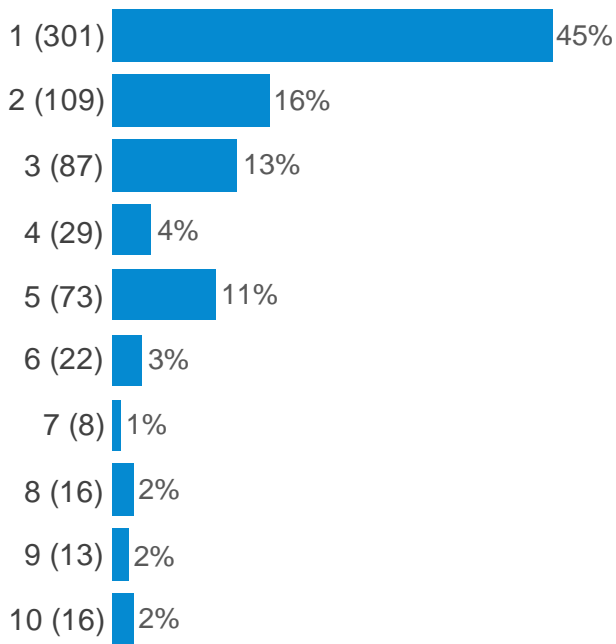


**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Poor property conditions)**

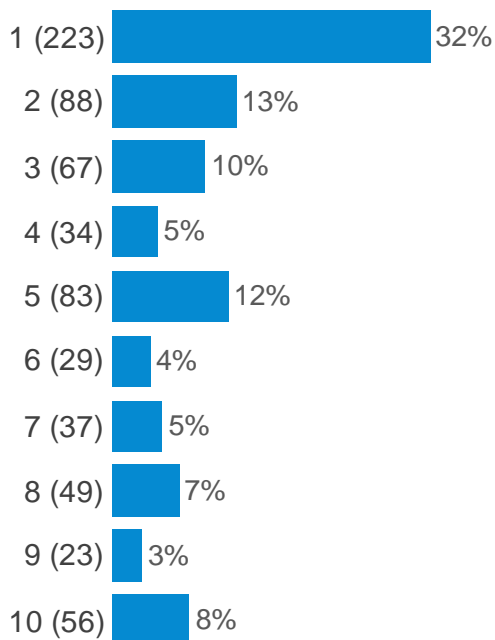




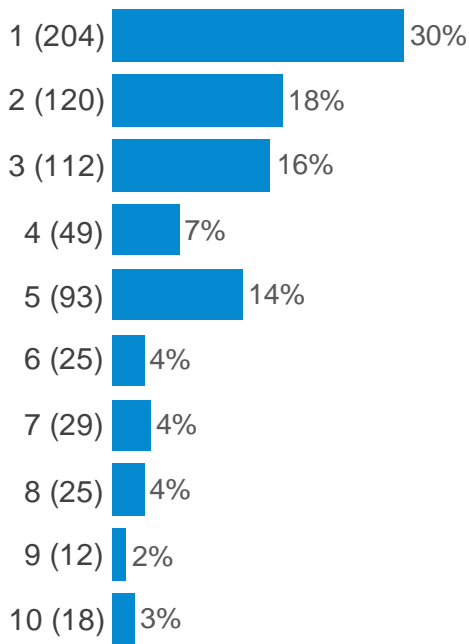
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Empty properties)**



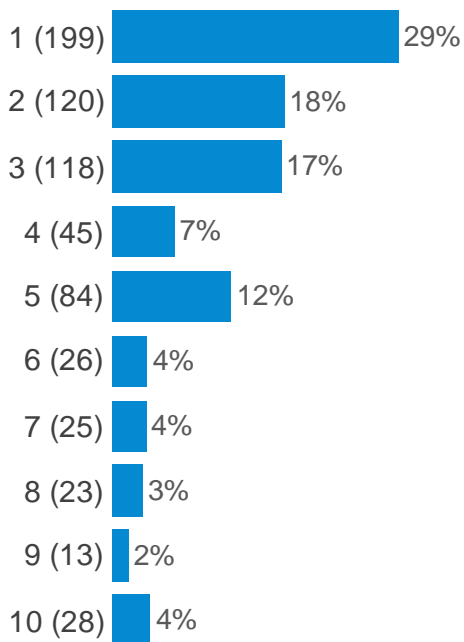
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Poor perception of private landlords or properties)**



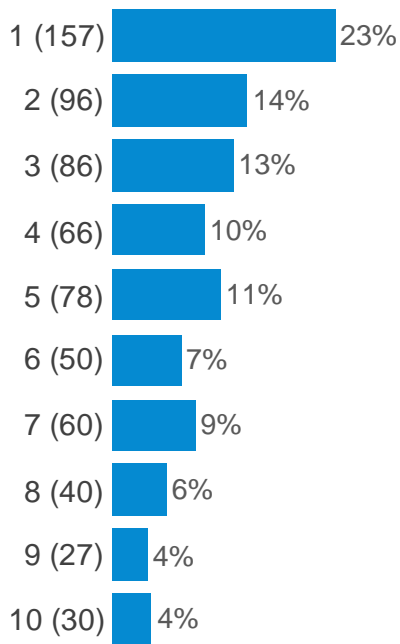
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Noisy neighbours or loud parties)**



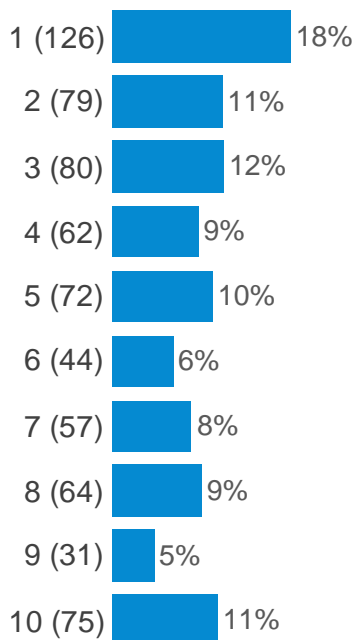
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Neglected/derelict properties)**



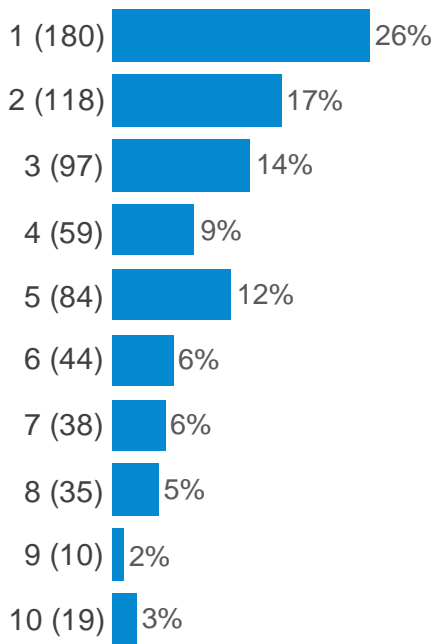
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Nuisance from parking)**



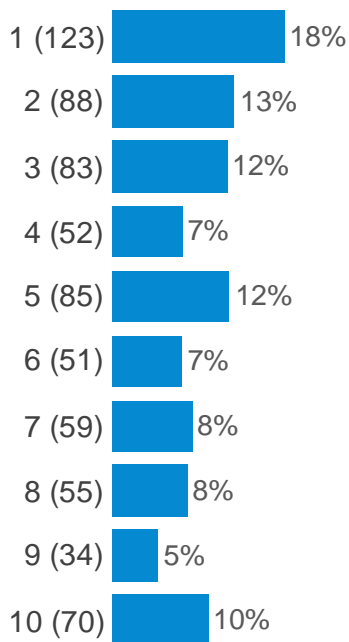
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Fly tipping)**



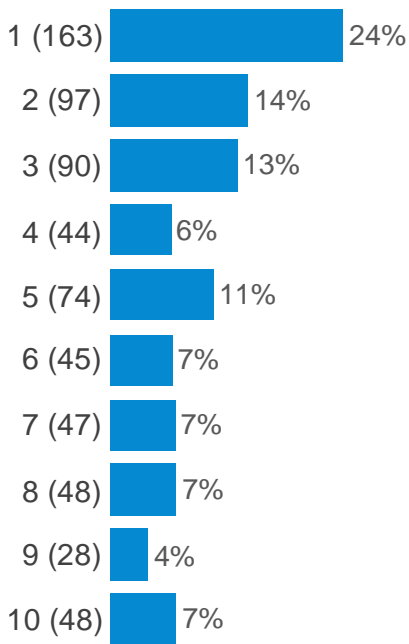
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Nuisance from neighbours)**



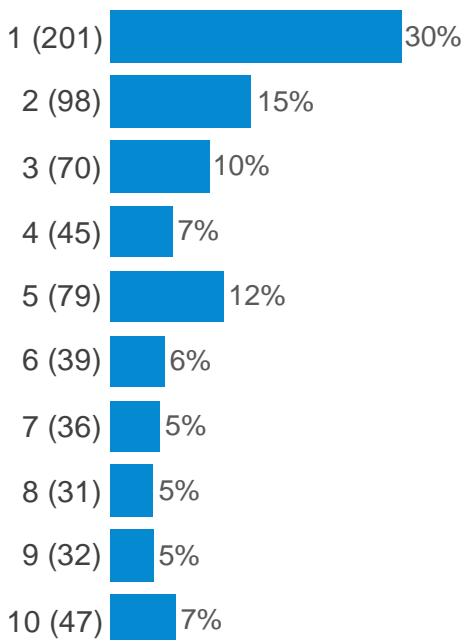
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Litter)**



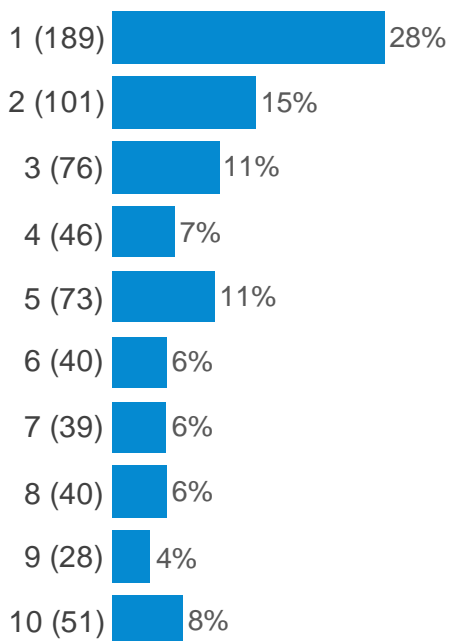
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Use of/drug dealing or drug related crime)**



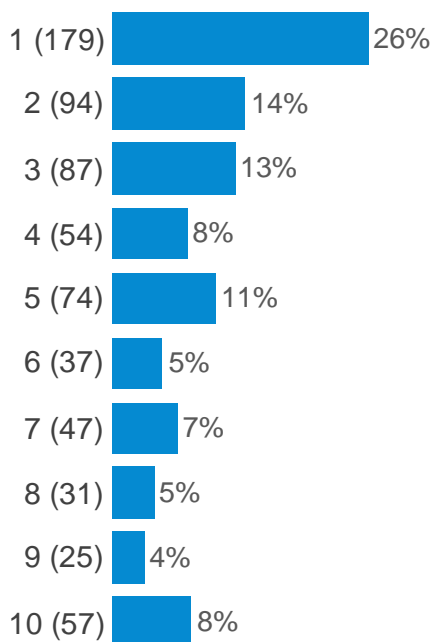
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Fighting and/or use of weapons)**



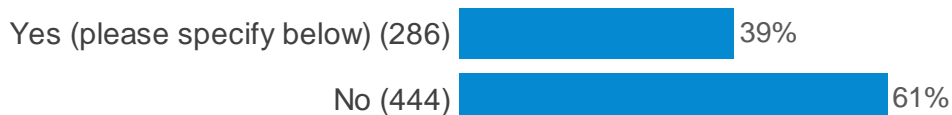
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Gangs gathering on streets)**



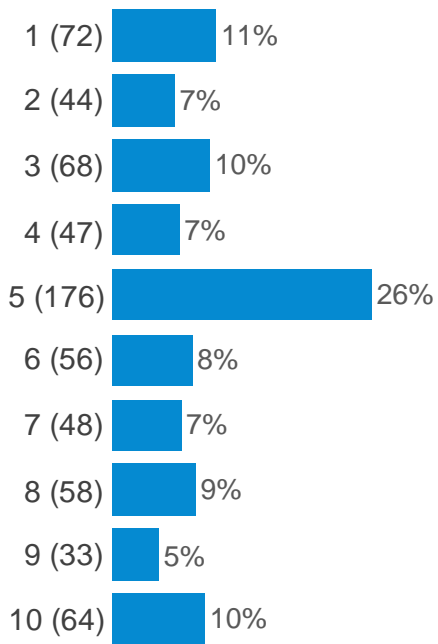
**On a scale of 1 to 10, where 1 is not at all a problem and 10 is a major problem, to what extent do you believe the following are problems in Croydon?  
(Please tick only one per row) (Pest and vermin issues)**



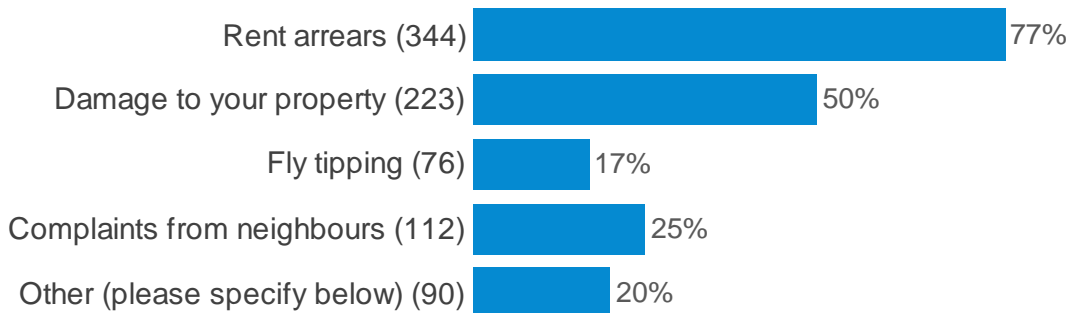
**Have you ever experienced or witnessed any anti-social behaviour in Croydon?**



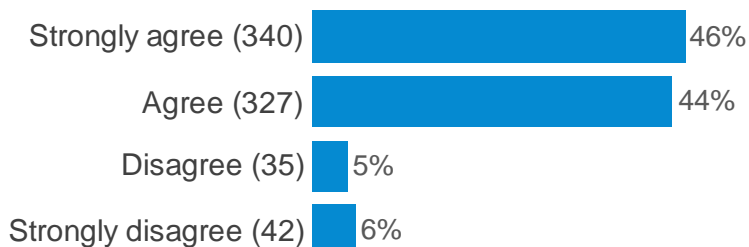
**On a scale of 1-10 where 1 is not a problem at all and 10 is a major problem, how effective do you think Croydon Council is in dealing with nuisance and anti-social behaviour? (Please tick one only) ()**



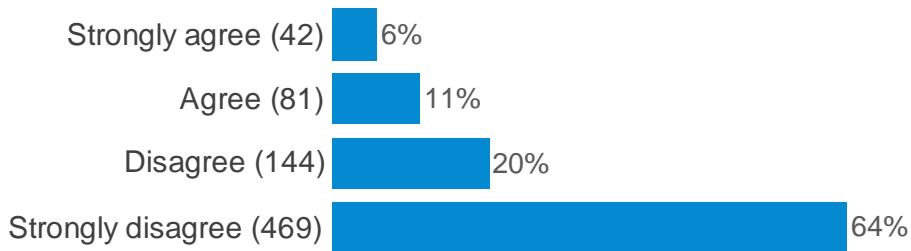
**In your experience, have you had any of the following problems with your tenants for any of the following reasons? (please tick all that apply)**



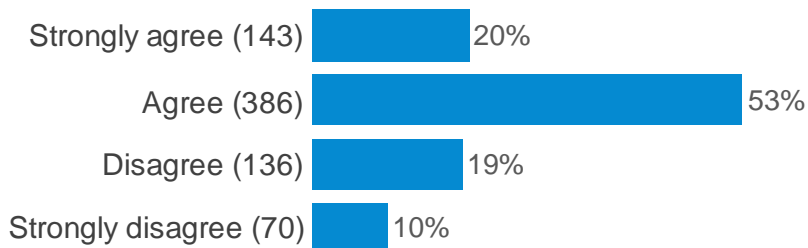
**To what extent do you agree or disagree with the following statements? (Croydon council should intervene in areas suffering from anti-social behaviour)**



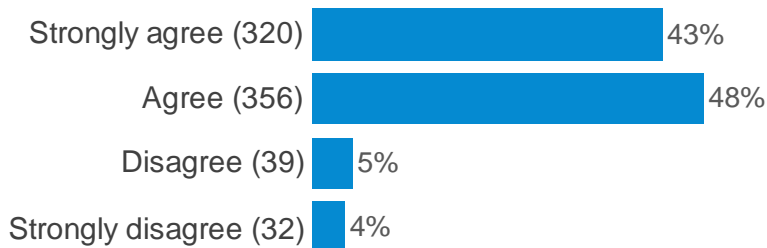
**To what extent do you agree or disagree with the following statements? (Selective licensing can have a positive impact on private rented housing in Croydon )**



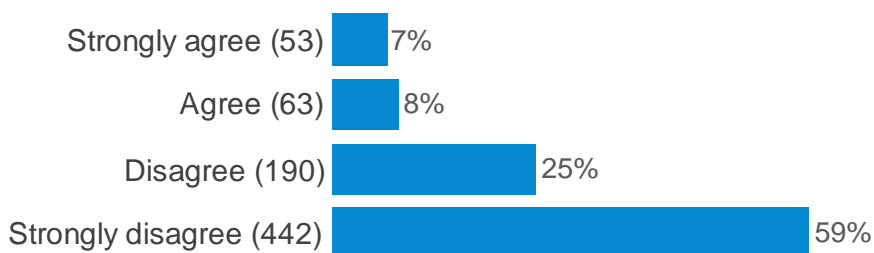
**To what extent do you agree or disagree with the following statements? (Poorly maintained properties and/or ineffectively managed tenancies contribute to the decline of the area)**



**To what extent do you agree or disagree with the following statements? (Landlords have a responsibility to have satisfactory management arrangements, which will include obtaining references for prospective tenants)**

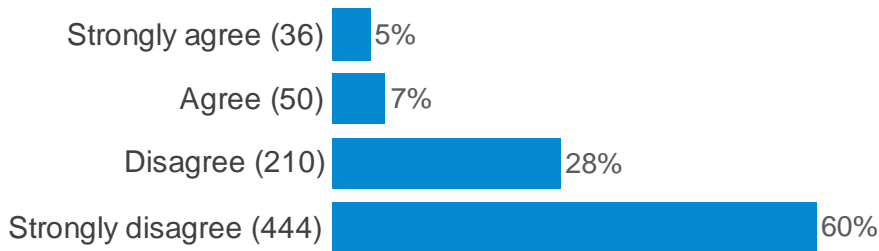


**To what extent do you agree or disagree with the following statements? (Selective licensing will ensure that all privately rented properties are well maintained and managed)**

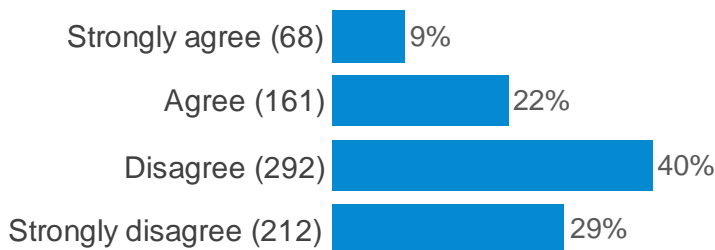




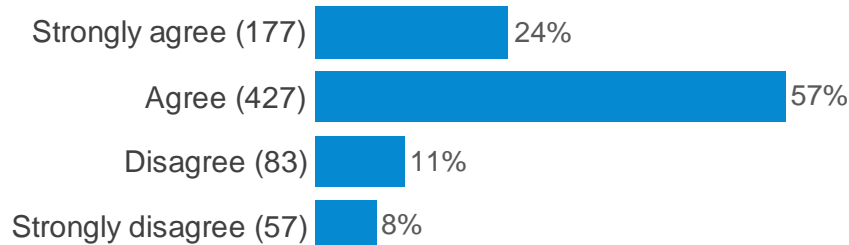
**To what extent do you agree or disagree with the following statements? (Selective licensing will help reduce anti-social behaviour )**



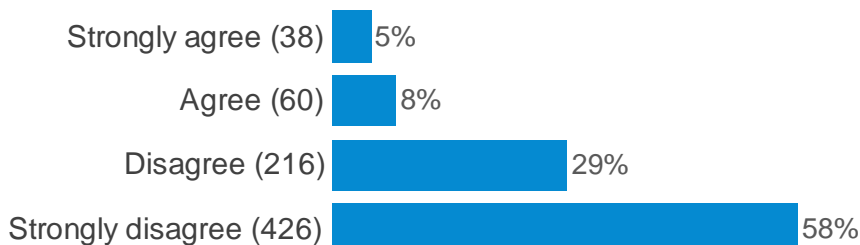
**To what extent do you agree or disagree with the following statements? (Landlords currently have problems getting accurate and honest references for prospective tenants)**



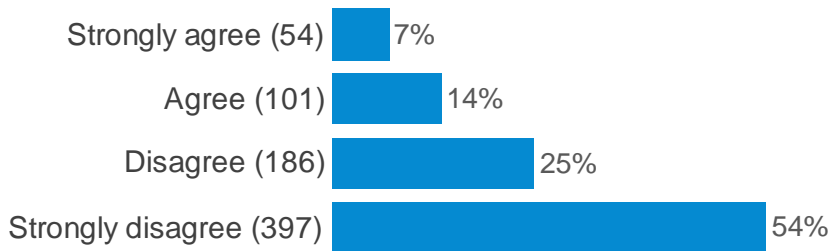
**To what extent do you agree or disagree with the following statements? (Landlords should take reasonable action to tackle any nuisance or anti-social behaviour connected with their property)**



**To what extent do you agree or disagree with the following statements? (Selective licensing will help make areas more attractive to potential renters, and so increase rental values and property prices)**



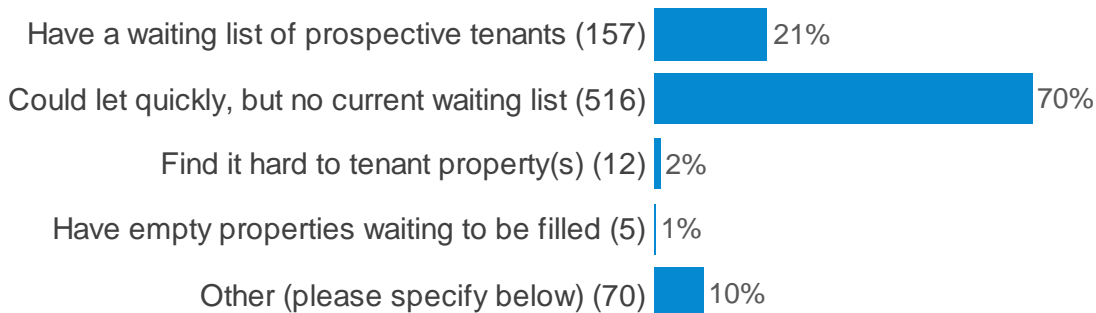
## To what extent do you agree or disagree with the following statements? (Croydon council should designate areas for selective licensing)



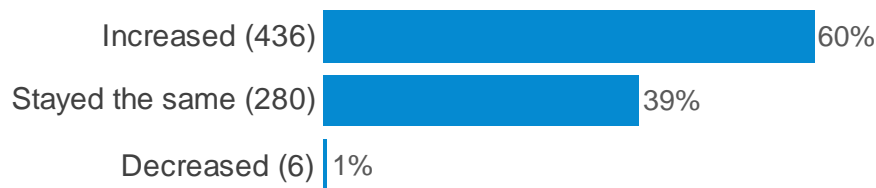
## Do you typically request references for prospective tenants?



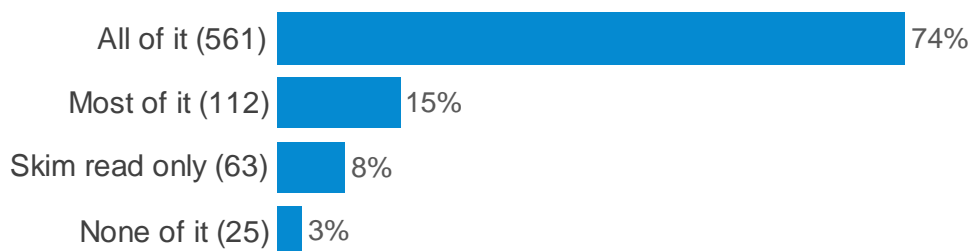
## What is the demand for your property(s)?



## Has the demand for properties over the last two years.....? (please tick one only)

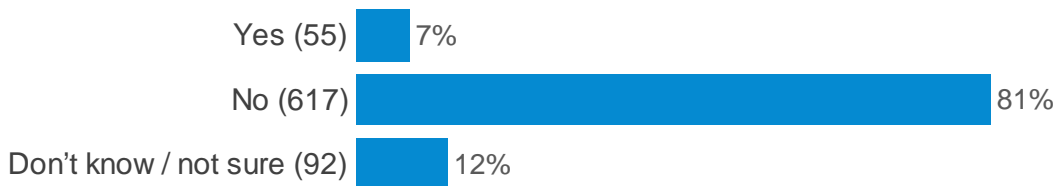


## How much of the information leaflet did you read?

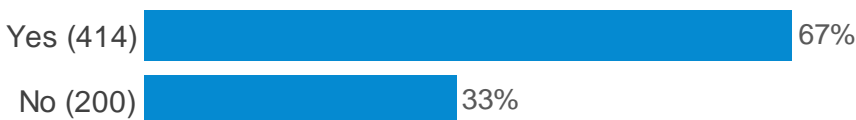


Local authorities can choose to require landlords to obtain a license before they can rent out their properties. This gives them the ability to offer support to landlords as well as determining who and where landlords are, and powers to improve management and environmental standards. This is called “selective licensing”.

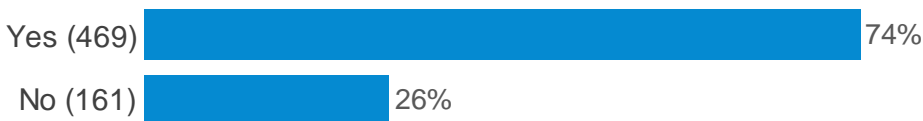
Would you support the introduction of selective licensing in the borough of Croydon?



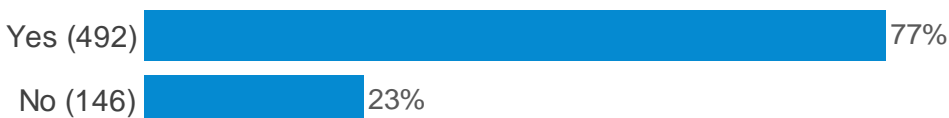
If selective licensing went ahead, what factors should be taken into consideration when determining the fees? (please tick as appropriate) (Discount for membership of relevant landlord association)



If selective licensing went ahead, what factors should be taken into consideration when determining the fees? (please tick as appropriate) (Discount for multiple properties in Croydon)



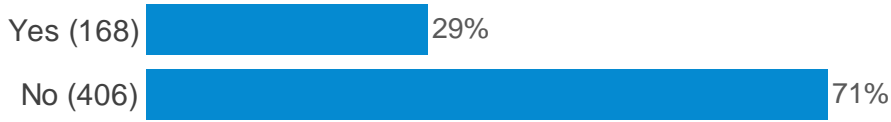
If selective licensing went ahead, what factors should be taken into consideration when determining the fees? (please tick as appropriate) (Discount for early submission of full application)



If selective licensing went ahead, what factors should be taken into consideration when determining the fees? (please tick as appropriate) (Penalty for submissions that are incomplete (e.g. no supporting evidence, etc))



**If selective licensing went ahead, what factors should be taken into consideration when determining the fees? (please tick as appropriate) (Penalty for submissions after the effective commencement date)**





**National Landlords Association:**

*Response to Croydon Council proposal for Selective Licensing*

*October 2014*

1. The National Landlords Association (NLA) exists to protect and promote the interests of private residential landlords.
2. Representing more than 60,000 landlords from around the United Kingdom and working with over 100 Local Authority, we provide a comprehensive range of benefits and services to our members and councils which raise standards within the private rented sector.
3. The NLA seeks a fair legislative and regulatory environment for the private rented sector while aiming to ensure that landlords are aware of their statutory rights and responsibilities.

### **Overview**

4. The National Landlords Association (NLA) would like to thank Croydon Council for providing the opportunity to comment on the proposal for selective licensing.
5. The ability to introduce Licensing is a powerful tool. If used correctly by Croydon Council it can resolve specific issues. The Council has misrepresented the NLA in documents by saying that we oppose all licensing schemes. This is untrue and should be corrected. The NLA has supported many Local Authorities when the introduction of a licensing scheme has been introduced, when it is proportionate as it will benefit landlords. we object to schemes that are badly thought out, are detrimental and damaging to landlords or tenants.
6. The legislation in relation to Selective Licencing clearly states that the introduction of licencing has to be evidence based. This is either through anti-social behaviour or low housing demand. The evidence that is presented does not support the introduction based on anti-social behaviour or low demand.
7. In terms of reduced ASB it should be pointed out that landlords and agents can only enforce a contract they cannot manage behaviour (ref: House of Commons briefing note SN/SP 264 paragraph 1.1). Many landlords tackling ASB will serve a section 21 notice rather than a section 8 notice. The former is simpler and cheaper and repossession (at present) more certain. No reason needs be given for serving a section 21 notice and the perpetrator tenant can then hypothetically approach the local authority for assistance to be re-housed (ref: Homelessness Guidelines cl 8.2). The issue of ASB will thus not appear as a factor in the repossession. The document should thus clarify for respondents the position of the parties under Landlord and Tenant law.
8. At no point in the document does the Council illustrate their argument for selective licensing with examples of cases where a landlord has refused to engage with authorities after being approached and made aware that there is an issue to be investigated in relation to that landlord's tenants. In this respect the Council has relied purely on a quantitative statistical approach which, it is submitted, is wholly inappropriate for this consultation process as it does not empower participants to give truly informed responses.
9. Following the judgment from the judicial review of Thanet Councils introduction of Selective Licensing the question how much resources will the council be putting in per year of the licensing proposal,

- a) What additional resources will the council be committing to tackle anti-social behaviour as licensing alone will not resolve the issues – Thanet Council incurred a cost of £500,000.00
10. We also wish to understand how the council believes increasing the cost of those who live in the private rented sector will improve the opportunities within Croydon.
11. In the Government procedural document - 'Approval steps for Additional and Selective Licensing Designation in England', it states that in order to apply for Selective Licensing a local housing authority *"will have to show how such a designation will be part of the overall strategic borough wide approach, and how it fits with existing policies on Homelessness, Empty homes, Regeneration and Anti-social behaviour."* **Could you provide the NLA with a copy of this strategy?**
12. **What additional resources will the local authority be allocating for the strategy?**
13. This condition is also highlighted in the 'Explanatory note to Housing Act 2004, paras 26-28', which states: *"In order for a scheme to be approved, such a selective licensing scheme must be shown to be co-ordinated with an authority's wider strategies to deal with anti-social behaviour and regeneration."* **Could you provide the NLA with a copy of these strategies?**
14. One of the dangers of the proposed Selective Licensing scheme could be the costs are passed through to tenants, thus increasing cost for those who rent in an area, along with the cost of the council. Thus increasing costs to Croydon residents especially the most vulnerable. This could be seen as the council increasing the cost of living for residents of Croydon.
15. What actions have the council taken in light of Hemming v Westminster Council case into account, and the European Union Licensing directive on which the case was based in relation to costs? How does the council justify the proposed fee? A breakdown of costs and how the proposed figure was generated would be helpful.
16. Areas that have seen the introduction of selective licensing have seen mortgages withdrawn, (Nat West and RBS), and costs for tenants rise. This will have an impact on tenancies.
17. The use of Selective Licensing which is landlord/property based, will not resolve many of the issues which are caused by tenants – they are tenant based issues. Landlords have limited powers in addressing these as any direct action by the landlord to address issues such as ASB can be stated as being harassment by the tenant.
18. The introduction of Selective Licensing is not a solution in itself; resources need to be allocated by Croydon Council as well. Other councils who have introduced licensing schemes that have not allocated the adequate resources to resolve the problems still have the problems. We have reservations with the proposals as no new resources have been identified.
19. A key concern over the creation of licensing schemes is the question of Croydon Council's resources. It is well known that in this time of austerity, Local Authorities are being asked to do more by central

government with fewer resources. The administration of a Licensing scheme is costly in terms of both officer time and a financial commitment. This is especially true around the additional resources that the council will have to deploy around issues such as anti-social behaviour. The passing of Selective Licensing by Local Authorities too often does not have the support that is required to resolve the issues. With the decisions in Thanet's Judicial Review and Hemming v Westminster Council the NLA would like to know what additional resources have been committed and how they will be paid for.

20. The increase in the activity will increase the demand on the council what provision has the council made and how much additional resources has the council allocated?
21. At a time when Croydon Council is reducing department budgets, we believe that the remaining resources should be allocated to targeted enforcement against the worst, criminal landlords. An example, in 2009 Swansea City and Borough Council spent approximately £272,000 on its mandatory and discretionary licensing schemes (of which approximately £243,000 came from landlords paying the application fee)<sup>1</sup>. This caused a shortfall of £29,000 for the Local Authority and we would argue this money could have been better spent employing additional Environmental Health Officers to target sub-standard and poorly-managed properties. How many additional staff will Croydon be employing and how much additional resources has the council budgeted for per year over the next five years?
22. Leeds City Council through the process of introducing Selective Licensing incurred a cost of around £100k to the tax payers of Leeds<sup>2</sup>. We have already mentioned Thanet Council incurred a cost of £500,000.00. Newham has allocated money from the general fund for enforcement and received money from central government, how much money has the council envisaged will be required for these new services?
23. The introduction of Licensing will require resources to be allocated to the area it to work i.e. tenant information officers, landlord liaison officers, anti-social behaviour staff, community workers and enforcement staff. This will create added cost to Croydon Council which cannot be met through licensing fees. The NLA would be willing to work with the council with the provision of Tenant Information Packs, Assured Short Hold Tenancies, support services for landlords and Green Deal(if and when available) packages to improve the efficiency of the homes in the area. But this would need to be complemented by resources by the council to tackle the issues the council has highlighted.
24. Newham Council have spent an additional £4 million which has resulted in a prosecution rate of 1% of landlords. Is this the best use of money? The London Borough of Newham has registered 20,500 landlords, but has so far only banned 18, and prosecuted 243. A targeted approach such as Leeds and Manchester would be better value for the taxpayer. Especially as Croydon are not putting in additional resources.

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<sup>1</sup> Response from Swansea City and Borough Council on 31 March 2010 to an NLA request under the Freedom of Information Act

<sup>2</sup> <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmcomloc/50/5006.htm#a13>



25. Clarification on the council's policy, in relation to helping landlords when a Section 21 notice is served is required, with the proposed Selective Licensing scheme? It would be useful if the council could put in place a guidance document which would outline the council's position in helping landlords remove tenants who are causing anti-social behaviour.
26. Of even more concern is the fact that the Council has failed to provide a road map on how licensing will interact with other Council policies of renewal in the city. Such a lack of synergy is disconcerting and will further affect investor confidence, potentially destabilising demand to an even greater extent – thus negating any potential positive impact of the policy.

### **Powers/enforcement**

27. Licensing can have a role, but Licensing in itself will not resolve any of the issues posed; the use of enforcement where the law is being broken is required. This requires an allocation of resources; can the council provide a breakdown of resources they will be allocating for the five year period of the license?
28. Croydon Council has many existing powers. Section 57 (4) of the Housing Act 2004 states that a local authority "must not make a particular designation ... unless (a) they have considered whether there are any other courses of action available to them ... that might provide an effective method of dealing with the problem or problems in question". The use of these powers as listed below give a Croydon Council the ability to tackle many of the issues that they wish to overcome in all the parts of the city:
  - a) Use of Criminal Behaviour Orders;
  - b) Crime Prevention Injunctions;
  - c) Interim Management Orders;
  - d) Empty Dwelling Management Orders;
  - e) Issuing improvement notices to homes that don't meet the decent homes standard
  - f) Directions regarding the disposal of waste (for example under section 46 of the Environmental Protection Act 1990);
  - g) Litter abatement notices under section 92 of the Environmental Protection Act 1990;
  - h) Powers under the Noise Act 1996 to serve fixed penalty notices or confiscate equipment (sections 8 and 10);
  - i) The power to require rubbish to be removed from land under section 2 – 4 of the Prevention of Damage by Pests Act 1949.
29. The current threshold from which complaints can be generated that can be classified as anti-social behaviour is low. This would allow for the nuisance of one person to be classified as antisocial behaviour, this includes someone reading the bible out in the street. The introduction of selective licensing will result in tenancies being at risk. The options available to landlords are quite limited, if a tenant is deemed to be anti-social.
30. With references required for tenancies and the threshold being reduced this could lead to delays for prospective tenants, along with people having difficulty getting a tenancy. Could you provide the equalities and diversity assessment that the council has undertaken into referencing? What

communication has the council had with RSL's being able to provide referencing along with social housing providers that neighbour Croydon?

31. In relation to fly tipping incidents reported are not specifically related to private rented residential property.

Thus it has to be asked:

- How many of the above actions involved landlords in Croydon (given that such action would only be taken against a landlord as a last resort where that landlord had ignored approaches from the council's enforcement team)?
  - How many actions were taken against tenant perpetrators of fly tipping ASB and what were the outcomes if any, of such action?
  - How many incidents were not investigated and thus cannot actually be linked to the private rented sector?
  - How many ASB reports were investigated and the outcome was either a resolution or the report was not substantiated?
  - Is the estimated cost of enforcement and the non-recouping of this cost through fines a factor in the decision to make landlords bear the burden of policing a social phenomenon such as ASB?
32. Signs of obvious and serious exploitation by unscrupulous landlords of financially vulnerable and often immigrant tenants were plainly visible in Newham (for e.g. – "beds in sheds"). This was exacerbated by the particular nature of the London housing market. These problems necessitated the designation of the **whole** of the borough of Newham as a selective licensing area. Moreover, the Newham scheme was rolled out in conjunction with other allied initiatives which does not appear to be the case with the proposed Croydon scheme. It is submitted that differences such as these should be pointed out to potential respondents to the consultation if areas such as Newham are to be put forward as templates upon which to base the Croydon designation especially as the Newham scheme is very resource intensive.
33. What provision is there for people who are first time renters who will not be able to get a reference? This change proposed by the council will reduce secure tenancies and increase the cost for tenants; it could also increase homelessness (how will they get a reference) with people being unable to secure a tenancy due to references.

### **Processing the license**

34. The paperwork of a License can be reduced; the rationalisation of processing of licensing forms needs a review. The requirement to complete a form for each property needs to be reviewed. The process can be simplified along with costs that are incurred by Croydon Council and to the landlord. We would be willing to work with the Council on how this can be done.
35. One of the many reasons raised by Croydon Council has proposed for the introduction of Licensing is due to litter and fly-tipping. Landlords will outline to tenants at the start of the tenancy their

obligations in relation to waste and what they have to do to comply with in relation to waste disposal. This in many cases this is the waste services provided by Croydon Council, if the tenant does not comply with the waste collection then the tenant is responsible and the Council can take action against the tenant – Licensing is not the appropriate regulation to address this issue.

36. In many situations fly-tipping or excessive litter is due to the tenant not understanding the waste service. The non-collection of waste/recycling by the Council can increase fly-tipping and litter in an area. The non-collection of recycling due contamination within the recycling bin will result in the tenant having to dispose of the recycling/waste; this can lead to fly-tipping or overflowing bins/litter. Neither of these can be resolved through Licensing. What additional resources will the council allocate to resolve this issue as the current resources do not seem adequate?
37. Often when tenants near the end of the contract/tenancy and they are moving out they will dispose of excess waste in a variety of methods, this does include putting it out on the street for the Council to collect. A waste strategy for the collection of waste at the end of term needs to be considered by local authorities which have further education establishments. This is made worse when Council will not allow landlords to access the municipal waste collection points. The council does not have a strategy in place to tackle the problem of waste from housing that is rented out and appropriate waste collection bins provided for the accommodation. The NLA would be willing to work with the council in developing this strategy.

### **Legislation**

38. There are currently over 100 pieces of legislation that a landlord has to comply with. An understanding of the laws that the private rented sector has to comply with can be misunderstood. A landlord is expected to give the tenant a “quiet enjoyment”, failure to do so could result in harassment case brought against the landlord. Thus the law that landlords have to operate within is not fully compatible with the aims that the council wish. A landlord keeping a record of a tenant can be interpreted as harassment.
39. The ability for a landlord to enforce the law against the tenant that is causing anti-social behaviour is through the civil court where the burden of evidence is different to that of a criminal court. Although this is lower, the length of this process will often exceed the period of the tenancy. Why will a landlord continue to prosecute a person who is no longer a tenant? A landlord also risks the tenant causing damage to their property if they start legal proceedings against the tenant. Equally if a landlord has started a process, this will not appear on any council document, thus how will the council expect to measure this? This could cost the council additional resources in management, of landlords sending in letters and correspondents. This will not be able to be recovered within the licensing fee.
40. The introduction of licensing is to tackle specific issues, many of these are tenant related and not to do with the property/landlord. Thus the challenge is for local authorities to work with all the people involved not to just blame one group – landlords. The NLA is willing to work in partnership with Local Authorities and can help with tenant information packs, assured short hold tenancies, Green Deal and accreditation of landlords, along with targeting the worst properties in an area.

41. The NLA would also argue that a problem encompassing a few poorly managed and/or maintained properties would not be appropriately tackled by a licensing scheme which is not proportional. In many situations the council should consider Enforcement Notices and Management Orders. The use of such orders will deliver results immediately – why does the council wish to do this over five years. A targeted approach on a street by street approach, targeting the specific issues and joined up between agencies, the council, community groups, tenants and landlords will have a greater impact.
42. The NLA agrees that some landlords, most often due to ignorance rather than criminal intent, do not use their powers to manage their properties effectively. A more appropriate response would be to identify issues and assist landlords to develop the required knowledge and skills to improve the sector through schemes such as the NLA Accredited Landlord Scheme – a joint approach is required.
43. The NLA would also like to see Croydon Council to develop a strategy that can also include action against any tenants that are persistent offenders. These measures represent a targeted approach to specific issues, rather than a blanket licensing scheme that would adversely affect the professional landlords whilst still leaving the criminal able to operate under the radar.
44. You propose that landlords will need to get references, there are many legal conditions that have to be complied in filling in a reference, and equally you cannot be negative in a reference. Thus many people will not be able to be housed which will increase the costs on the council. Equally will the council be able to provide references for those that were in social housing?

#### **Anti-social behaviour**

45. The NLA would also like to see Croydon Council to develop a strategy that can also include action against any tenants that are persistent offenders. These measures represent a targeted approach to specific issues, rather than a blanket licensing scheme that would adversely affect the professional landlords whilst still leaving the criminal able to operate under the radar.
46. The council admits that it is impossible to directly link all anti-social behaviour to the private rented sector, could the council provide mapping similar to that in the consultation document for social housing and owner occupied to compare and contrast?
47. The data that has been presented does not distinguish between owner occupied, social or private rented. They are based on perception – not evidence? In the same document you claim not to know where all the private rented sector is, thus how can you claim problems emanate from one sector of housing over the other?
48. Could the council provide a breakdown of data relating to anti-social behaviour based on tenure?
49. Could the council provide a breakdown of the ASB? Could this also be sub divided into anti-social behaviour that is housing related?

50. The length of time that a landlord will take to prosecute a tenant and cost if prohibitive to landlords. A course of action that landlords have taken in other areas where Licensing has been introduced which requires referencing is the landlord only granting a short tenancy i.e. 6 months and when a landlord is informed of anti-social behaviour, terminating the tenancy. Thus making tenancies less sustainable.
51. A person who's tenancy has been shortened or expired due to anti-social behaviour but no prosecution has been made would still have a perfect reference. Why would a landlord continue a prosecution of a tenant who has moved out?
52. How will a landlord be able to get a reference from someone who is being housed by a third party i.e. the Home Office (refugee)?

### **Conclusion**

53. We would like clarity on the anti-social behaviour, costs and resources being allocated by Croydon Council. Recent court cases show that the council will have to commit resources and that these need to be targeted to resolve the issues that the council highlight.
54. The proposed consultation document raises enough questions that a judicial review could be raised to challenge the Council.
55. We have submitted several questions which we would like answered prior to the introduction of licensing.
56. The aims of the Council has i.e. removing nuisance, ASB, waste etc. can be achieved through existing legislation that Licencing will not and cannot achieve. The risk of introducing Licencing is likely to increase the costs for those, along with not resolving the problems that the Council wishes to resolve. Thus a more erudite approach to dealing with nuisance and a separate policy to tackle the criminal landlords would be more applicable in resolving the issues.
57. Again, the NLA would like to thank Croydon Council for the opportunity to respond to this consultation and hope you find our comments useful.

By Email: [housing@croymdon.gov.uk](mailto:housing@croymdon.gov.uk)



1 Roebuck Lane,  
Sale, Manchester M33 7SY  
Tel: 0845 666 5000  
Fax: 0845 665 1845  
Email: [info@rla.org.uk](mailto:info@rla.org.uk)  
Website: [www.rla.org.uk](http://www.rla.org.uk)  
Facebook: [TheRLA](https://www.facebook.com/TheRLA)  
Twitter: [@thelandlordman](https://twitter.com/thelandlordman)

Friday 17<sup>th</sup> October 2014

Dear Sir/Madam,

### **Croydon Council Selective Licensing consultation**

I am writing on behalf of the Residential Landlords' Association (RLA), to make representations in response to the Council's proposal to designate a selective licensing scheme in Croydon. We would like to submit in greater detail our Co regulation model, which we feel will be more effective at engaging with landlords and other partner organisations to combat these issues in Croydon. (See Appendix 1) Even if the Selective Licencing scheme does go ahead we would still like to discuss how Co-regulation could operate alongside licencing in Croydon.

The price quoted for a licence, £1,000 per property is excessive. What does the council propose to do with these funds? The following points outline very clearly that licence fees cannot be used for enforcement or other areas of inspection. To charge landlords £1,000 per property, merely to go through applications and grant licences seems heavy handed, and in the face of many consultations from around the country, this is far and away the most expensive scheme.

The RLA objects to the proposed designation, on the following basis:

#### **1. The fee structure and the projected budget may be contrary to the European Services Directives and the ruling of the *Hemming (t/a Simply Pleasure) Limited v Westminster City Council* Court of Appeal case**

The decision of the Court of Appeal in the Westminster Sex Shop Fees case (*Hemming (t/a Simply Pleasure) Limited v Westminster City Council*<sup>1</sup>) has radically altered the landscape so far as fixing fees for regulatory authorisations such as for HMO and selective licensing is concerned.

The court case looked at the way in which the European Services Directive (ESD) operates to curtail the ways in which domestic UK legislation provides for fees to be charged by local authorities to landlords for such licences.

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<sup>1</sup> <http://cases.iclr.co.uk/Subscr/search.aspx?path=WLR%20Dailies/WLRD%202011/wlrd2013-203>

When setting licensing fees the following principles should now apply:

- The Council cannot include the costs of enforcing the licensing scheme against unlicensed landlords in the licence fee. This is prohibited by the ESD.
- A Council can only charge for HMO licensing or selective licensing for :
  - The actual and direct administrative costs of investigating the background and suitability of the landlord applicant; and,
  - The cost of monitoring the compliance by licensed landlords with the terms of their licences.
- Fees must be reasonable and proportionate.
- Under the ESD the fee must not exceed the cost of the authorisation procedures and formalities together with the monitoring costs (for licensed landlords).
- The Council can require an application to be accompanied by a fee fixed by the local authority. This is provided for under the Housing Act 2004 which stipulates that the Council, in fixing the fee, may take into account all costs incurred by the authority in carrying out their licensing functions. Importantly, however, the ESD curtails these powers.
- Surpluses and deficits for previous years in relation to permitted elements for which a fee can legitimately be charged can be carried forward, although this is questionable in the case of a standalone scheme, i.e. for discretionary licensing. Surpluses and deficits cannot be carried forward in respect of elements which are not properly chargeable.
- Fees can only cover the actual cost of the application process (plus monitoring); i.e. only the cost of processing the application and monitoring can be charged.
- Set up charges for the scheme cannot be recovered.
- Overheads and general administrative costs cannot be recovered. This means that the running and capital costs of the relevant council department cannot be charged as part of the fee.
- Fees can only be charged for the procedures themselves; i.e. steps which are followed in processing the application for a licence or for its renewal (plus monitoring of the licence holder) which means that the administrative costs involved for vetting applications and for monitoring compliance with licence terms.
- The Council is not allowed to make a profit.

- A formula can be used to set charges so long as it is based on the cost of the actual authorisation process (plus monitoring costs).

The Council must act lawfully and in accordance with any guidance given to it by the Court as to how the fee is to be determined. If it is necessary as a result for the Council to re-determine a fee then the same principles apply in relation to the re-determination.

Furthermore, it was always clear that costs associated with enforcing the Housing Health and Safety Rating System which operates alongside licensing could not be recovered via licensing fees.

A number of local authorities charge extra fees if an application is submitted late. This has always been highly questionable as a disguised penalty but it would appear that this would now be largely outlawed by the ESD. Discounted fees are often allowed for early applications. It may now have to be shown that the normal application fee is no more than the actual processing cost so that fees for an early application would have to be genuinely discounted.

It should also be noted that any element of the fee that cannot be recovered must fall on the Council Tax payer, i.e. the Council's general fund; not the general body of licensed landlords.

The ESD also deals with the time to be taken in processing applications. It requires local authorities to publically state the time to be taken to process the application. There is provision for extending the time limit in a case involved complexity. Subject to this if the authority failed to process the application within the stated time then the applicant can automatically assume that the application is granted.

Finally, should Croydon Council chose to ignore the ESD and implement selective licensing scheme[s] in the borough based on a proposed budget that does not adhere to the ESD, any impermissible overcharge can be recovered by way of a claim for restitution. The time limit for such a claim is six years and the normal three month time limit which applies to judicial review does not apply in this instance. As part of the process the Council may have to re-determine what is a reasonable charge in line with any guidance given by the Court. The amount overpaid will then have to be calculated. Giving credit by way of carry forward does not apply to an impermissible overcharge so it has to be refunded. Interest is payable in addition.

## **2. Selective licensing is ineffective at reducing incidents of anti-social behaviour**

Landlords are not responsible for the behaviour of their tenants, and attempting to impose a licensing scheme on them to resolve anti-social behaviour will not work.

As a House of Commons briefing note recently stated, "As a general rule, landlords are not responsible for the actions of their tenants as long as they have not 'authorised' the anti-social behaviour. Despite having the power to seek a court order for eviction when tenants exhibit anti-social behaviour, private landlords are free to decide whether or not



to take action against their tenants. The question of whether a landlord can be held liable for the nuisance of its tenants has been considered in a number of cases.”<sup>2</sup>

The paper continues, “It is established that no claim can be sustained in nuisance where the nuisance is caused by an extraordinary use of the premises concerned, for example by the tenants being noisy or using drugs on the premises. The rationale behind this approach is that it is up to the victim of the nuisance to take action against the perpetrator. To found an action in negligence against a landlord the victim must show that there has been a breach of a duty of care owed by the alleged perpetrator.”

The briefing paper also notes the court decision of *O’leary v London Borough of Islington*<sup>3</sup> case, in which, “...it was held that a term to enforce nuisance clauses could not be implied into a tenancy agreement. This indicates that landlords cannot be sued for breach of contract unless there is an express term in the tenancy agreement that obliges him or her to “take all reasonable steps to prevent any nuisance”. Even where such a clause exists, the courts have been reluctant to find the landlord in breach.”

### **3. Denigrating the area/mortgage loans**

One of our main concerns (and a reason for our opposition in principle to selective licensing) is that it involves drawing a red line around an area and telling the residents of that area but more importantly the wider world that this is a “problem” area. As a result mortgage companies will not to make loans on properties located in selective licensing areas. Although you are proposing to introduce selective licensing in 6 areas across the Borough, this will simply drive landlords into other parts of Croydon as Landlords look to buy in areas where they can get a mortgage and not have the pressure of having to manage the behaviour of their tenants.

As there is such a demand for housing in general from those tenants who would normally live in social housing there will still be demand from these tenants in other parts of the London not just those that are in Croydon. Demand is high for low rental accommodation in the private rented sector all over the country due to the wider problem of housing shortages and chronic housing waiting lists. Selective licencing will not solve this problem by curbing ASB in one area. If landlords are to eventually evict recurrent ASB offenders – where will they then go? The Council needs to look at the causes of ASB and the offenders *not* the landlords who take the risk to let their accommodation to them.

### **4. Displacement effect**

We believe that there is a very real likelihood that those who are excluded from the area as a result of these measures will simply be displaced into other areas and that the problems which the Council say are apparent in this area will be transferred elsewhere to the detriment of the residents of those areas.

### **5. Outcomes**

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<sup>2</sup> “Anti social neighbours in private housing” (2013) House of Commons Library, p.3, para.1.1. [SOURCE: <http://www.parliament.uk/briefing-papers/SN01012>]

<sup>3</sup> Anti social neighbours in private housing” (2013) House of Commons Library, p.3, para.1.1. [SOURCE: <http://www.parliament.uk/briefing-papers/SN01012>],

The proposal document fails to specify what the desired outcomes of selective licensing are in these areas with clarity. No targets or objectives are set other than generalised ones. There are no figures or forecasts of how much the scheme will cost to operate.

## **6. Monitoring**

Not only are no outcomes specified but there is no suggestion of any kind of effective monitoring for the success or otherwise of the scheme. In relation to selective licensing scheme in Leeds we worked closely with officers of Leeds City Council to put in place monitoring agreeing with them on various measures for example, improvements in property values and increases in rental levels. They put in place a control area which was the most appropriate area to monitor the same measures to give some idea of the achievements as a result of selective licensing. If the Council has ambitions to extend selective licensing unless there are proper defined outcomes and monitoring it would seem hard to justify an extension if you failed to measure the effectiveness of the current proposals should they be implemented.

## **7. Resources and other measures**

It is well recognised that selective licensing will only work where there is some *intense* application of resources from external agencies including the Council itself. You talk of existing schemes in relation to anti-social behaviour reduction but if these are in place already will selective licensing itself add anything extra? We believe not, other than to superimpose an expensive bureaucracy.

## **8. The RLA has a number of general concerns about mandatory licensing**

The RLA has several areas of concern in regards to selective licensing, namely;

- i. Worrying trends are emerging in the case of discretionary licensing. Licensing entails a huge bureaucracy and much time, effort and expense is taken up in setting up and administering these schemes; rather than spending it on the ground and flushing out criminal landlords.
- ii. Increasingly, discretionary licensing is being misused to fund cash strapped housing enforcement services. The recent Westminster sex shop Court of Appeal (*Hemming (t/a Simply Pleasure) Limited v Westminster City Council*) has brought such funding into question (see paragraph 1).
- iii. Discretionary licensing is not being used for its intended purpose of a short period of intensive care; rather it is being used by the back door to regulate the PRS.
- iv. The level of fees which are ultimately passed on to tenants to pay is a major worry so far as it affects landlords.

- v. Despite high fee levels local authorities still lack the will and resources to properly implement licensing.
- vi. Little has been done to improve property management. Opportunities to require training have been ignored. As always it has become an obsession with regard to physical standards with very detailed conditions being laid down. No action is taken against criminal landlords.
- vii. We believe that a significant number of landlords are still operating under the radar without being licensed.
- viii. As always it is the compliant landlord who is affected by the schemes. They pay the high fees involved but do not need regulation of this kind.
- ix. Licensing is not being used alongside regeneration or improvement of the relevant areas. Insufficient resources are being employed to improve the areas.
- x. Where areas are designated for selective licensing this highlights that they can be “sink” areas. This could well mean it would be harder to obtain a mortgage to buy a property in these areas.
- xi. Schemes are not laying down clear objectives to enable decisions to be made whether or not these have been achieved. Proper monitoring is not being put into place to see if schemes are successful or not.
- xii. There is little use of “fit and proper person” powers to exclude bad landlords.

The RLA looks forward to hearing back from Croydon Council regarding the decision on these proposals. As an Association we would welcome any chance to work with the local council to engage with landlords or co-ordinate with schemes or future plannings from the council.

Yours faithfully,

**William Keunen**

Communications & Policy Officer  
Residential Landlords' Association  
Email: [william.keunen@rla.org.uk](mailto:william.keunen@rla.org.uk)

## **Appendix 1**

### **RLA Proposal for a Co Regulation model in Croydon areas, as opposed to Selective Licensing**

The RLA believes that to improve management and stock quality in the private rented sector a new regulatory regime is needed. A new regime would comprise self-regulation and statutory enforcement operating together in a complementary way. The new regime would be a partnership between the private and public sectors with an emphasis on the private sector operating industry self-regulation, and the public sector enforcing against the persistently non-compliant.

#### **Enforcement in the PRS**

The RLA acknowledges the need for increased professionalism in the PRS and much of the RLA's work, including training, advice and educational services is focused on this.

The RLA believes that improved standards of professionalism would be best achieved through a new regulatory regime that is weighted in favour of industry self-regulation complemented by targeted statutory enforcement by local authorities.

There needs to be a cultural shift to ensure that local authority enforcement is based on "worst case first". At present the reality is that local authorities concentrate their efforts on the better compliant landlords while the non-compliant largely evade their attention.

#### **The Self -regulation model**

Enough legislation exists to effectively control the PRS. What is required is an effective system of 'smart enforcement' that allows local authorities and other agencies to concentrate their efforts on targeting the criminals and poor quality landlords that operate within the system, with robust self-regulation for the complaint.

Our proposed self-regulation model would need to have two key elements to it:

1. All landlords should have the opportunity to join a self-regulation so long as they meet the minimum joining criteria, this could include a Croydon Landlords Accreditation Scheme.
2. There should be a partnership protocol between the local authority and each scheme operator whereby if a local authority found a problem with an approved self-regulating

landlord, then in the first instance the problem would be referred for remedy, to the scheme operator, this could be the RLA. In the unlikely event that the landlord did not remedy the problem then they would lose their self-regulatory status and the case would be referred back to the local authority for enforcement action.

It is practical to build on existing accreditation schemes. We would recommend trying this first rather than just imposing selective licensing. Then we would envisage that this scheme could be incorporated into a Co regulated model and that the RLA could support Croydon Council in recruiting more Landlords with a robust marketing strategy and take away the administrative cost and burden by managing the online accreditation package, similar to the model that we run in Leeds.

RLAAS (Residential Landlords Association Accreditation Scheme) is a ready-made vehicle that Croydon Council could use to introduce Co regulation. RLASS will focus on the running and administration as well as recruiting new landlords and facilitating forums and events leaving Croydon Council with more capacity and resource to target non-compliant landlords.

### **Partnership approach; Co – regulation as a basis for self-regulation**

Leeds City Council has seen a positive impact on the PRS by focussing intense resource in carefully targeted areas. This, with commitment from professional bodies such as the RLA, Leeds Accreditation Scheme, Fire and Police services, Leeds City Council and other non-member Landlords, has seen ASB decrease and standards rise.

What we envisage is a partnership approach with accreditation schemes operating alongside local authority enforcement and where necessary local authorities would be able to obtain information about accredited landlords. Further, in order to enhance accreditation, each accreditation scheme would be required to have at least one independent environmental health officer attached to the scheme to advise on standards to ensure that a professional approach was adopted by the scheme. This would be an important safeguard.

### **What will be the cost of Co-regulation?**

The cost of accreditation within the co regulation model for the landlord will depend on the level of membership chosen by the Landlord. There could be a 'Standard Membership' and an 'Enhanced Membership'. It is difficult at this stage to estimate what an accurate cost would be to Croydon Council given that we aren't aware of what types of measures and resources from RLASS that you would require. However, a membership fee (circa £75.00 a year) compared to a £1,000 licensing fee per property is likely to be more attractive to Landlords and as a result SCC would not have to as heavily subsidise a less effective accreditation scheme as they do currently. We do know from reports from Leeds City Council that accreditation when done properly is more effective and definitely cheaper than Selective Licensing.

## **Maintaining Current Standards**

Our proposals should not be seen as watering down the current standards. As is pointed out elsewhere, members of accreditation schemes would be expected to observe the same legal and regulatory requirements as apply to all landlords. Rather than any softening of control accredited landlords would be expected to be the more professional and responsible landlords who operated well managed properties.

There would, of course, be pre-entry vetting before landlords were allowed to join accreditation schemes and members of accreditation schemes would be expected to undergo training, as well as the requirement to keep up to date with developments affecting the Private Rented Sector. Probationary membership would be possible.

In this way accreditation would act as a positive spur to improve professionalism in the Sector. Accreditation status provides good landlords with a market advantage.

Accreditation also helps tenants to choose a good landlord and assists local authorities with their strategic housing function of facilitating the provision a good quality local PRS.

## **What would happen if the accredited landlord defaults?**

Accreditation schemes would be required to adopt a complaints and disciplinary system. If an accredited landlord's conduct was such that he/she should not be accredited then accreditation would be revoked and that landlord would be subject to local authority enforcement. Further, in the event of a very serious situation, it would be appropriate for the local authority to take direct enforcement action even where a landlord is accredited.

The regulatory function of accreditation is made effective by (1) the vetting of landlords prior to their becoming accredited (2) a complaints investigation and disciplinary procedure that will result in landlords losing their accreditation if they do not comply with the scheme. Defaulting accredited landlords would be required under scheme rules to pay the resulting costs incurred by the scheme.

## **Adoption**

Under our proposed scheme the local authority would agree not to use their enforcement powers in the first instance if an accredited landlord is found to be non-compliant. Instead, refer the non-compliant landlord would be referred to the accreditation scheme operated who would affect remedial action. The local authority does not lose any enforcement powers. Rather they simply agree not to use them. The local authority could retain the right to take enforcement action against the adopted out accredited landlords in certain exceptional circumstances.

The exceptions to the rule could be:-

- (1) Imminent risk to health and safety.
- (2) Really serious management neglect.
- (3) Persistent serious breaches.
- (4) Clear evidence that landlords commitment to self-regulation is a sham

Any non-compliance with housing legislation by an accredited landlord would in the first instance be dealt with by the accreditation scheme's procedures; not a local authority enforcement action. Exceptions to this rule would apply as outlined above in which case local housing authority enforcement action would take priority over the accreditation scheme's own procedures.

### **How the new Scheme would work**

1. Development of Accreditation Schemes as self-regulatory bodies. This would include any existing schemes and further schemes, including potentially national schemes, e.g. operated by landlord associations.
2. All landlords could join an accreditation scheme so long as they met the minimum criteria. This would include pre-entry vetting. This essentially will ensure that the better landlords joined and provide a barrier to entry for those for whom the self-regulatory model was not appropriate.
3. The same laws and requirements would apply to all landlords, whether or not they were members of an accreditation scheme.
4. Accredited landlords would be subject to statutory licensing if this proceeds but accreditation scheme members would be opted out of further local authority regulatory control; although on an individual basis landlords could opt back in if they wished. On cessation of membership of an accreditation scheme, the landlord would automatically be opted back in to the local authority control.
5. Each accreditation scheme would operate a complaints and disciplinary system. The ultimate sanction for non-compliance would be expulsion from the scheme which would lead to automatic re-entry into the local authority enforcement regime.
6. There would be protocols between the local authority and the accreditation schemes to deal with their relationship (e.g. to deal with complaints received by a local authority in respect of an opted out landlord).
7. Accreditation schemes could provide higher standards but would not impose lower requirements than the legal minimum under the housing legislation.
8. Each accreditation scheme would have to have a consultative independent environmental health officer to advise them.
9. Provision could be made for tenants, the local authorities and other stakeholders to be involved in the oversight of accreditation bodies.
10. This then frees up more resources within the Local Authority for the high level enforcement task of pinning down the worst non-compliant landlords.

## **Co regulation on a National and Regional Level**

The RLA are developing the policy of Co Regulation in the hope that other Local Authorities will see the benefits of raising standards through this method and co regulation will prove to be a viable alternative to Selective Licensing nationwide. We believe that in order to see real benefits and raise professionalism in the PRS a uniform co regulation approach is needed. One of the unique benefits of a system of co regulation and working with a Landlord association like the RLA who could manage the online admin through RLAS is that the ability to operate across Council boundaries saves costs for Landlords who may have properties across council boundaries and costly duplication of licensing schemes for Councils. Croydon Council could be pioneering in working with the Co regulation model, alongside other cities such as Leeds. Please note that two main cities in the North with big student and immigrant populations, Manchester and Leeds have both run Selective Licensing schemes and have reverted back to accreditation as they found that this more effective and less costly.

If rolled out on a national or even regional scale (initially piloted in the North West for example), the RLA would support a brand such as a 'Trust Mark' or 'Kitemark' as an initiative for accredited Landlords.

### **More Information**

The Residential Landlords Association Accreditation Scheme (RLAAS) is a national scheme operating throughout England and Wales. All private sector landlords who own residential properties for rent in England and Wales are eligible to apply for an RLAAS membership.

You can find out more about RLASS here - <http://www.rlaas.co.uk/>

Leeds Landlord Accreditation Scheme (LLAS) is a voluntary scheme that private residential landlords are encouraged to join by Leeds City Council

You can find out more about the Leeds Accreditation Scheme here - <http://www.leedslas.co.uk/>



We want to hear your views about a proposed selective licensing scheme of private landlords in Croydon.

As a thank you for participating, you will be entered into a prize draw to win one of three prizes of Marks & Spencer's gift vouchers. The 1st prize is £100 in vouchers, 2nd prize of £50 in vouchers and a 3rd prize of £25 in vouchers.

So just to start, can you please read the background information on this **SHOWCARD**.

Q1 Which of the following best describes you? **TICK ALL THAT APPLY**

- A resident of Croydon  An agent managing properties in Croydon  
 A landlord with properties in Croydon  Other (please specify below)

Q2 How long have you lived in Croydon?

- Less than 6 months  1-2 years  5-10 years  
 6-12 months  2-5 years  More than 10 years

Q3 How long have you been a landlord or management agent in Croydon?

- Less than 6 months  1-2 years  5-10 years  
 6-12 months  2-5 years  More than 10 years

Q4 **IF LANDLORD OR AGENT:** Using **SHOWCARD 1**, which area(s) of Croydon do you have or manage properties in?

- |                                                         |                                        |                                                       |
|---------------------------------------------------------|----------------------------------------|-------------------------------------------------------|
| <input type="checkbox"/> Addiscombe                     | <input type="checkbox"/> New Addington | <input type="checkbox"/> South Croydon                |
| <input type="checkbox"/> Broad Green & Selhurst         | <input type="checkbox"/> Norbury       | <input type="checkbox"/> South Norwood & Woodside     |
| <input type="checkbox"/> Coulsdon                       | <input type="checkbox"/> Purley        | <input type="checkbox"/> Thornton Heath               |
| <input type="checkbox"/> Croydon Centre                 | <input type="checkbox"/> Sanderstead   | <input type="checkbox"/> Waddon                       |
| <input type="checkbox"/> Crystal Palace & Upper Norwood | <input type="checkbox"/> Selsdon       | <input type="checkbox"/> Other (please specify below) |
| <input type="checkbox"/> Kenley & Old Coulsdon          | <input type="checkbox"/> Shirley       |                                                       |

Q5 Which of the answers on **SHOWCARD 2** best describes your housing tenure?

- Owned outright
- Buying on mortgage
- Rented/Leased from Council
- Rented from Housing Association / Trust
- Rented from private landlord
- Living with family or friends
- Other (please specify below)

Q6 On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon?

	1	2	3	4	5	6	7	8	9	10	Don't know
Noise	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Neglected/derelict properties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Untidy gardens	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Fly tipping	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Nuisance from neighbours	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Pest and vermin issues	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q7 On a scale of 1 to 10, where 1 is not at all effective and 10 is totally effective, how effective do you think Croydon Council is in dealing with anti-social behaviour?

- 1      2      3      4      5      6      7      8      9      10      Don't know
- 

Q8 Thinking about privately rented properties you know of in your area, have you been affected by or witnessed anti-social behaviour relating to these properties?

- Yes, affected by       No       Unaware of private rented properties in my area
- Yes, witnessed       Don't know

Q9 Still thinking about privately rented properties you know of in your area, do you think they are maintained to a good standard?

- Yes       Don't know
- No       Unaware of private rented properties

Q10 Thinking about the private landlords or their agents you know of in your area, and using **SHOWCARD 3**, to what extent would you say they act responsibly in letting, managing and maintaining their properties?

- All private landlords/agents       None or very few private landlords/agents
- Most private landlords/agents       Don't know
- Some private landlords/agents       Unaware of private rented properties

**READ OUT:** Local authorities can choose to require private landlords or their agents to obtain a licence before they can rent out their properties. This gives the Council the ability to offer support to landlords as well as identifying who and where landlords are, and powers to improve management and environmental standards. This is called "selective licensing".

Q11 If selective licensing were to be introduced, in order to cover the councils costs of administering the scheme, the Council would need to charge landlords a fee to apply for a licence that would last up to five years. The current proposed fee is £750 to cover up to five years. In simple terms this equates to £150 per year or £2.88 per week.

If selective licensing is implemented, it becomes a mandatory requirement within the Borough, and as the licence fee would then be a mandatory cost to landlords it will be subject to relevant tax relief, which will further lower the actual cost to landlords and the cost which landlords might pass on to tenants.

Using **SHOWCARD 4** to what extent do you feel that £750 for up to five years is a reasonable figure if the scheme were to be introduced?

- Totally reasonable                       Fairly unreasonable                       Don't know / not sure  
 Fairly reasonable                       Totally unreasonable

Q12 **What are the reasons for your answer?**

**READ OUT:** The Council recognises that a licensing scheme represents a cost burden to landlords which might be passed on to tenants. The Council recognises that there are good landlords as well as poor landlords, and wishes to acknowledge this by not treating all landlords in the same manner. Therefore it proposes to offer a fixed fee for licensing which will be discounted for applications received prior to any statutory implementation date. The discounted fee period will be offered in recognition of the fact that good landlords will apply voluntarily, without the need for the Council to pursue them or take enforcement action against them, and that such landlords should be charged less than those who do not voluntarily apply to licence their properties.

Q13 The proposed early application discount fee, for landlords who register within **three** months of the start of any introduction of any scheme, would be £350 to cover five years, equivalent to £70 per year or £1.35 per week.

Based on the discounted fee, to what extent do you feel that £350 for up to five years is reasonable if the scheme were to be introduced? **SHOWCARD 4**

- Totally reasonable                       Fairly unreasonable                       Don't know / not sure  
 Fairly reasonable                       Totally unreasonable

**READ OUT:** Please read the information on **SHOWCARD 5**

Q14 What other reasons or criteria do you think should prevent owners or their property managers from holding a license, if any?

**READ OUT:** Please read the information on **SHOWCARD 6**

- Q15 To what extent would you support the proposal to implement Option 1 - a full borough wide scheme? Would you say you fully support this, partially support this or do not support this at all?
- Fully support  Do not support
- Partially support  Don't know / not sure

- Q16 What impact, if any, do you feel implementing a full borough wide scheme would have on you if it were introduced? Would you say it would have a positive impact, no impact or a negative impact on you?
- A positive impact  A negative impact
- No impact  Don't know / not sure

- Q17 Are there any other comments you would like to add?

**READ OUT:** Now please read the information on **SHOWCARD 7**

- Q18 To what extent would you support the proposal to implement option 2 - a partial scheme? Would you say you fully support this, partially support this or do not support this at all?
- Fully support  Do not support
- Partially support  Don't know / not sure

- Q19 What impact, if any, do you feel implementing a partial scheme would have on you if it were introduced? Would you say it would have a positive impact, no impact or a negative impact on you?
- A positive impact  A negative impact
- No impact  Don't know / not sure

- Q20 Are there any other comments you would like to add?

**READ OUT:** Now please read the information on **SHOWCARD 8**

- Q21 To what extent would you support the proposal to implement option 3 - the voluntary London Rental Standard? Would you say you fully support this, partially support this or do not support this at all?
- Fully support  Do not support
- Partially support  Don't know / not sure

Q22 What impact, if any, do you feel implementing the voluntary London Rental Standard would have on you if it were introduced? Would you say it would have a positive impact, no impact or a negative impact on you?

A positive impact

A negative impact

No impact

Don't know / not sure

Q23 Are there any other comments you would like to add?

**READ OUT:** Now please read the information on **SHOWCARD 9**

Q24 To what extent would you support option 4 - the proposal to do nothing? Would you say you fully support this, partially support this or do not support this at all?

Fully support

Do not support

Partially support

Don't know / not sure

Q25 What impact, if any, do you feel doing nothing would have on you? Would you say it would have a positive impact, no impact or a negative impact on you?

A positive impact

A negative impact

No impact

Don't know / not sure

Q26 Are there any other comments you would like to add?

Q27 Do you have any additional comments about this consultation? The Council is particularly keen to hear any other ideas you may have to address any issues experienced with private rented properties.

**READ OUT:** This last section asks you some questions about yourself so we can fully understand different people's views and experiences.

Q28 INTERVIEWER CODE GENDER

Male

Female

Q29 Using **SHOWCARD 10**, can you please tell me within which age band you fall?

18-24

35-44

55-64

Prefer not to say

25-34

45-54

65 and over

Q30 And using **SHOWCARD 11**, which answer best describes your ethnic background?

- |                                                                                      |                                                         |                                                         |
|--------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------|
| <input type="radio"/> White: English/ Welsh/<br>Scottish/ Northern Irish/<br>British | <input type="radio"/> Mixed: White and Black<br>African | <input type="radio"/> Asian: Other                      |
| <input type="radio"/> White: Irish                                                   | <input type="radio"/> Mixed: White and Asian            | <input type="radio"/> Black: African                    |
| <input type="radio"/> White: Gypsy or Irish<br>Traveller                             | <input type="radio"/> Mixed: Other                      | <input type="radio"/> Black: Caribbean                  |
| <input type="radio"/> White: Other                                                   | <input type="radio"/> Asian: Indian                     | <input type="radio"/> Black: Other                      |
| <input type="radio"/> Mixed: White and Black<br>Caribbean                            | <input type="radio"/> Asian: Pakistani                  | <input type="radio"/> Other: Arab                       |
|                                                                                      | <input type="radio"/> Asian: Bangladeshi                | <input type="radio"/> Other: Other ethnic<br>background |
|                                                                                      | <input type="radio"/> Asian: Chinese                    | <input type="radio"/> Prefer not to say                 |

Q31 And from **SHOWCARD 12**, what is your current working status?

- |                                                        |                                                     |
|--------------------------------------------------------|-----------------------------------------------------|
| <input type="radio"/> Employed (full or part time)     | <input type="radio"/> Unable to work/long term sick |
| <input type="radio"/> Self-employed                    | <input type="radio"/> Retired                       |
| <input type="radio"/> Out of work                      | <input type="radio"/> Full time student             |
| <input type="radio"/> Looking after the home or family | <input type="radio"/> Other                         |

Please may I take your name and contact details. This information will only be used for administration of the prize draw and quality control for this consultation. It will not be disclosed to any third party. All personal information you provide will be held in accordance with provisions of the Data Protection Act 1998.

Name:

Address:

Postcode:

Phone number(s):

Email:

Q37 Would you like to be included in the free prize draw?  Yes, please include me

**THANK YOU VERY MUCH FOR YOUR TIME AND INPUT**

INTERVIEWER TO COMPLETE: I confirm that this interview was conducted with a person previously unknown to me in-line with the MRS Code of Conduct and that the details have been recorded accurately.

Q38 Signed: \_\_\_\_\_

Q39 Date: \_\_\_\_\_

## What is Selective Licensing

The Housing Act 2004 has given councils the power to introduce the licensing of privately rented properties to improve conditions for tenants and the local community. Under the proposed licensing scheme, all private landlords with properties let in the borough will require a licence for each of their rented properties. The council will need to determine that the proposed licence holder is a 'fit and proper' person to manage their properties. Landlords renting a property without a licence face fines of up to £20,000, while those that fail to comply with licence conditions can be prosecuted and fined up to £5,000.

### **Why are the Council proposing to introduce the selective licensing scheme?**

Croydon has approximately 30,000 privately rented properties. The scheme will help drive up the quality of private rented properties in the borough. It will also help ensure the crime and anti-social behaviour that is sometimes associated with poorly managed private rented housing is dealt with effectively.

The Housing Act 2004 gives councils the power to designate the whole of, or part of the borough for selective licensing provided that the following sets of conditions are met:

- that the area is experiencing a significant and persistent problem caused by anti-social behaviour;
- that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take; and
- that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem.

The council considers that these conditions are met. Private renting has increased significantly in Croydon with one of the negative consequences being poor quality homes, noise, litter, fly-tipping and anti-social behaviour.

## SHOWCARD 1

1. Addiscombe
2. Broad Green & Selhurst
3. Coulsdon
4. Croydon Centre
5. Crystal Palace & Upper Norwood
6. Kenley & Old Coulsdon
7. New Addington
8. Norbury
9. Purley
10. Sanderstead
11. Selsdon
12. Shirley
13. South Croydon
14. South Norwood & Woodside
15. Thornton Heath
16. Waddon
17. Other (please specify)

## **SHOWCARD 2**

1. Owned outright
2. Buying on mortgage
3. Rented/Leased from Council
4. Rented from Housing Association / Trust
5. Rented from private landlord
6. Living with family or friends
7. Other (please specify)

## **SHOWCARD 3**

### **Whether act responsibly in letting, managing and maintaining their properties**

1. All private landlords/agents
2. Most private landlords/agents
3. Some private landlords/agents
4. None or very few private landlords/agents



## SHOWCARD 4

1. Totally reasonable
2. Fairly reasonable
3. Fairly unreasonable
4. Totally unreasonable

## SHOWCARD 5

It is proposed that landlords or their agents should be excluded from managing rented property in areas where a licensing scheme is running if any of the conditions below exist:

- Committed an offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 of the Sexual Offences Act 2003;
- Practised unlawful discrimination on the grounds of sex, colour, race, ethnic or national origins or disability in, or connection with, the carrying on of any business.
- Contravened any provision of the law relating to housing or of landlord and tenant law.
- Been refused a license or had a license revoked for any property in relation to HMO, additional or selective licensing under the Housing Act 2004.
- Been the owner or manager of a property which has had complaints from tenants or other sources regarding serious or repeated breaches under the conditions of a license; in relation to HMO, additional or selective licensing under the Housing Act 2004.
- Been the owner or manager of any property that has been subject of an interim or final management order or a special interim management order under the Housing Act 2004.
- Any conduct or business practices which are considered by Croydon Council to indicate unsuitability to be a license holder or manager of a licensed property.

## SHOWCARD 6

Croydon Council believe introducing a selective licensing scheme would:

- a) Provide greater confidence in the private rented sector both for landlords and tenants and help dispel any poor image of the sector;
- b) Build partnership working with landlords and tenants to address anti-social behaviour (ASB) where behaviour links to the private rented sector;
- c) Improve management standards;
- d) Ensure a consistent and professional property management ethic among private landlords and take action against those landlords who persist in providing a poor standard of accommodation or whose tenants cause persistent levels of ASB;
- e) Create a level playing field to promote consistent standards and an understanding for tenants about what they can reasonably expect from their landlord so that informed choices can be made.

The Council is therefore considering four options:

### **Option 1 - Implement a full borough wide scheme**

This option would involve implementing a borough wide selective licensing scheme whereby all private sector landlords would require a licence and to meet the necessary criteria in order to hold a licence. This option would reduce the possibility of poor landlords avoiding regulation and would create a level playing field in each ward in Croydon.

## SHOWCARD 7

### **Option 2 - Implement a partial scheme**

This option would involve implementing a scheme whereby certain wards are chosen based on evidence and consultation responses. This is not the Council's preferred option as there is concern that this approach may cause displacement of problems to other wards.

## **SHOWCARD 8**

### **Option 3 - Implement the voluntary London Rental Standard**

This option would encourage landlords to sign up to the Mayor of London's Rental Standard. Costs to landlords would be £125 to complete the necessary course, which would have to be repeated every 5 years. The impact of this would be that the measurable benefits for Croydon would be difficult to determine as the standard is a London-wide initiative and it is unlikely to address the specific issues of the borough. There are no specific enforcement powers relating to landlords who fail to comply, as this is a voluntary scheme.

## **SHOWCARD 9**

### **Option 4 - Do nothing**

This means the Council would not implement any form of the scheme and the existing structures in place would remain.

## SHOWCARD 10

1. 18 to 24
2. 25 to 34
3. 35 to 44
4. 45 to 54
5. 55 to 64
6. 65 and over

## SHOWCARD 11

1. White: English/ Welsh/ Scottish/ Northern Irish/ British
2. White: Irish
3. White: Gypsy or Irish Traveller
4. White: Other
5. Mixed: White and Black Caribbean
6. Mixed: White and Black African
7. Mixed: White and Asian
8. Mixed: Other
9. Asian: Indian
10. Asian: Pakistani
11. Asian: Bangladeshi
12. Asian: Chinese
13. Asian: Other
14. Black: African
15. Black: Caribbean
16. Black: Other
17. Other: Arab
18. Other: Other ethnic background

## SHOWCARD 12

1. Employed (full or part time)
2. Self-employed
3. Out of work
4. Looking after the home or family
5. Unable to work/long term sick
6. Retired
7. Full time student
8. Other

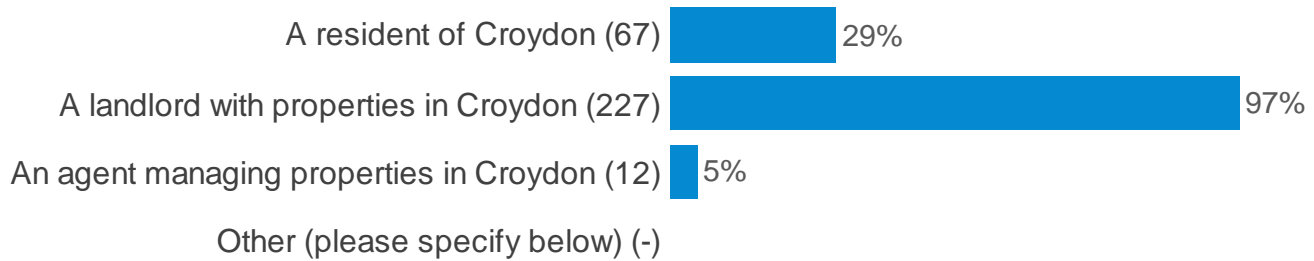
## Landlords and/or Agents

### Selective Licensing Questionnaire

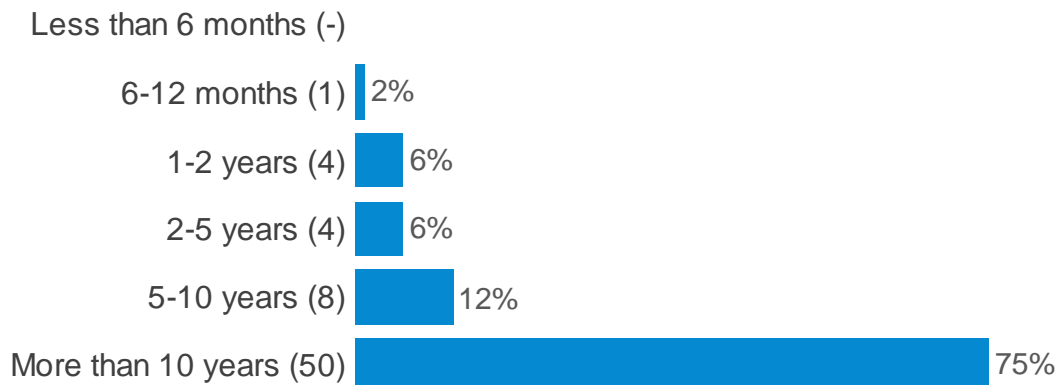
This report was generated on 03/03/15, giving the results for 234 of 551 respondents. A filter of 'All Respondents' has been applied to the data.

The following charts are restricted to the top 20 codes. Lists are restricted to the first 0 rows.

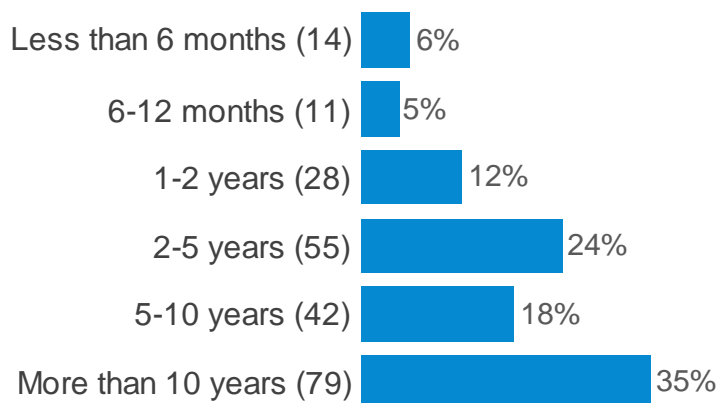
#### Which of the following best describes you? Please tick all that apply

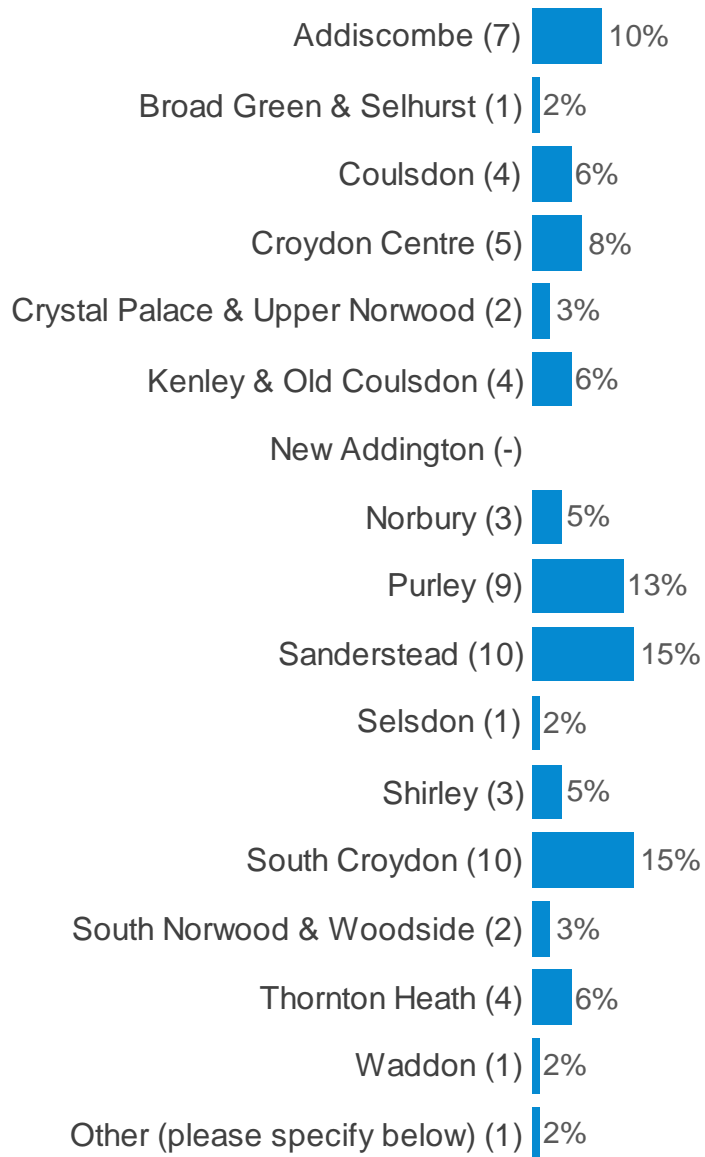


#### How long have you lived in Croydon?

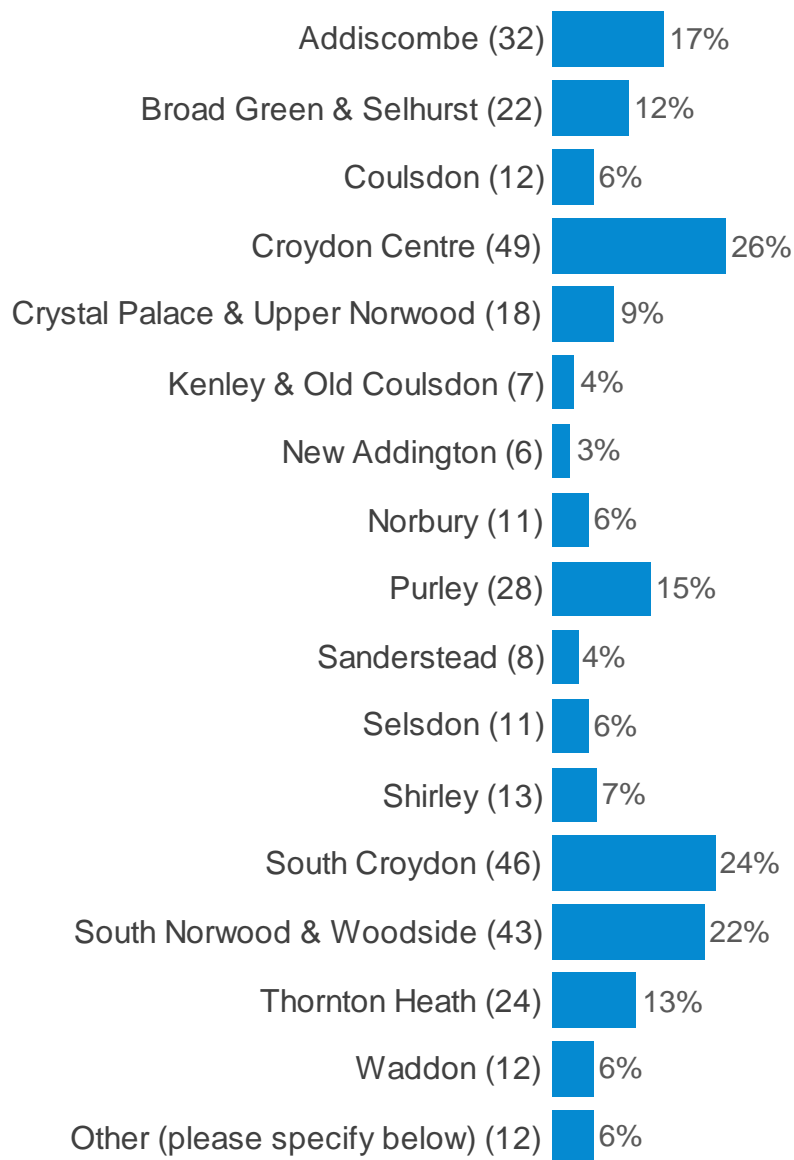


#### How long have you been a landlord or management agent in Croydon?

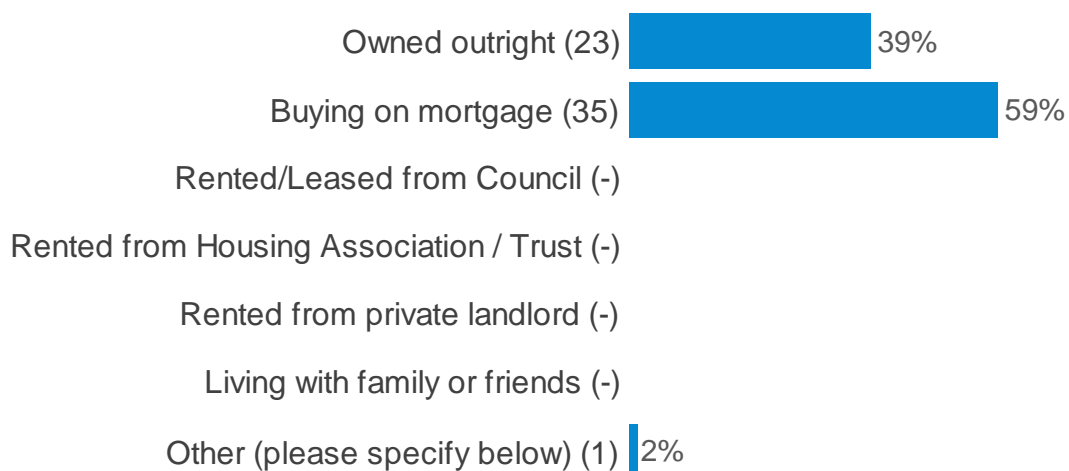


**Which area of Croydon do you live in?**

## Which area(s) of Croydon do you have/manage properties in?

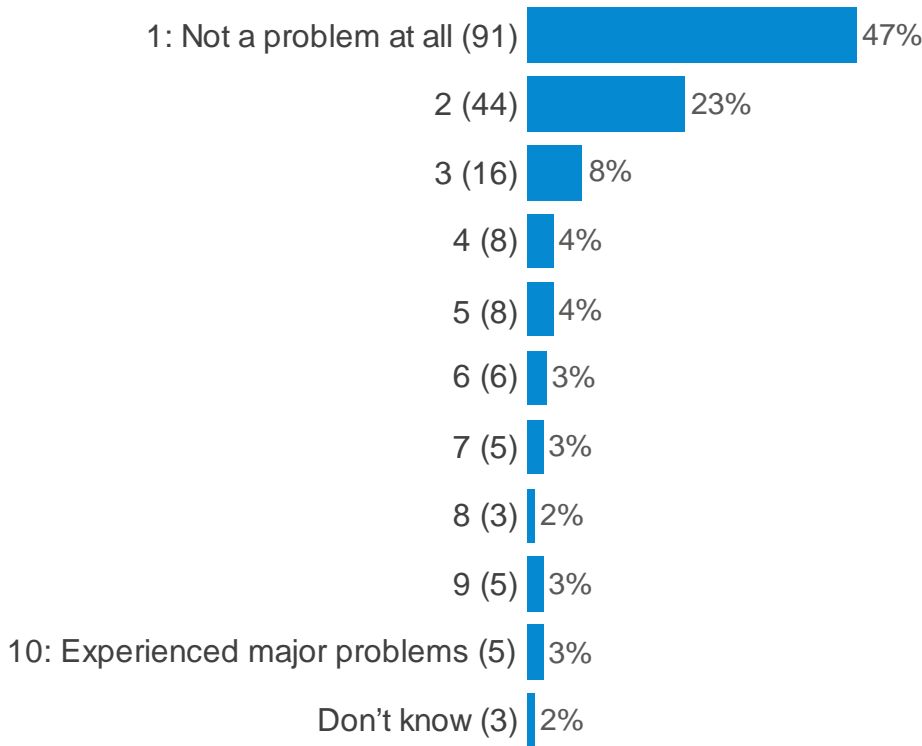


## Which of the answers best describes your housing tenure?

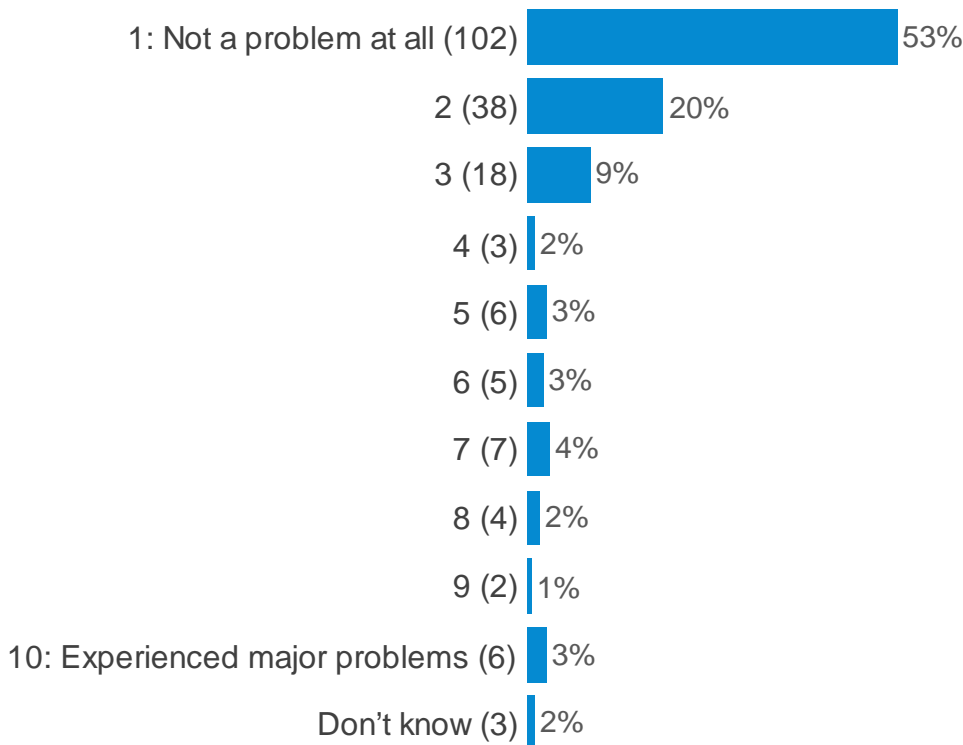




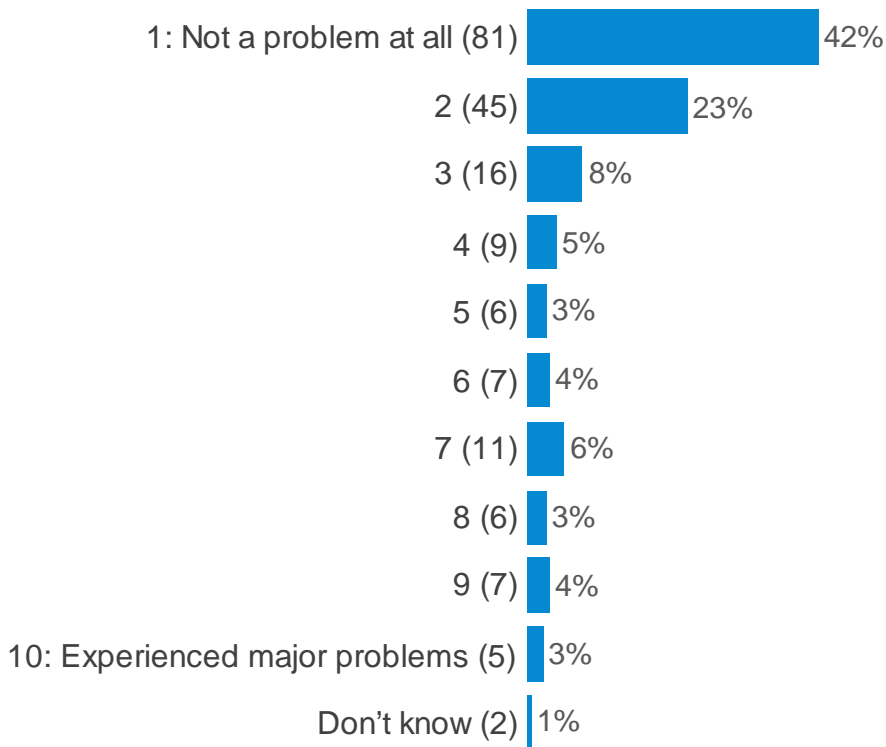
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Noise)**



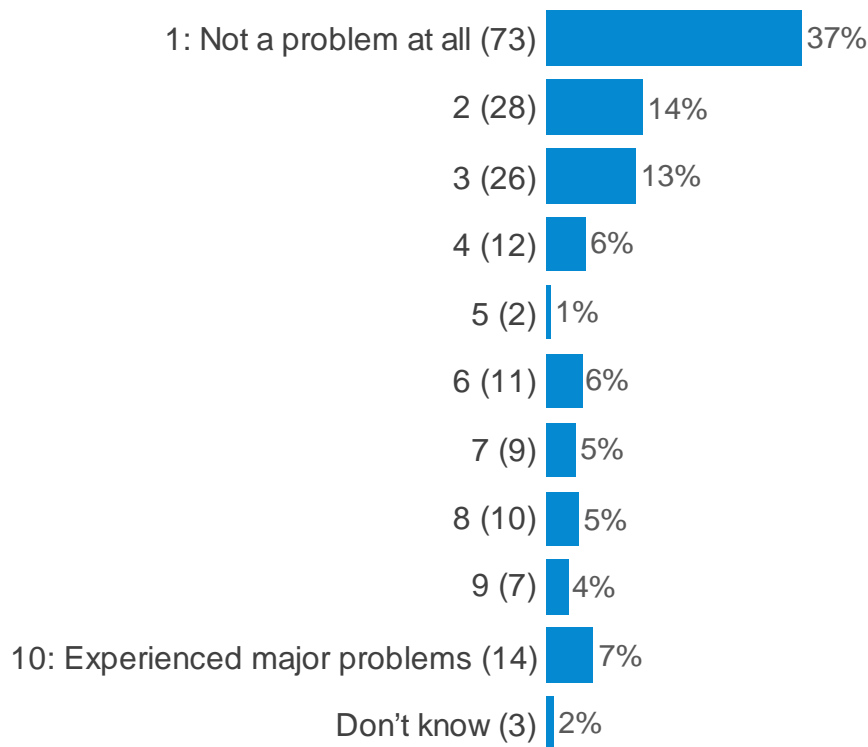
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Neglected/derelict properties)**



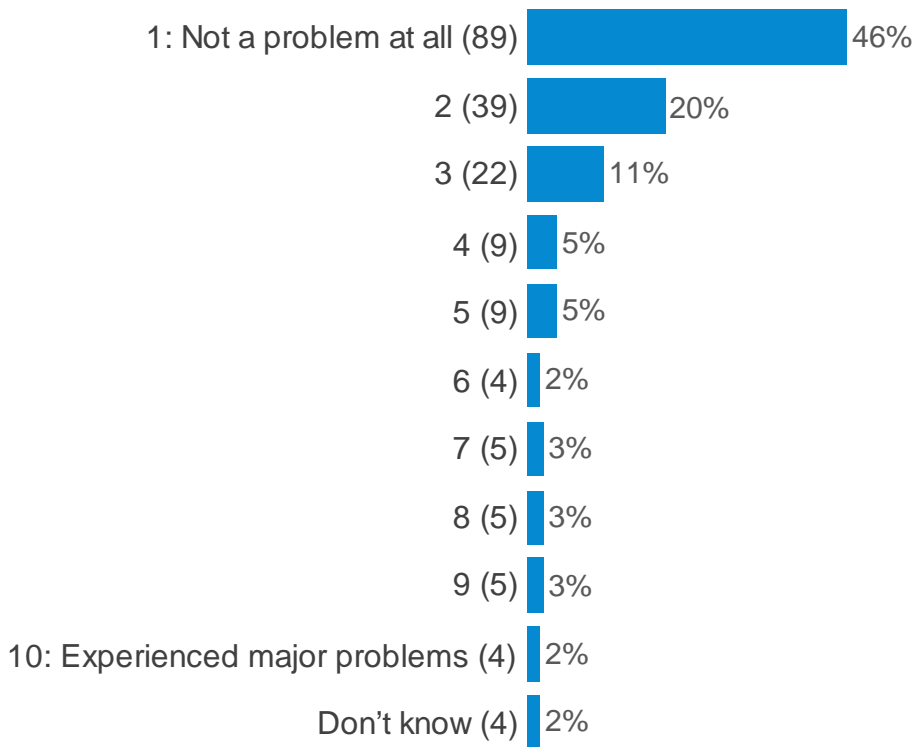
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Untidy gardens)**



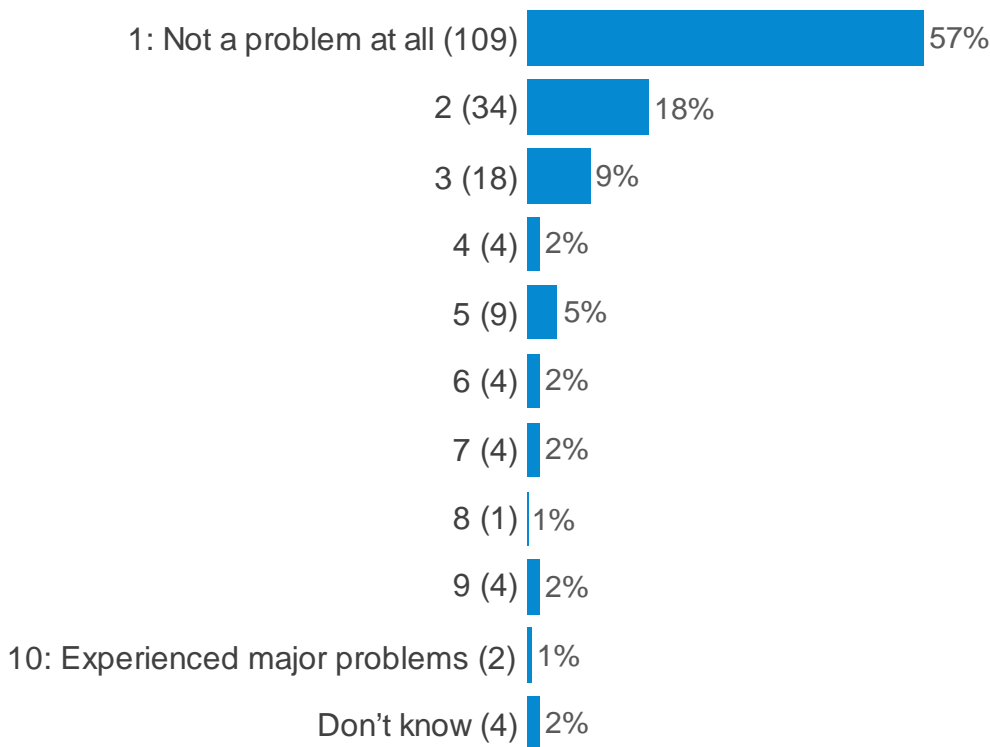
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Fly tipping)**



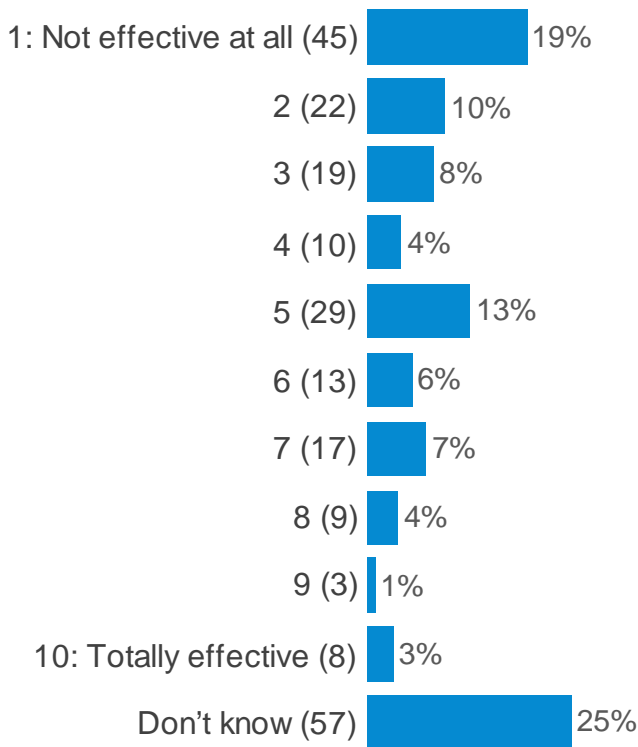
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Nuisance from neighbours)**



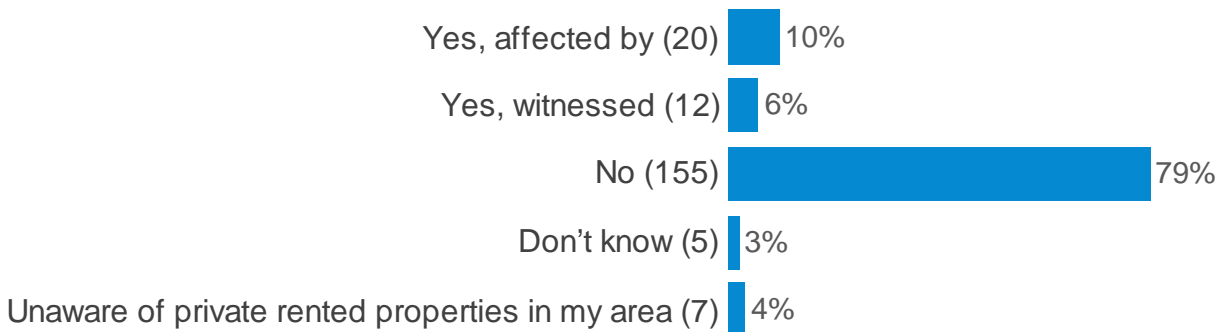
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Pest and vermin issues)**



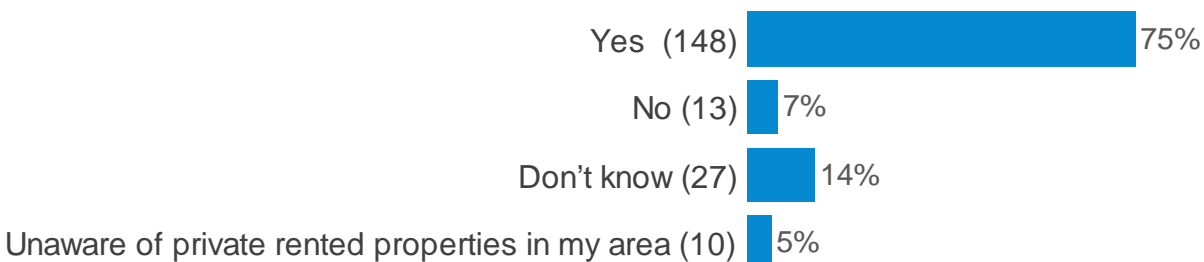
**On a scale of 1 to 10, where 1 is not at all effective and 10 is totally effective, how effective do you think Croydon Council is in dealing with anti-social behaviour? (effective do you think Croydon Council is in dealing with anti-social behaviour?)**



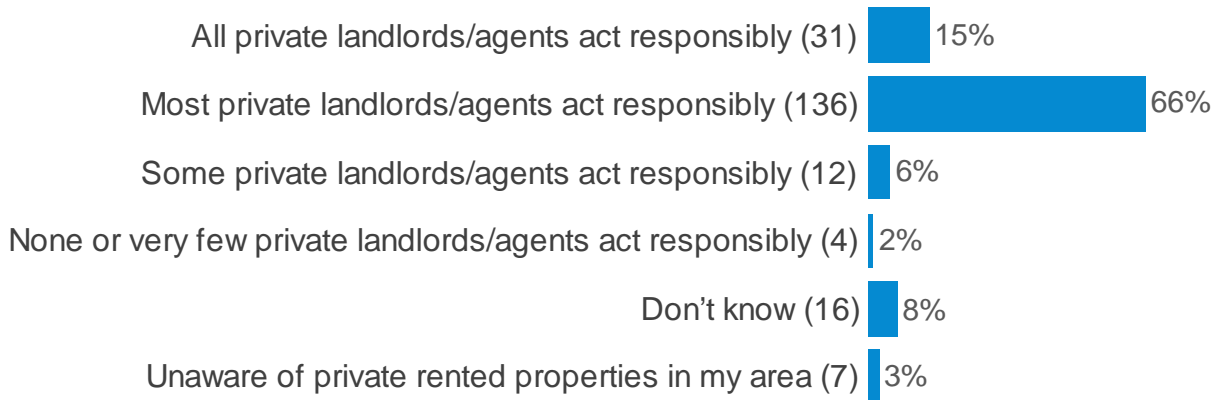
**Thinking about privately rented properties you know of in your area, have you been affected by or witnessed anti-social behaviour relating to these properties?**



**Still thinking about privately rented properties you know of in your area, do you think they are maintained to a good standard?**



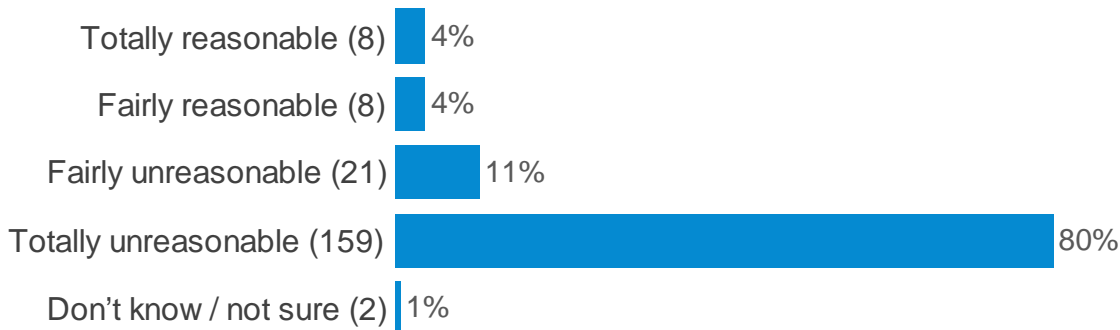
**Thinking about the private landlords or their agents you know of in your area, to what extent would you say they act responsibly in letting, managing and maintaining their properties?**



**If selective licensing were to be introduced, in order to cover the councils costs of administering the scheme, the Council would need to charge landlords a fee to apply for a licence that would last up to five years. The current proposed fee is £750 to cover up to five years. In simple terms this equates to £150 per year or £2.88 per week.**

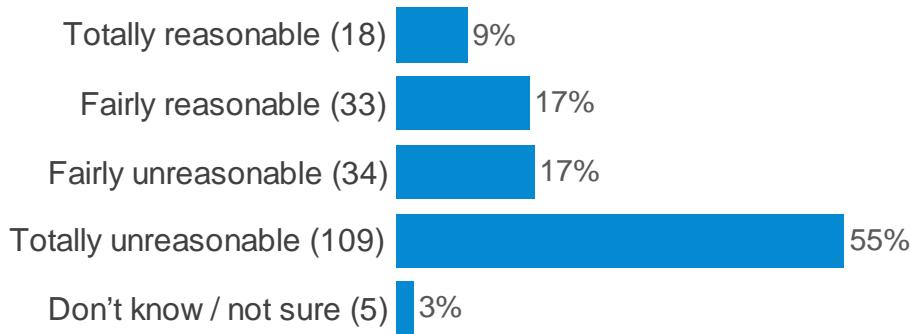
**If selective licensing is implemented, it becomes a mandatory requirement within the Borough, and as the licence fee would then be a mandatory cost to landlords it will be subject to relevant tax relief, which will further lower the actual cost to landlords and the cost which landlords might pass on to tenants.**

**To what extent do you feel that £750 for up to five years is a reasonable figure if the scheme were to be introduced?**

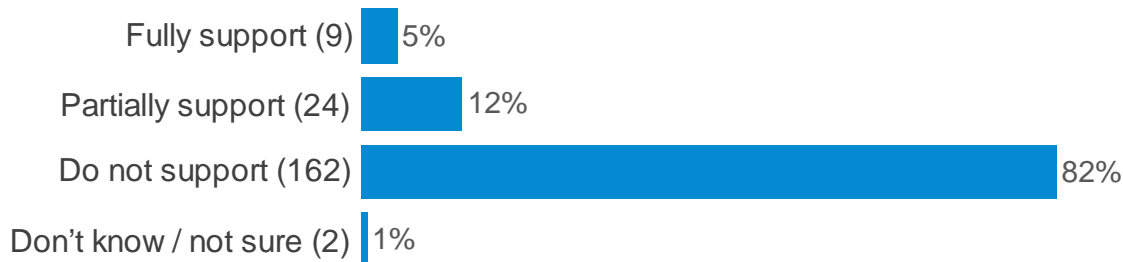


**The proposed early application discount fee, for landlords who register within three months of the start of any introduction of any scheme, would be £350 to cover five years, equivalent to £70 per year or £1.35 per week.**

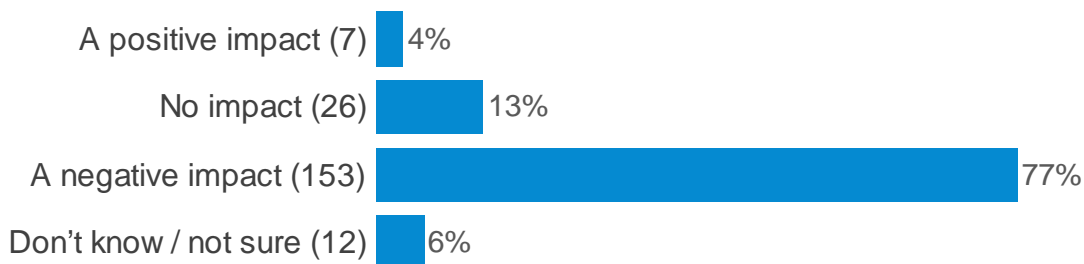
**Based on the discounted fee, to what extent do you feel that £350 for up to five years is reasonable if the scheme were to be introduced?**



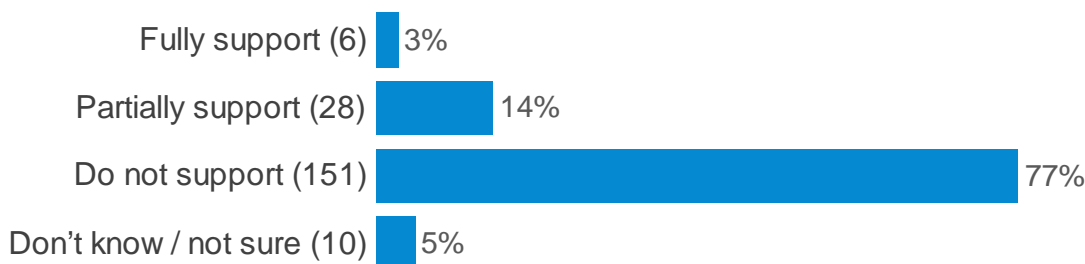
**To what extent would you support the proposal to implement a full borough wide scheme? (Option 1 - Implement a full borough wide scheme)**



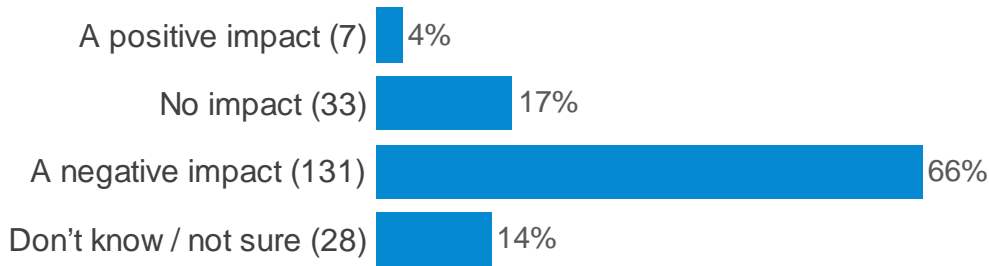
**What impact, if any, do you feel implementing a full borough wide scheme would have on you if it were introduced? (Option 1 - Implement a full scheme)**



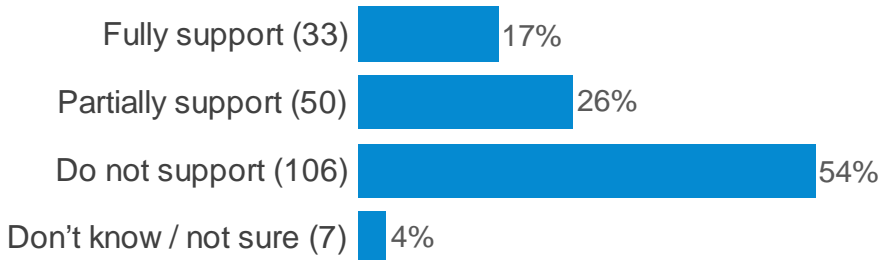
**To what extent would you support the proposal to implement a partial scheme?**



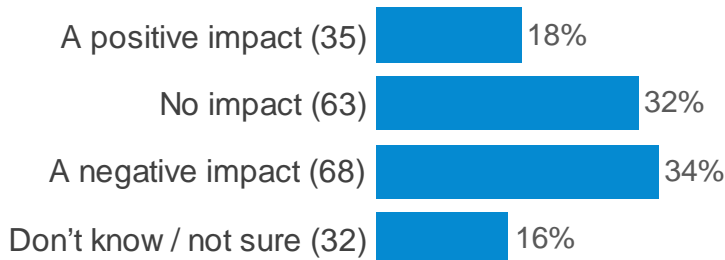
### What impact, if any, do you feel implementing a partial scheme would have on you if it were introduced?



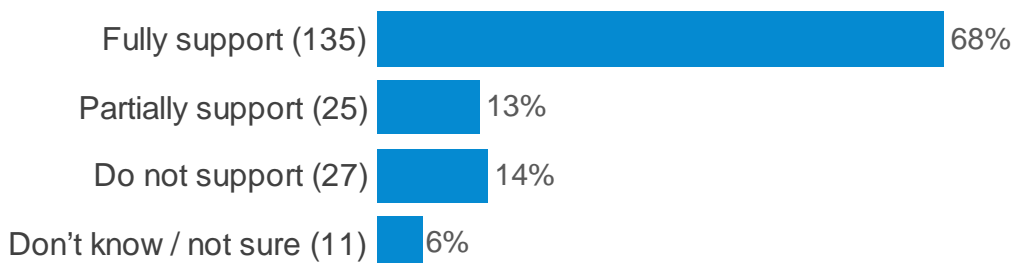
### To what extent would you support the proposal to implement the voluntary London Rental Standard?

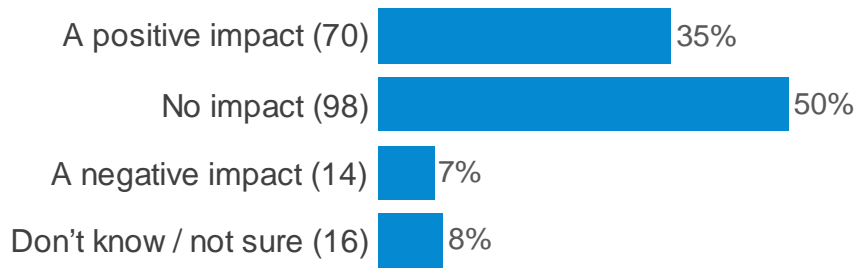
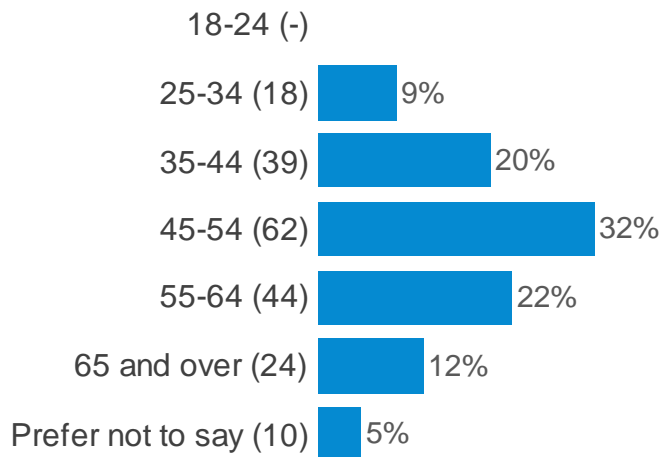


### What impact, if any, do you feel implementing the voluntary London Rental Standard would have on you if it were introduced?



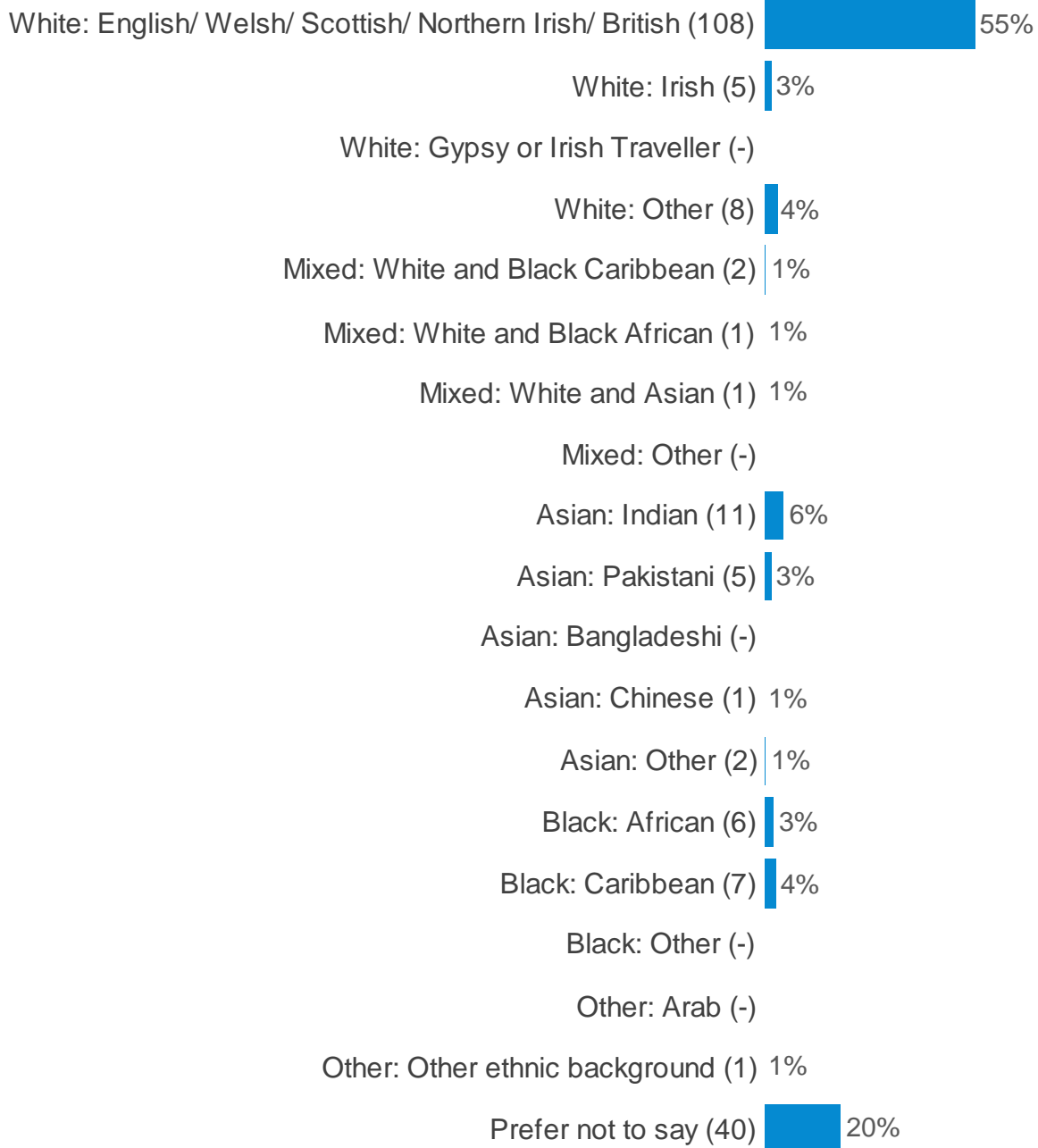
### To what extent would you support the proposal to do nothing?

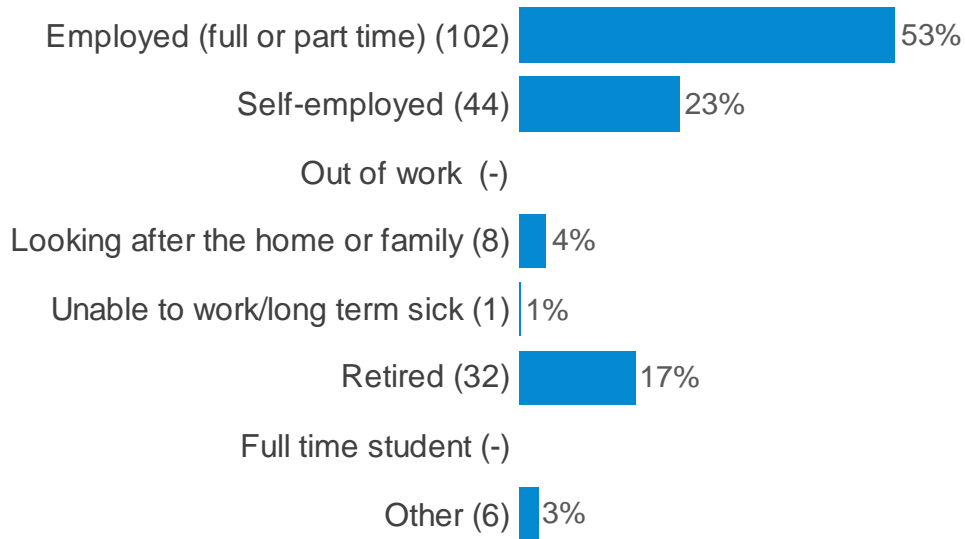


**What impact, if any, do you feel doing nothing would have on you?****Are you.... (Q28. Interviewer record gender)****How old are you? (Q29. How old are you? )**



**What is your ethnic background? (Q30. And how would you describe your ethnicity? )**



**What is your current working status? (Q31. Looking at this list, how would you describe your present work status? )**

**If you would like to be included in the free prize draw, please tick below.**



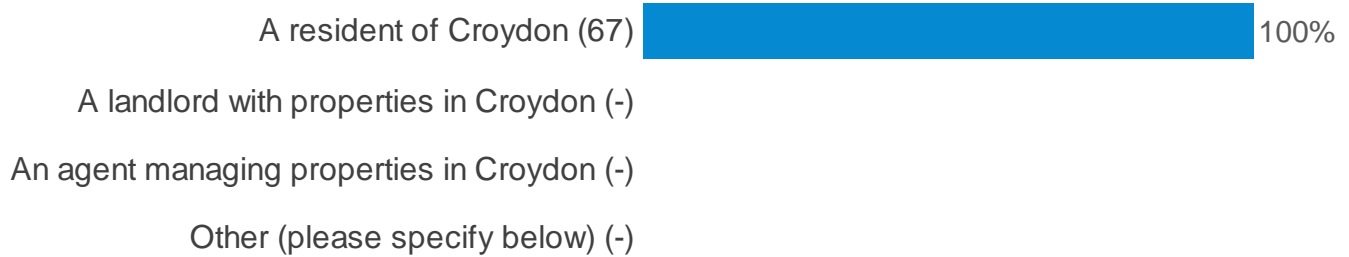
## PRS tenants (excluding any that are also Landlords or Agents)

### Selective Licensing Questionnaire

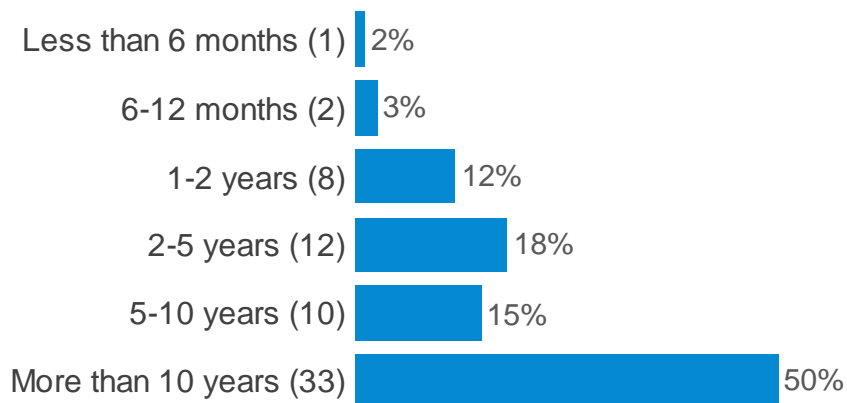
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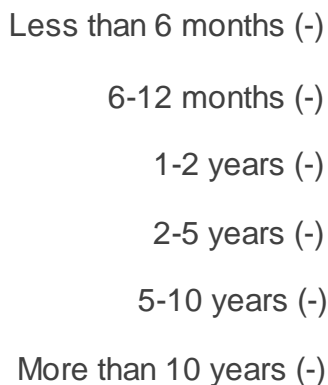
#### Which of the following best describes you? Please tick all that apply

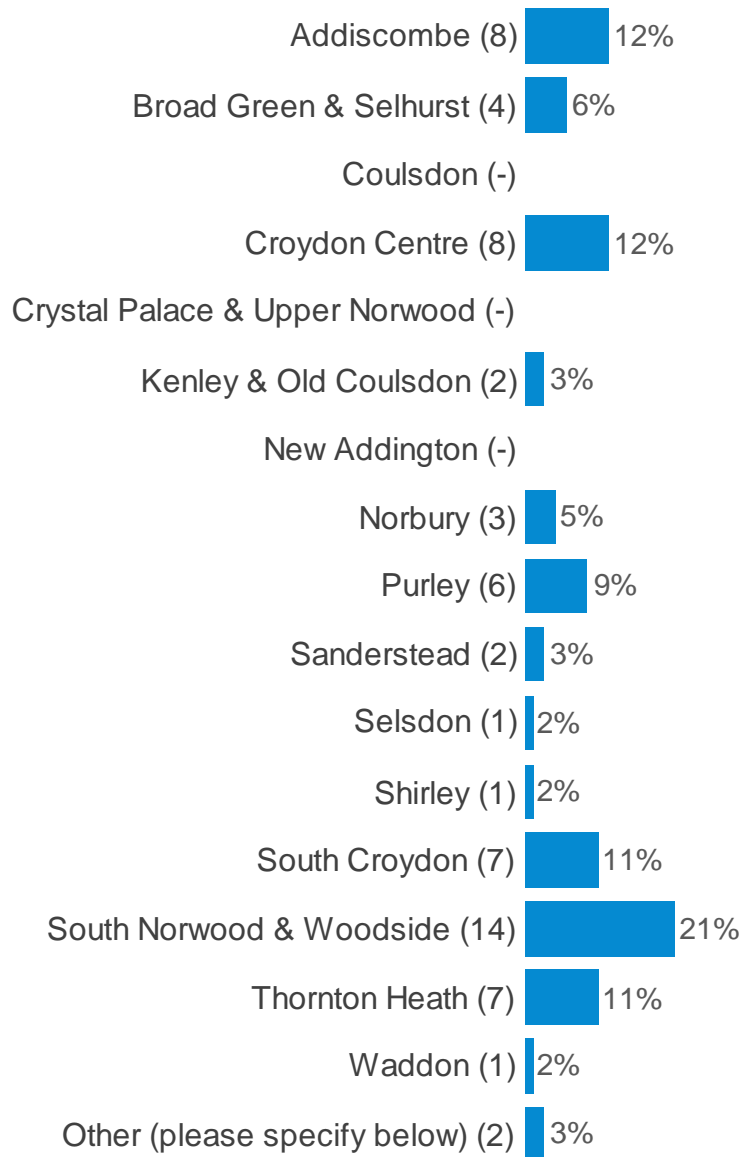


#### How long have you lived in Croydon?



#### How long have you been a landlord or management agent in Croydon?




**Which area of Croydon do you live in?**

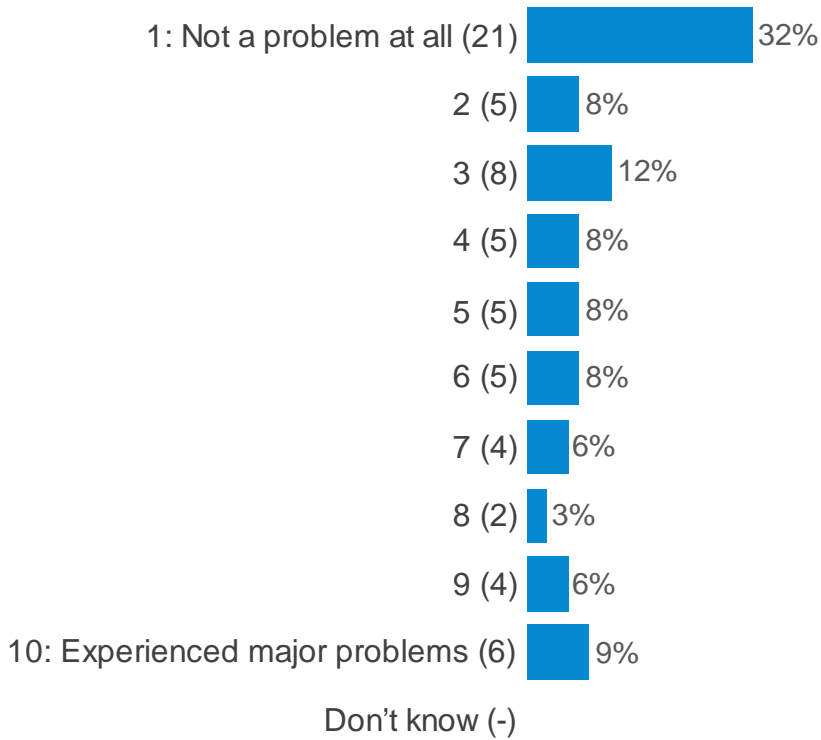
## Which area(s) of Croydon do you have/manage properties in?

- Addiscombe (-)
- Broad Green & Selhurst (-)
- Coulsdon (-)
- Croydon Centre (-)
- Crystal Palace & Upper Norwood (-)
- Kenley & Old Coulsdon (-)
- New Addington (-)
- Norbury (-)
- Purley (-)
- Sanderstead (-)
- Selsdon (-)
- Shirley (-)
- South Croydon (-)
- South Norwood & Woodside (-)
- Thornton Heath (-)
- Waddon (-)
- Other (please specify below) (-)

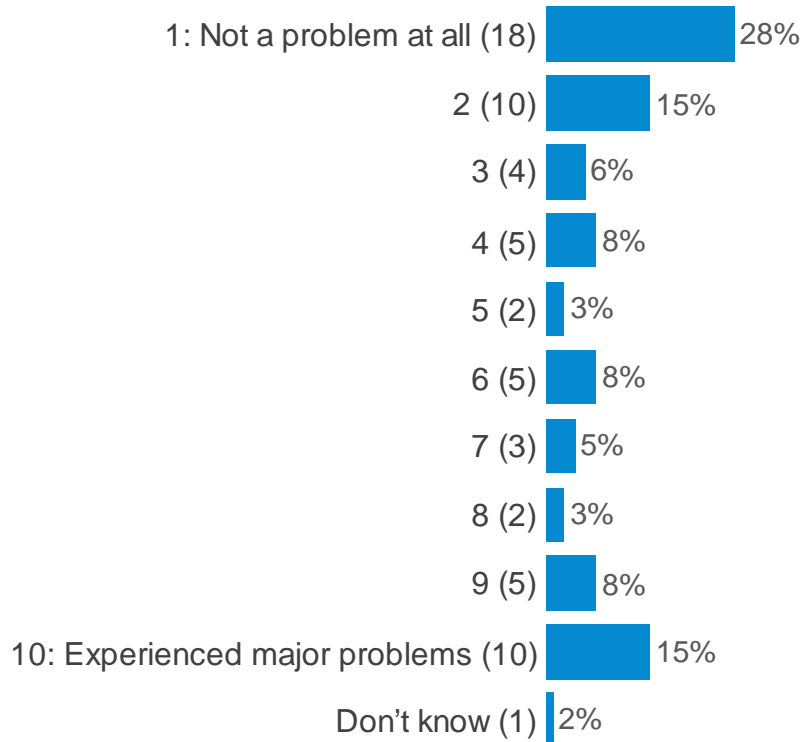
## Which of the answers best describes your housing tenure?

- Owned outright (-)
- Buying on mortgage (-)
- Rented/Leased from Council (-)
- Rented from Housing Association / Trust (-)
- Rented from private landlord (67)  100%
- Living with family or friends (-)
- Other (please specify below) (-)

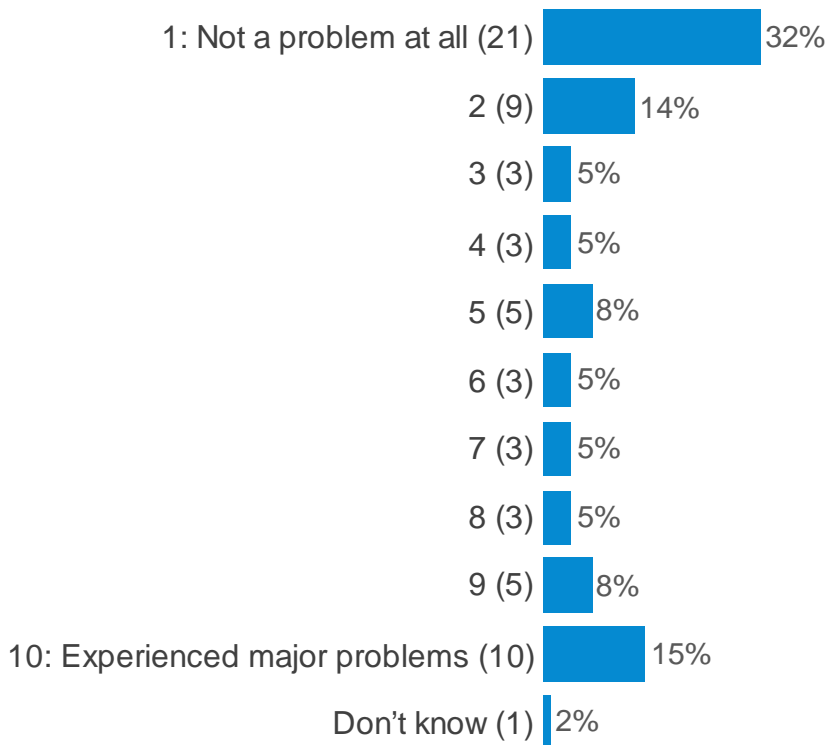
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Noise)**



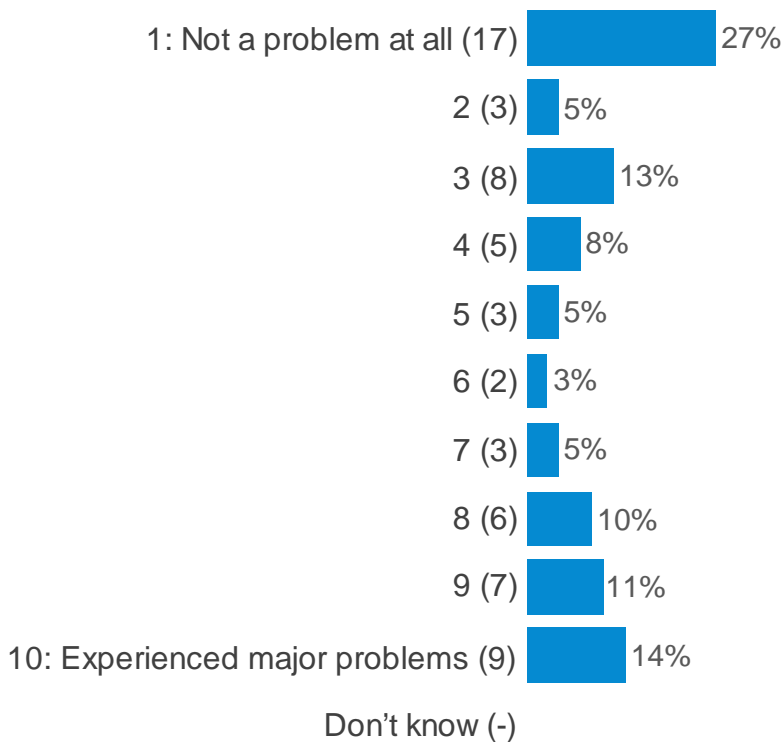
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Neglected/derelict properties)**



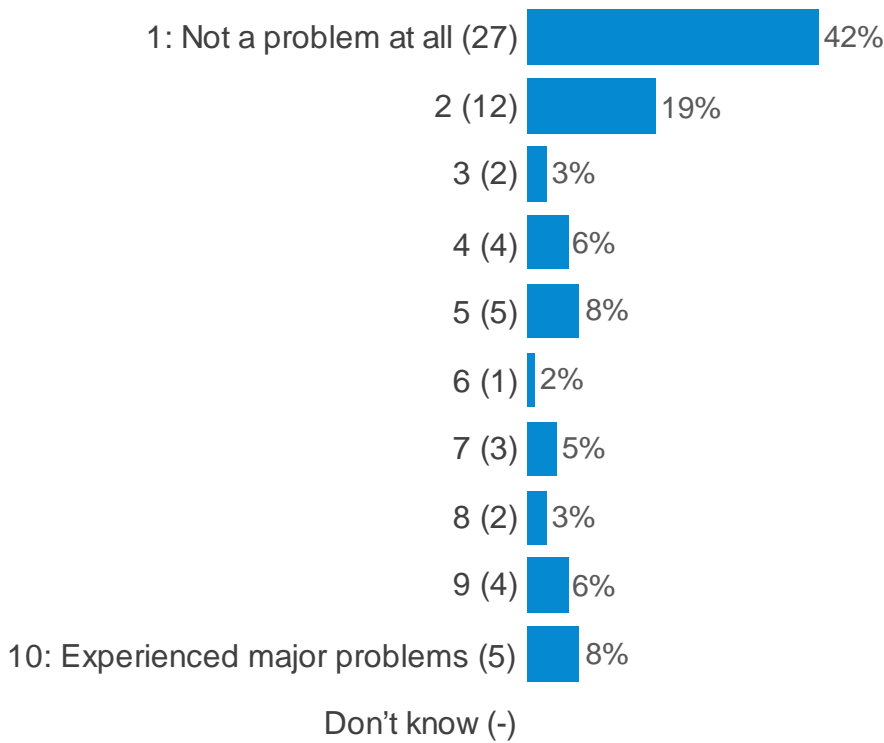
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Untidy gardens)**



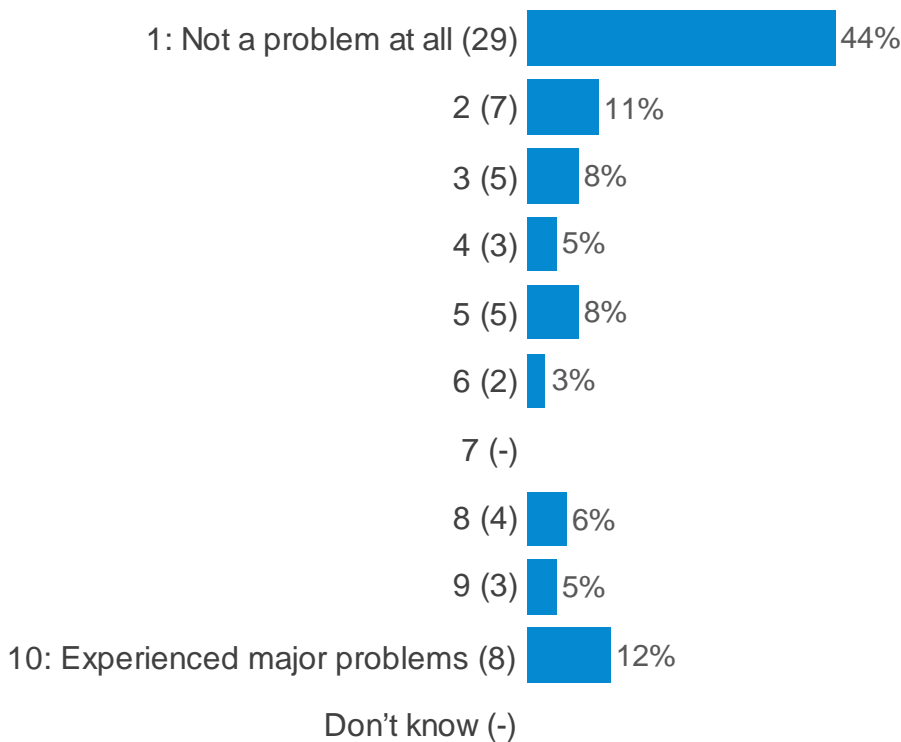
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Fly tipping)**



**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Nuisance from neighbours)**

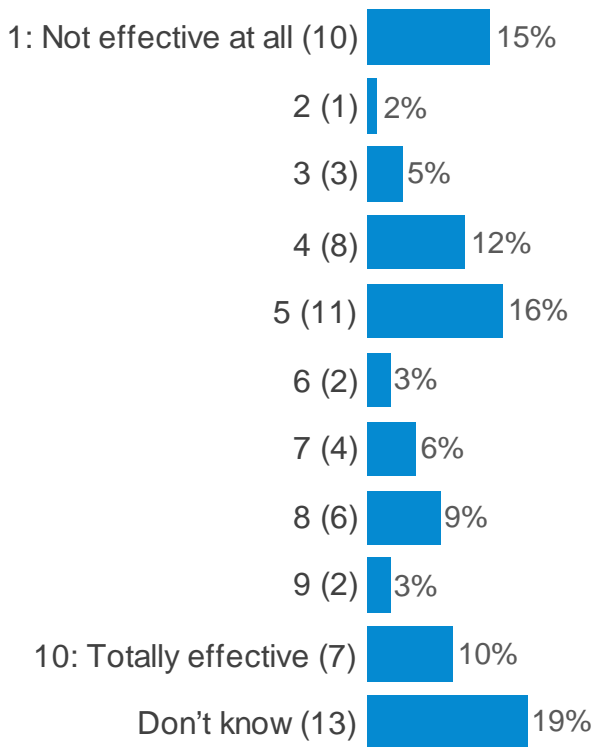


**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Pest and vermin issues)**

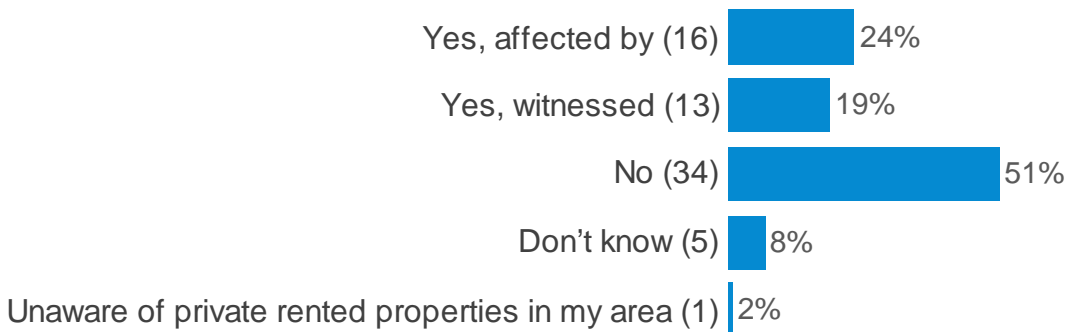




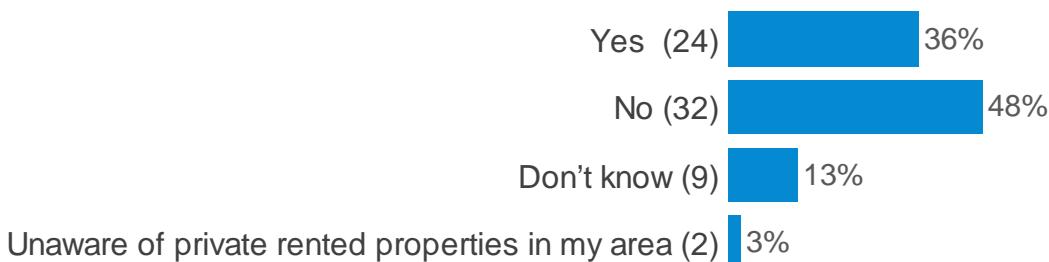
**On a scale of 1 to 10, where 1 is not at all effective and 10 is totally effective, how effective do you think Croydon Council is in dealing with anti-social behaviour? (effective do you think Croydon Council is in dealing with anti-social behaviour?)**



**Thinking about privately rented properties you know of in your area, have you been affected by or witnessed anti-social behaviour relating to these properties?**



**Still thinking about privately rented properties you know of in your area, do you think they are maintained to a good standard?**



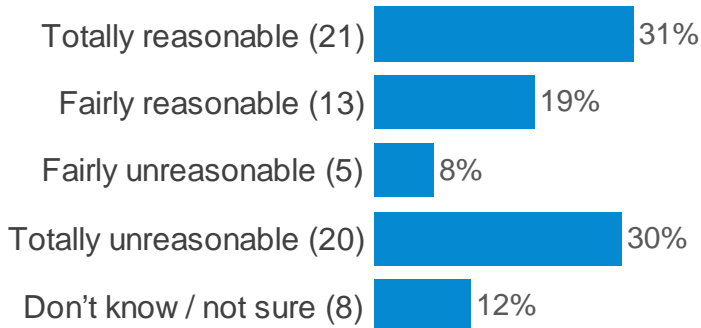
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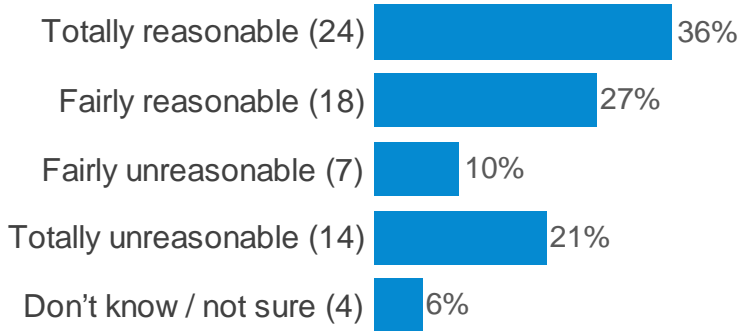
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**To what extent do you feel that £750 for up to five years is a reasonable figure if the scheme were to be introduced?**

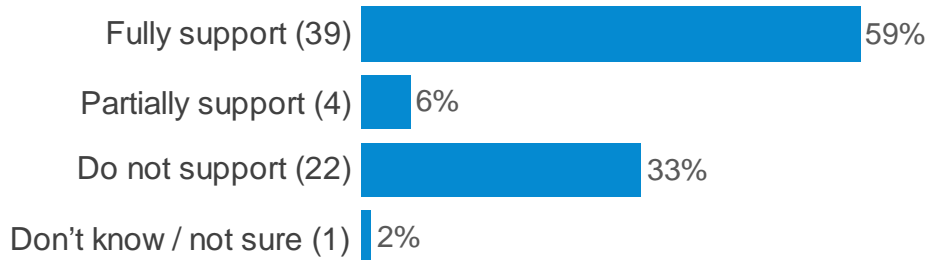


**The proposed early application discount fee, for landlords who register within three months of the start of any introduction of any scheme, would be £350 to cover five years, equivalent to £70 per year or £1.35 per week.**

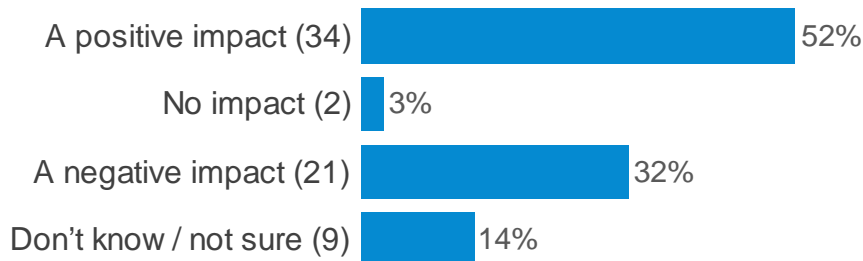
**Based on the discounted fee, to what extent do you feel that £350 for up to five years is reasonable if the scheme were to be introduced?**



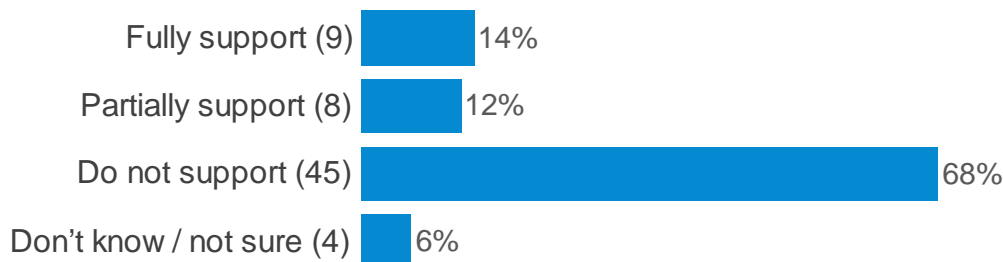
**To what extent would you support the proposal to implement a full borough wide scheme? (Option 1 - Implement a full borough wide scheme)**



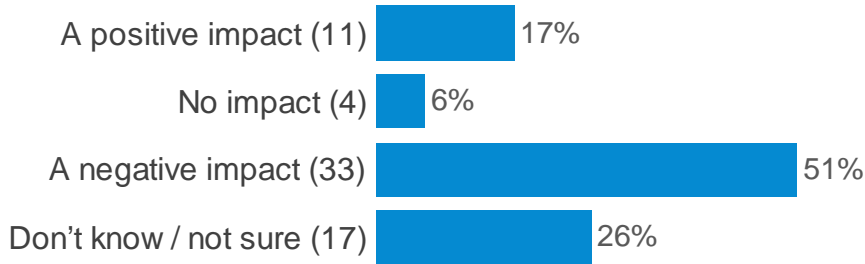
**What impact, if any, do you feel implementing a full borough wide scheme would have on you if it were introduced? (Option 1 - Implement a full scheme)**



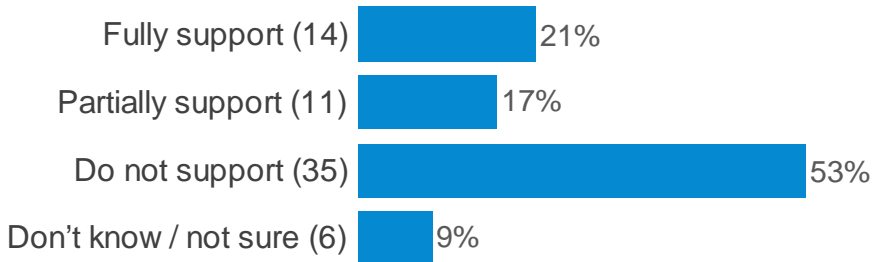
**To what extent would you support the proposal to implement a partial scheme?**



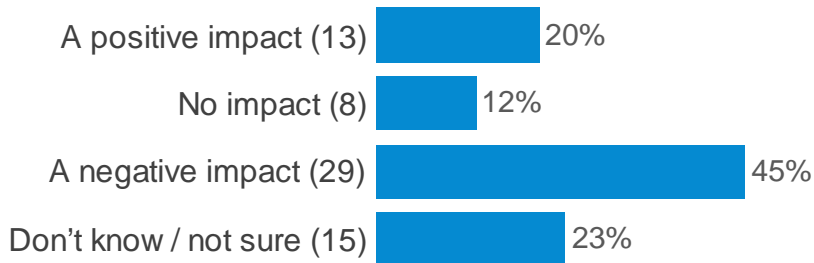
### What impact, if any, do you feel implementing a partial scheme would have on you if it were introduced?



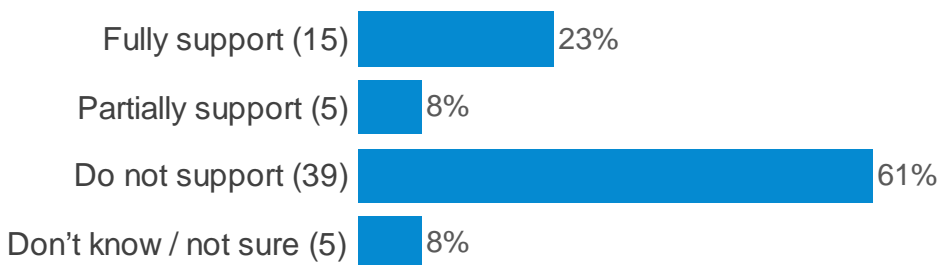
### To what extent would you support the proposal to implement the voluntary London Rental Standard?

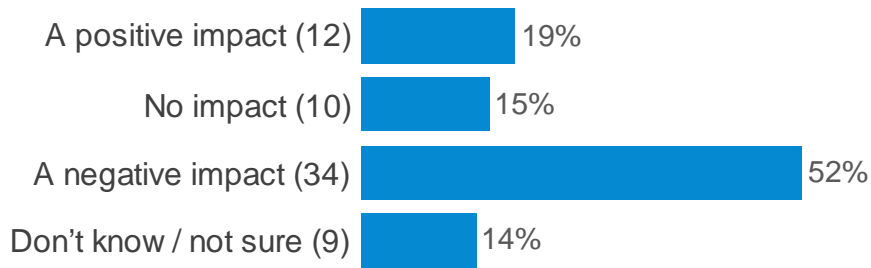
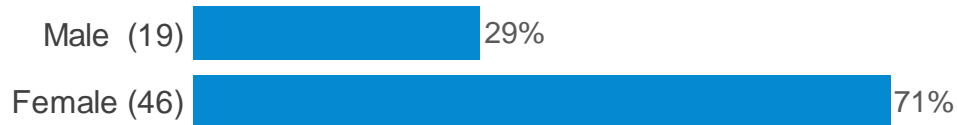
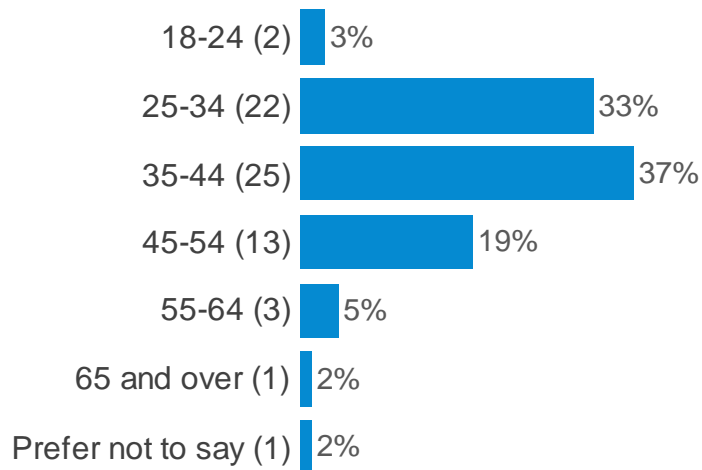


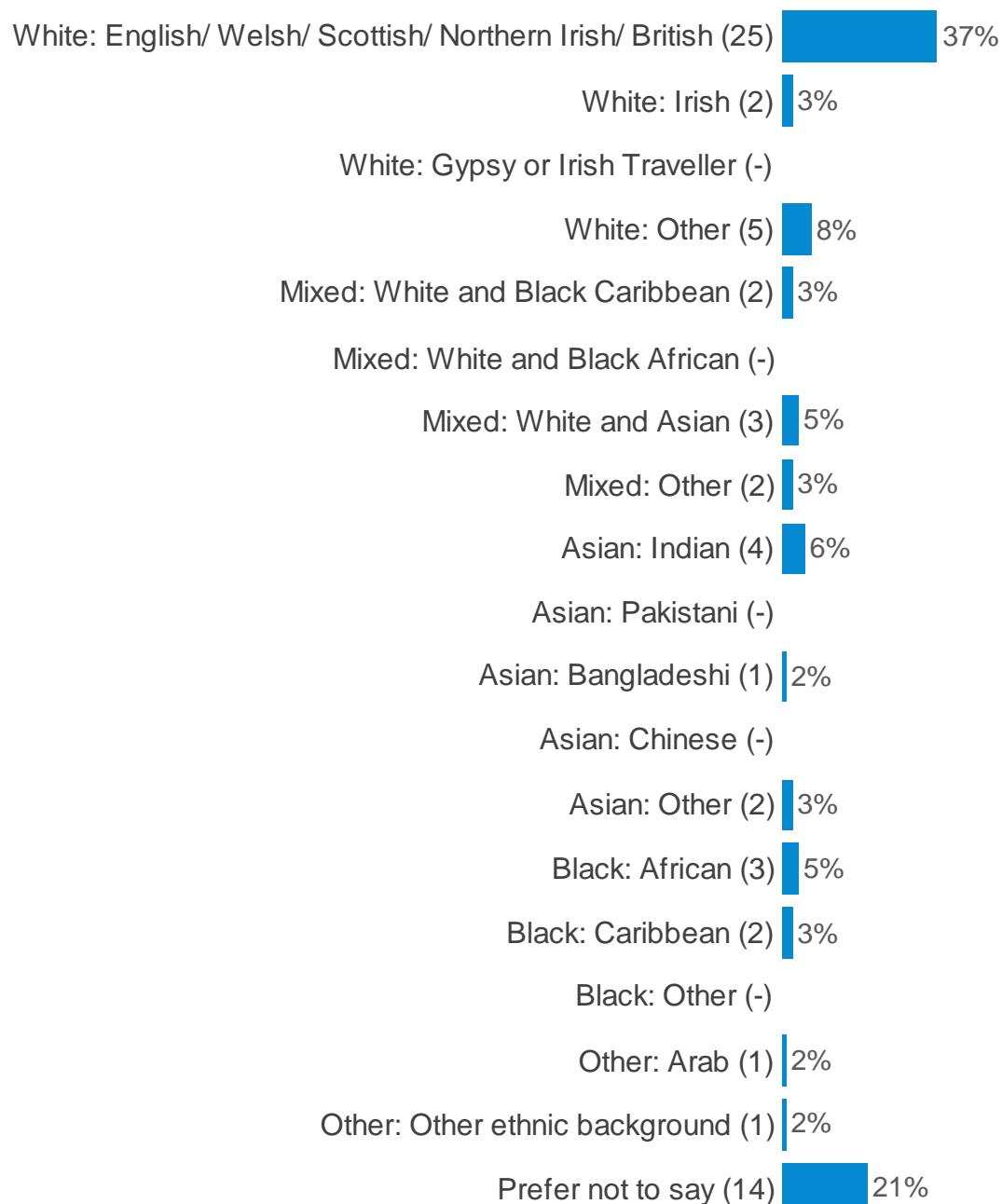
### What impact, if any, do you feel implementing the voluntary London Rental Standard would have on you if it were introduced?

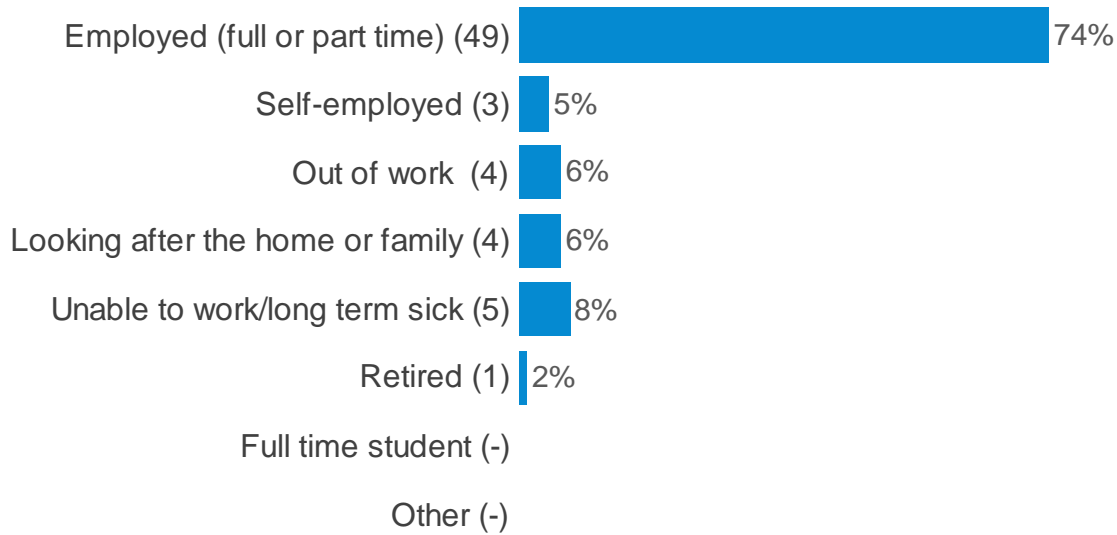


### To what extent would you support the proposal to do nothing?



**What impact, if any, do you feel doing nothing would have on you?****Are you.... (Q28. Interviewer record gender)****How old are you? (Q29. How old are you? )**

**What is your ethnic background? (Q30. And how would you describe your ethnicity? )**

**What is your current working status? (Q31. Looking at this list, how would you describe your present work status? )**

**If you would like to be included in the free prize draw, please tick below.**



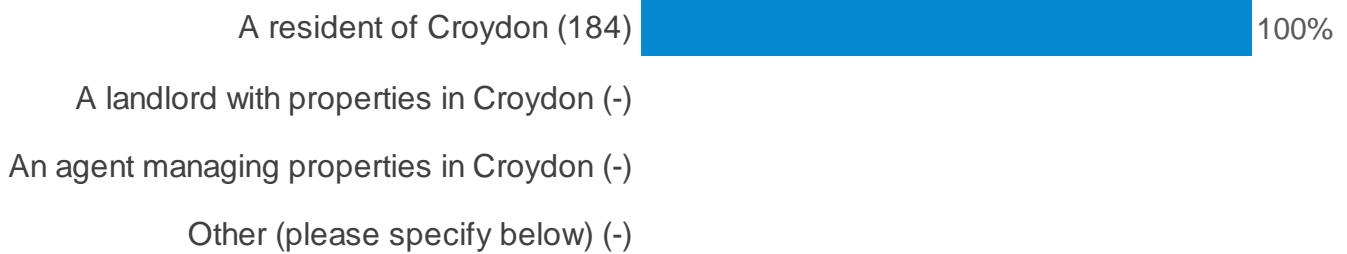
## Non-PRS tenant Residents (excluding any that are also Landlords or Agents)

### Selective Licensing Questionnaire

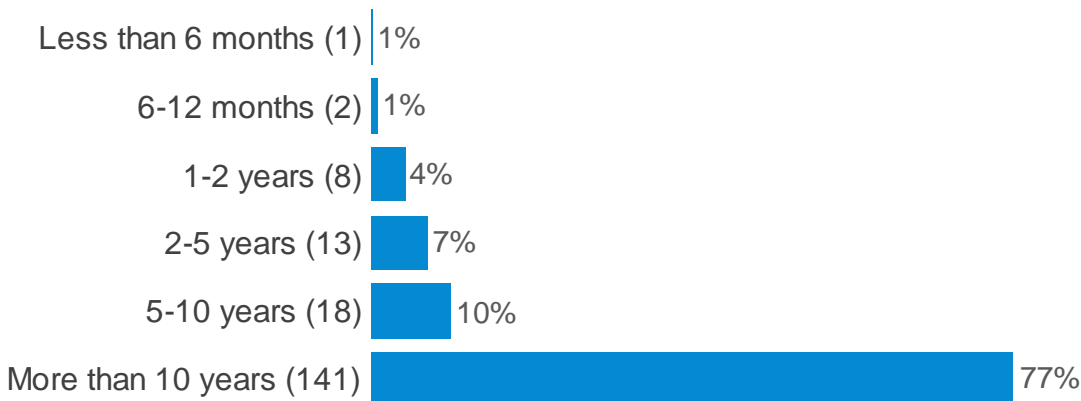
This report was generated on 03/03/15, giving the results for 184 of 551 respondents. A filter of 'All Respondents' has been applied to the data.

The following charts are restricted to the top 20 codes. Lists are restricted to the first 0 rows.

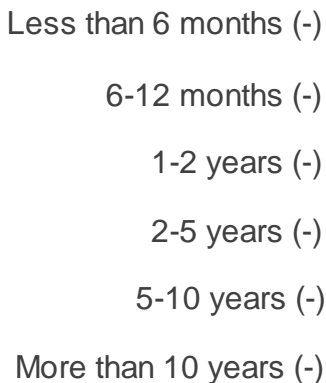
#### Which of the following best describes you? Please tick all that apply



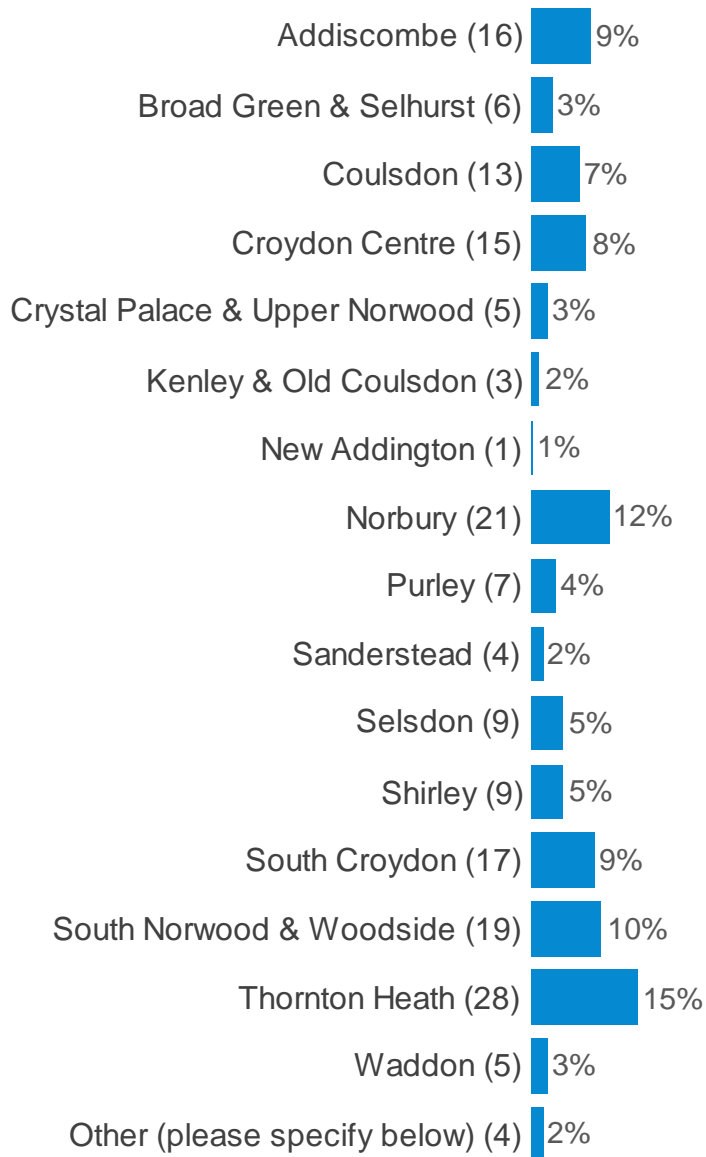
#### How long have you lived in Croydon?



#### How long have you been a landlord or management agent in Croydon?



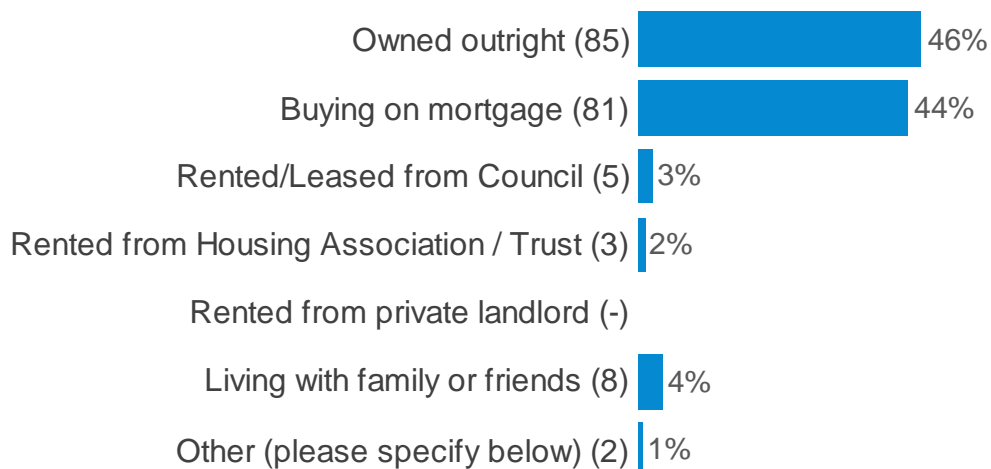


**Which area of Croydon do you live in?**

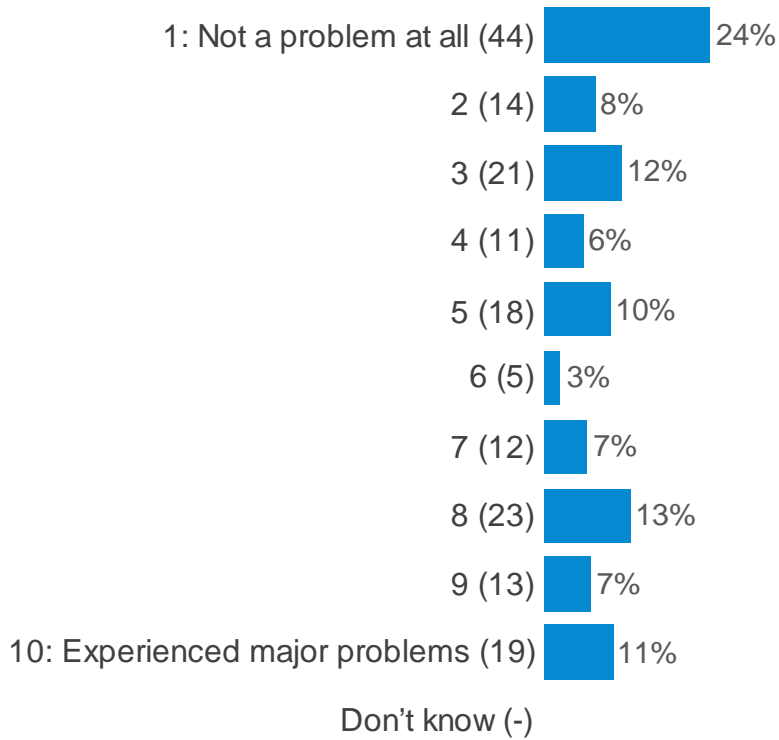
## Which area(s) of Croydon do you have/manage properties in?

Addiscombe (-)  
 Broad Green & Selhurst (-)  
 Coulsdon (-)  
 Croydon Centre (-)  
 Crystal Palace & Upper Norwood (-)  
 Kenley & Old Coulsdon (-)  
 New Addington (-)  
 Norbury (-)  
 Purley (-)  
 Sanderstead (-)  
 Selsdon (-)  
 Shirley (-)  
 South Croydon (-)  
 South Norwood & Woodside (-)  
 Thornton Heath (-)  
 Waddon (-)  
 Other (please specify below) (-)

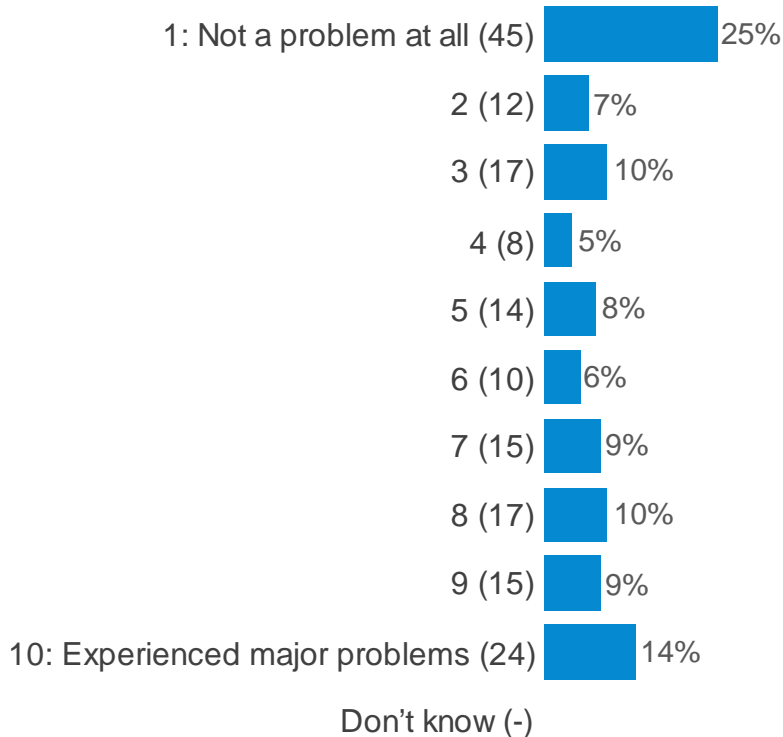
## Which of the answers best describes your housing tenure?



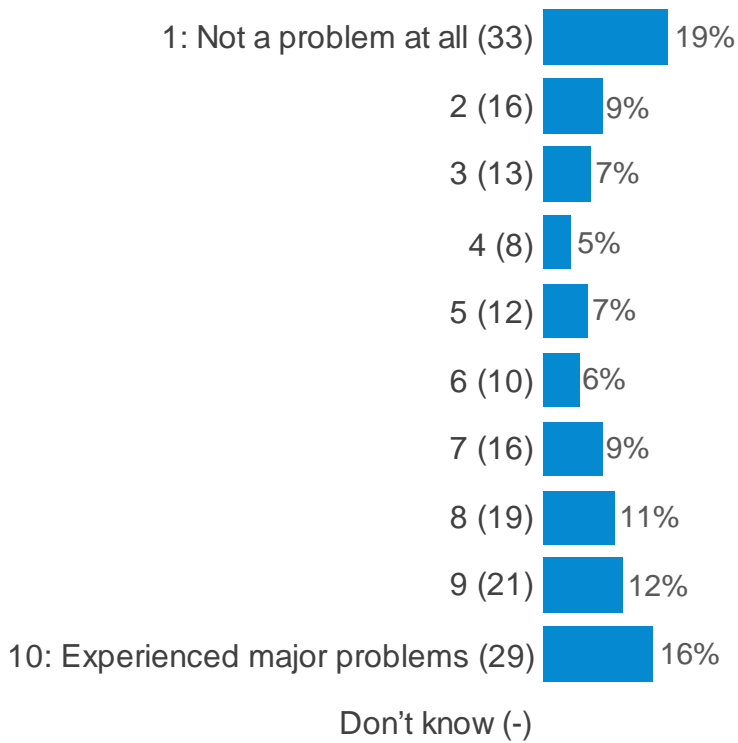
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Noise)**



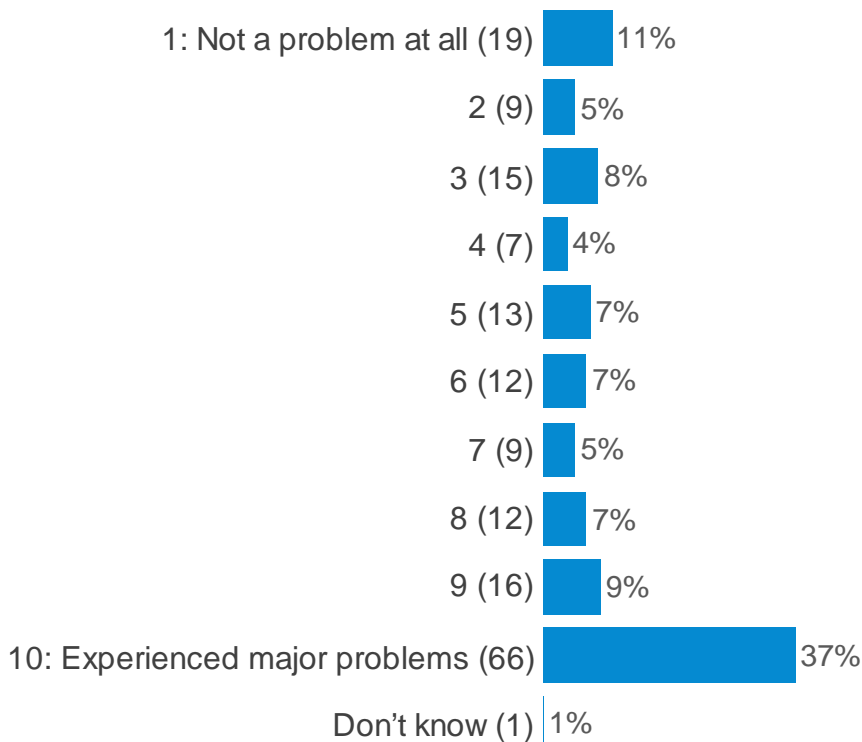
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Neglected/derelict properties)**



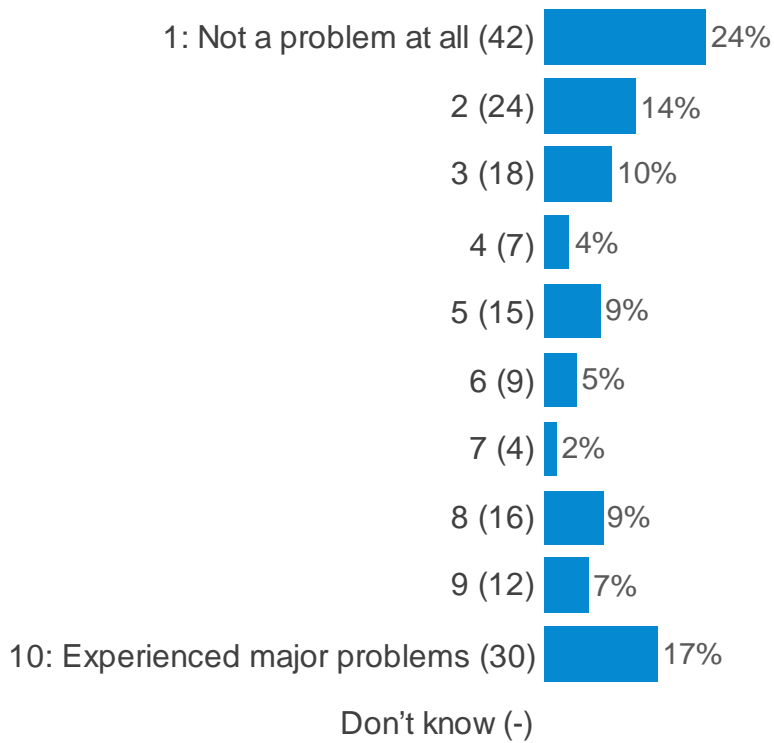
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Untidy gardens)**



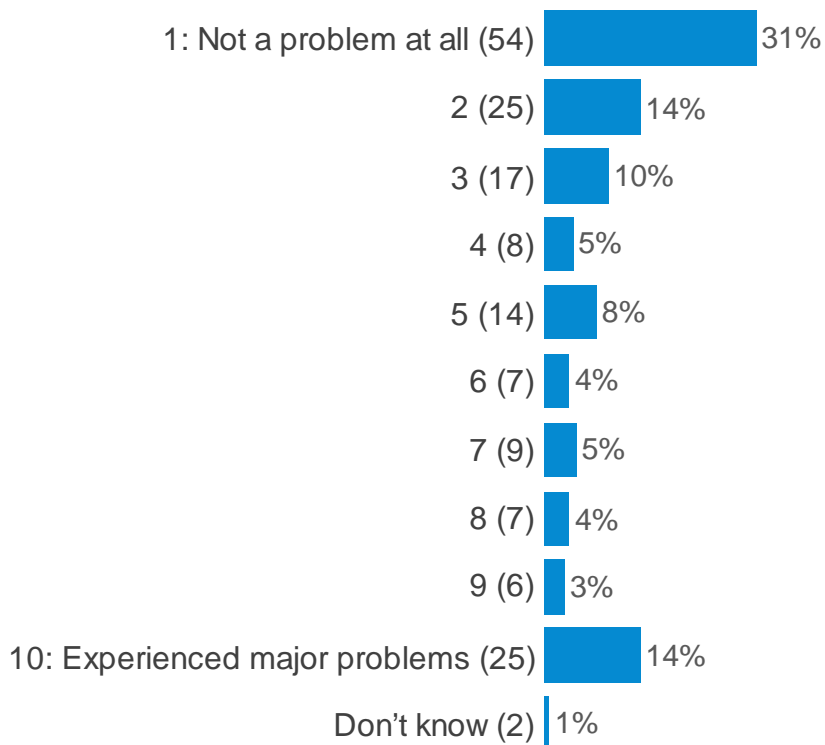
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Fly tipping)**



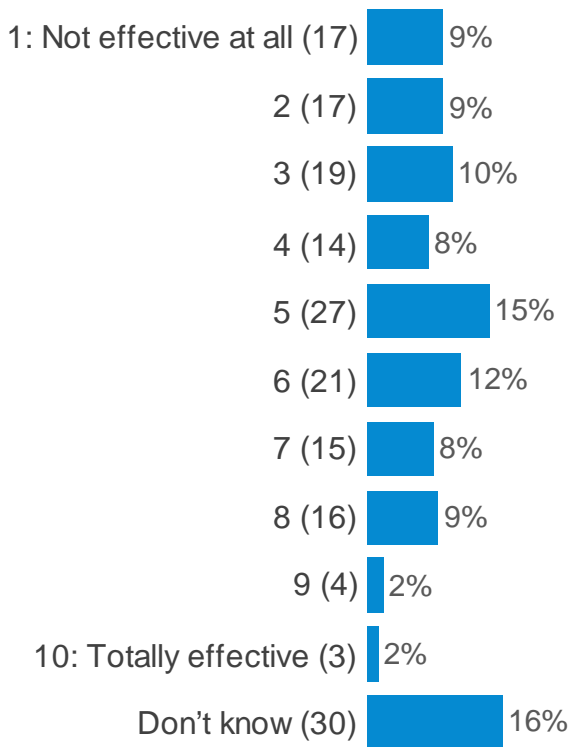
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Nuisance from neighbours)**



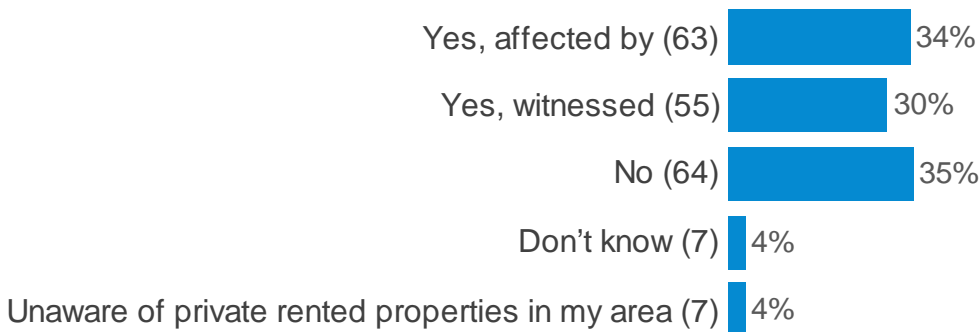
**On a scale of 1 to 10, where 1 is not a problem at all and 10 is experienced major problems, to what extent have you experienced problems with anti-social behaviour in Croydon? (Pest and vermin issues)**



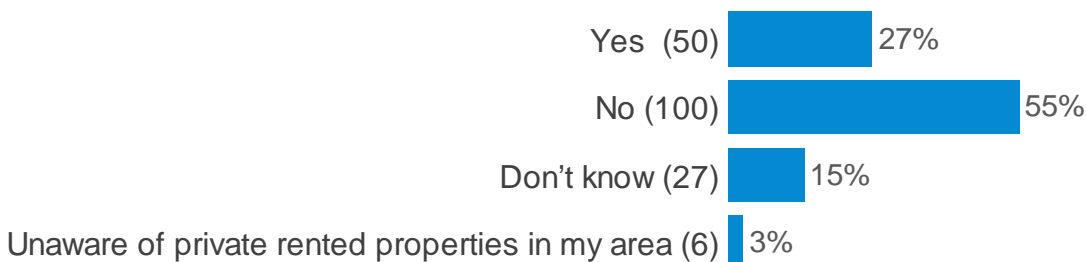
**On a scale of 1 to 10, where 1 is not at all effective and 10 is totally effective, how effective do you think Croydon Council is in dealing with anti-social behaviour? (effective do you think Croydon Council is in dealing with anti-social behaviour?)**



**Thinking about privately rented properties you know of in your area, have you been affected by or witnessed anti-social behaviour relating to these properties?**



**Still thinking about privately rented properties you know of in your area, do you think they are maintained to a good standard?**



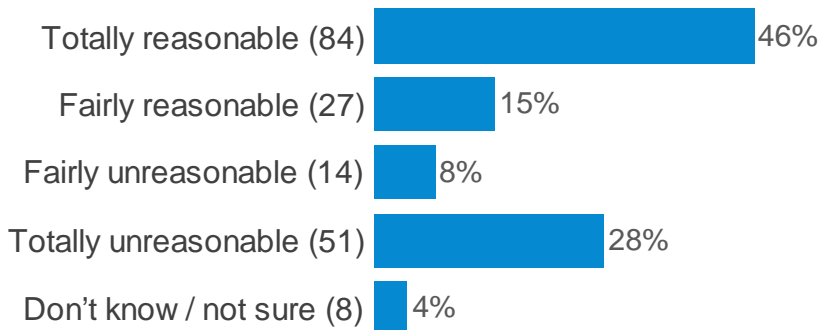
**Thinking about the private landlords or their agents you know of in your area, to what extent would you say they act responsibly in letting, managing and maintaining their properties?**



**If selective licensing were to be introduced, in order to cover the councils costs of administering the scheme, the Council would need to charge landlords a fee to apply for a licence that would last up to five years. The current proposed fee is £750 to cover up to five years. In simple terms this equates to £150 per year or £2.88 per week.**

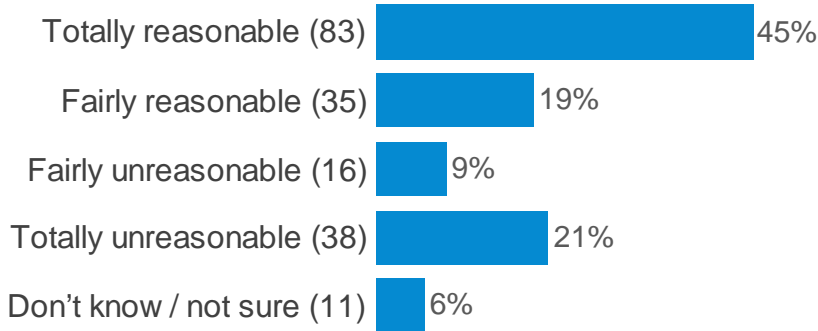
**If selective licensing is implemented, it becomes a mandatory requirement within the Borough, and as the licence fee would then be a mandatory cost to landlords it will be subject to relevant tax relief, which will further lower the actual cost to landlords and the cost which landlords might pass on to tenants.**

**To what extent do you feel that £750 for up to five years is a reasonable figure if the scheme were to be introduced?**

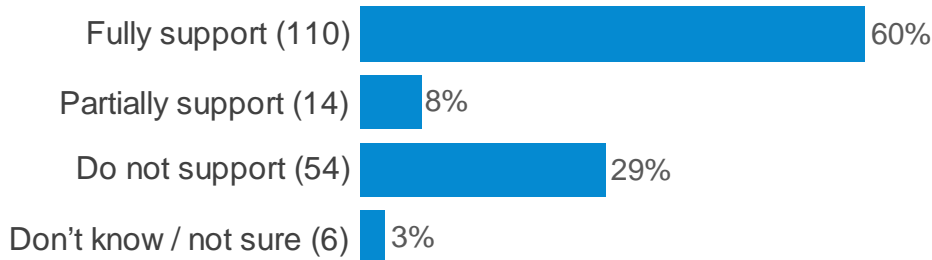


**The proposed early application discount fee, for landlords who register within three months of the start of any introduction of any scheme, would be £350 to cover five years, equivalent to £70 per year or £1.35 per week.**

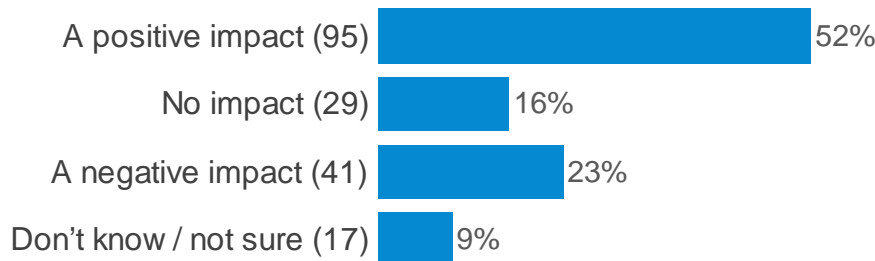
**Based on the discounted fee, to what extent do you feel that £350 for up to five years is reasonable if the scheme were to be introduced?**



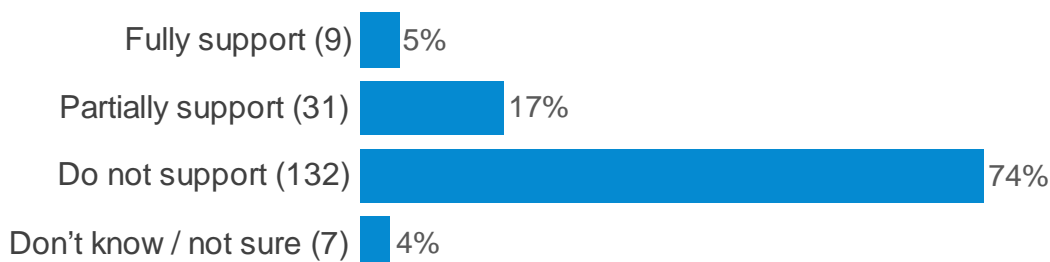
**To what extent would you support the proposal to implement a full borough wide scheme? (Option 1 - Implement a full borough wide scheme)**



**What impact, if any, do you feel implementing a full borough wide scheme would have on you if it were introduced? (Option 1 - Implement a full scheme)**

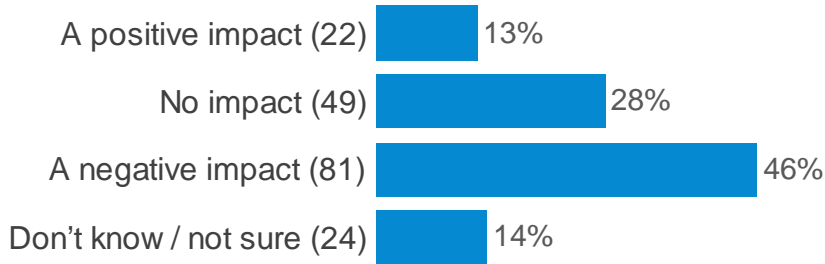


**To what extent would you support the proposal to implement a partial scheme?**

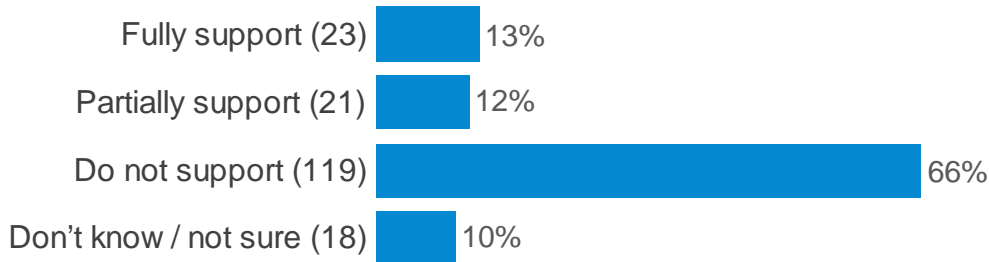




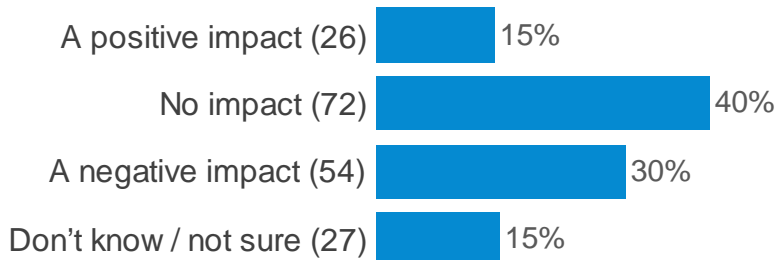
**What impact, if any, do you feel implementing a partial scheme would have on you if it were introduced?**



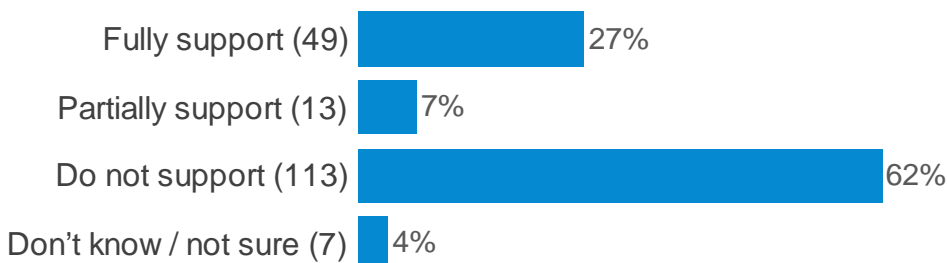
**To what extent would you support the proposal to implement the voluntary London Rental Standard?**

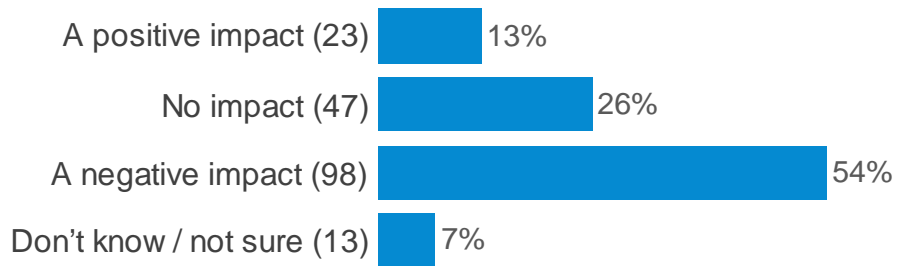
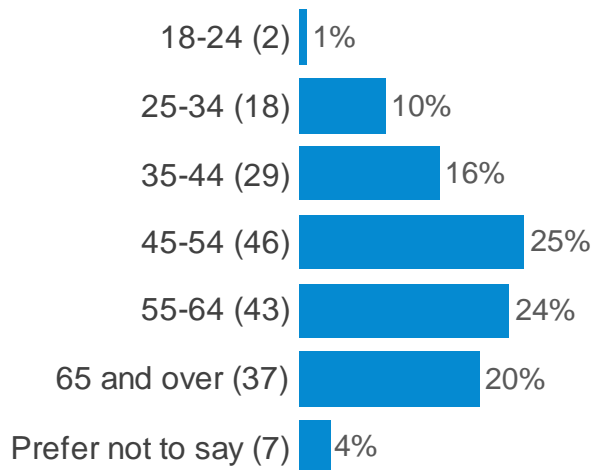


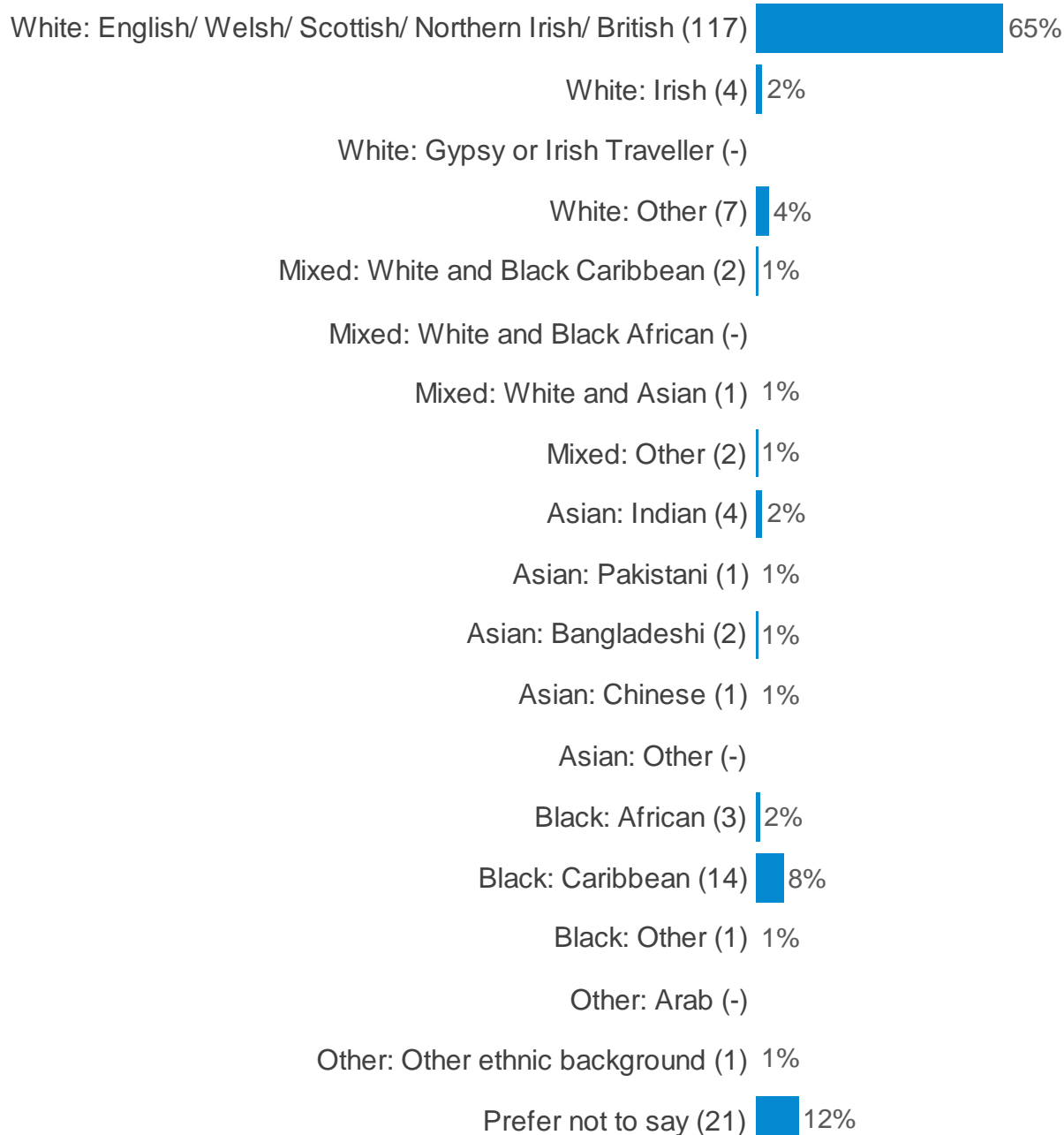
**What impact, if any, do you feel implementing the voluntary London Rental Standard would have on you if it were introduced?**

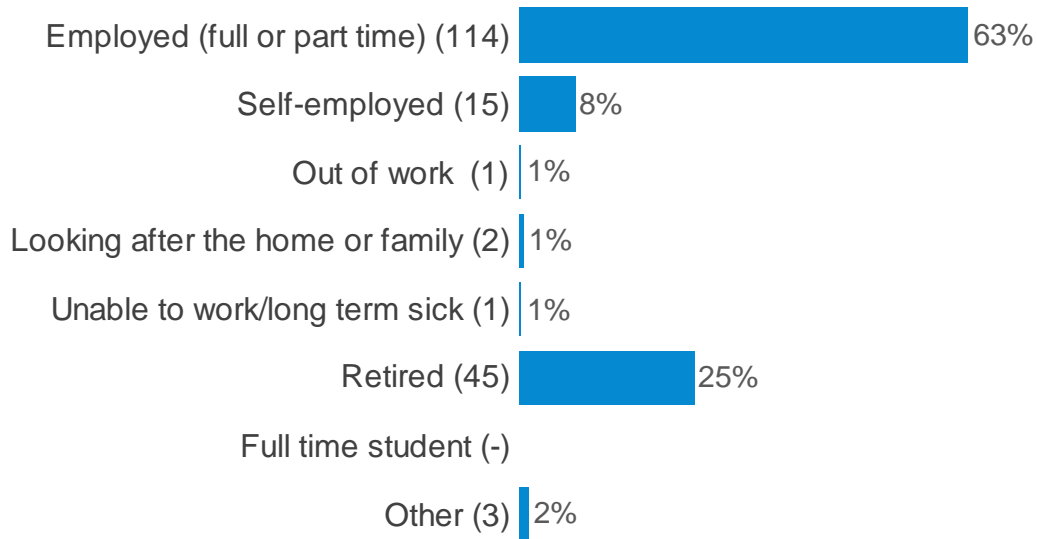


**To what extent would you support the proposal to do nothing?**



**What impact, if any, do you feel doing nothing would have on you?****Are you.... (Q28. Interviewer record gender)****How old are you? (Q29. How old are you? )**

**What is your ethnic background? (Q30. And how would you describe your ethnicity? )**

**What is your current working status? (Q31. Looking at this list, how would you describe your present work status? )**

**If you would like to be included in the free prize draw, please tick below.**



## Appendix 7 – Data tables

### Anti-social behaviour

Question		Face to face method of data collection			
		Total	Private Rented	Landlord / Agents	Other Residents
	<b>Base</b>	<b>1070-1071</b>	<b>215</b>	<b>23</b>	<b>832-833</b>
Problems with anti-social behaviour mean score	Noise	3.12	3.03	3.70	3.13
	Neglected/derelict properties	2.86	2.81	3.39	2.86
	Untidy gardens	3.32	3.17	3.65	3.35
	Fly tipping	4.44	4.28	4.26	4.49
	Nuisance from neighbours	2.45	2.37	3.09	2.45
	Pest and vermin issues	2.48	2.67	3.57	2.40
Effectiveness of Croydon Council dealing with anti-social behaviour - mean score		6.35	6.40	5.55	6.36

Question		Online method of data collection				
		Total	Private Rented	Landlord / Agents	Other Residents	Other
	<b>Base</b>	<b>456-462</b>	<b>63-66</b>	<b>193-195</b>	<b>177-183</b>	<b>19-20</b>
Problems with anti-social behaviour mean score	Noise	3.75	4.15	2.56	4.84	3.82
	Neglected/derelict properties	3.80	4.56	2.42	5.03	3.44
	Untidy gardens	4.24	4.51	2.93	5.59	3.94
	Fly tipping	5.08	5.02	3.53	6.77	4.82
	Nuisance from neighbours	3.66	3.49	2.61	4.87	3.31
	Pest and vermin issues	3.25	3.73	2.16	4.20	3.76
Effectiveness of Croydon Council dealing with anti-social behaviour		4.56	5.26	4.04	4.81	5.00

Question		Face to face & online method of data collection				
		Total	Private Rented	Landlord / Agents	Other Residents	Other
	<b>Base</b>	<b>1526-1533</b>	<b>278-281</b>	<b>216-218</b>	<b>1009-1016</b>	<b>19-20</b>
Problems with anti-social behaviour mean score	Noise	3.31	3.30	2.68	3.44	3.82
	Neglected/derelict properties	3.15	3.22	2.53	3.25	3.44
	Untidy gardens	3.60	3.49	3.00	3.75	3.94
	Fly tipping	4.63	4.45	3.60	4.90	4.82
	Nuisance from neighbours	2.81	2.64	2.66	2.88	3.31
	Pest and vermin issues	2.71	2.92	2.31	2.71	3.76
Effectiveness of Croydon Council dealing with anti-social behaviour		5.77	6.13	4.19	6.03	5.00

## Private rented tenants

Question		Face to face method of data collection							
		Total		Private Rented		Landlord / Agents		Other Residents	
Thinking about privately rented properties you know of in your area, have you been affected by or witnessed anti-social behaviour relating to these properties?	<b>Base</b>	<b>1070</b>	<b>%</b>	<b>215</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>832</b>	<b>%</b>
	Yes, affected by	107	10%	22	10%	5	22%	80	10%
	Yes, witnessed	94	9%	15	7%	2	9%	77	9%
	No	854	80%	182	85%	16	70%	656	79%
	Don't know	16	1%	1	0%	0	0%	15	2%
	Unaware of private rented properties in my area	42	4%	1	0%	0	0%	41	5%
Thinking about privately rented properties you know of in your area, do you think they are maintained to a good standard?	<b>Base</b>	<b>1070</b>	<b>%</b>	<b>215</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>832</b>	<b>%</b>
	Yes	612	57%	137	64%	19	83%	456	55%
	No	229	21%	69	32%	3	13%	157	19%
	Don't know	83	8%	6	3%	1	4%	76	9%
	Unaware of private rented properties	146	14%	3	1%	0	0%	143	17%
Thinking about privately rented properties you know of in your area, to what extent would you say they act responsibly in letting, managing and maintaining their properties?	<b>Base</b>	<b>1071</b>	<b>%</b>	<b>215</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>833</b>	<b>%</b>
	All private landlords/agents	153	14%	23	11%	4	17%	126	15%
	Most private landlords/agents	438	41%	105	49%	13	57%	320	38%
	Some private landlords/agents	217	20%	59	27%	3	13%	155	19%
	None or very few private landlords/agents	61	6%	15	7%	1	4%	45	5%
	Don't know	71	7%	10	5%	1	4%	60	7%
	Unaware of private rented properties	131	12%	3	1%	1	4%	127	15%

Question		Online method of data collection									
		Total		Private Rented		Landlord / Agents		Other Residents		Other	
Thinking about privately rented properties you know of in your area, have you been affected by or witnessed anti-social behaviour relating to these properties?	<b>Base</b>	<b>470</b>	<b>%</b>	<b>67</b>	<b>%</b>	<b>197</b>	<b>%</b>	<b>186</b>	<b>%</b>	<b>20</b>	<b>%</b>
	Yes, affected by	104	22%	16	24%	20	10%	64	34%	4	20%
	Yes, witnessed	85	14%	13	16%	12	5%	56	23%	4	15%
	No	265	56%	34	51%	155	79%	66	36%	10	50%
	Don't know	19	4%	5	7%	5	2%	7	4%	2	10%
Unaware of private rented properties in my area	16	3%	1	2%	7	4%	7	4%	1	5%	
Thinking about privately rented properties you know of in your area, do you think they are maintained to a good standard?	<b>Base</b>	<b>474</b>	<b>%</b>	<b>67</b>	<b>%</b>	<b>198</b>	<b>%</b>	<b>188</b>	<b>%</b>	<b>21</b>	<b>%</b>
	Yes	233	49%	24	36%	148	75%	52	28%	9	43%
	No	151	32%	32	48%	13	7%	101	54%	5	24%
	Don't know	68	14%	9	13%	27	14%	27	14%	5	24%
	Unaware of private rented properties	22	5%	2	3%	10	5%	8	4%	2	10%
Thinking about privately rented properties you know of in your area, to what extent would you say they act responsibly in letting, managing and maintaining their properties?	<b>Base</b>	<b>489</b>	<b>%</b>	<b>67</b>	<b>%</b>	<b>206</b>	<b>%</b>	<b>193</b>	<b>%</b>	<b>23</b>	<b>%</b>
	All private landlords/agents	49	10%	6	9%	31	15%	10	5%	2	9%
	Most private landlords/agents	208	43%	15	22%	136	66%	50	26%	7	30%
	Some private landlords/agents	123	25%	28	42%	12	6%	76	39%	7	30%
	None or very few private landlords/agents	48	10%	14	21%	4	2%	29	15%	1	4%
	Don't know	47	10%	3	4%	16	8%	24	12%	4	17%
	Unaware of private rented properties	14	3%	1	1%	7	3%	4	2%	2	9%



Question		Face to face & online method of data collection									
		Total		Private Rented		Landlord / Agents		Other Residents		Other	
Thinking about privately rented properties you know of in your area, have you been affected by or witnessed anti-social behaviour relating to these properties?	<b>Base</b>	<b>1540</b>	<b>%</b>	<b>276</b>	<b>%</b>	<b>220</b>	<b>%</b>	<b>1024</b>	<b>%</b>	<b>20</b>	<b>%</b>
	Yes, affected by	211	14%	38	14%	25	11%	144	14%	4	20%
	Yes, witnessed	179	12%	27	10%	14	6%	134	13%	4	20%
	No	1119	73%	211	76%	171	78%	727	71%	10	50%
	Don't know	35	2%	6	2%	5	2%	22	2%	2	10%
	Unaware of private rented properties in my area	58	4%	2	1%	7	3%	48	5%	1	5%
Thinking about privately rented properties you know of in your area, do you think they are maintained to a good standard?	<b>Base</b>	<b>1544</b>	<b>%</b>	<b>276</b>	<b>%</b>	<b>221</b>	<b>%</b>	<b>1026</b>	<b>%</b>	<b>21</b>	<b>%</b>
	Yes	845	55%	158	57%	167	76%	511	50%	9	43%
	No	380	25%	98	36%	16	7%	261	25%	5	24%
	Don't know	151	10%	15	5%	28	13%	103	10%	5	24%
	Unaware of private rented properties	168	11%	5	2%	10	5%	151	15%	2	10%
Thinking about privately rented properties you know of in your area, to what extent would you say they act responsibly in letting, managing and maintaining their properties?	<b>Base</b>	<b>1560</b>	<b>%</b>	<b>276</b>	<b>%</b>	<b>229</b>	<b>%</b>	<b>1032</b>	<b>%</b>	<b>23</b>	<b>%</b>
	All private landlords/agents	202	13%	29	11%	35	15%	136	13%	2	9%
	Most private landlords/agents	646	41%	118	43%	149	65%	372	36%	7	30%
	Some private landlords/agents	340	22%	85	31%	15	7%	233	23%	7	30%
	None or very few private landlords/agents	109	7%	27	10%	5	2%	76	7%	1	4%
	Don't know	118	8%	13	5%	17	7%	84	8%	4	17%
	Unaware of private rented properties	145	9%	4	1%	8	3%	131	13%	2	9%

## Cost of Private Rented Landlord License

Question		Face to face method of data collection							
		Total		Private Rented		Landlord / Agents		Other Residents	
To what extent do you feel that £750 for up to five years is a reasonable figure if the scheme were to be introduced?	<b>Base</b>	<b>1071</b>	<b>%</b>	<b>209</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>839</b>	<b>%</b>
	Totally reasonable	374	35%	58	28%	2	9%	314	37%
	Fairly reasonable	293	27%	66	32%	2	9%	225	27%
	Fairly unreasonable	204	19%	48	23%	5	22%	151	18%
	Totally unreasonable	119	11%	23	11%	13	57%	83	10%
	Don't know / not sure	81	8%	14	7%	1	4%	66	8%
Based on the discounted fee, to what extent do you feel that £350 for up to five years is reasonable if the scheme were to be introduced?	<b>Base</b>	<b>1068</b>	<b>%</b>	<b>208</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>837</b>	<b>%</b>
	Totally reasonable	464	43%	86	41%	2	9%	376	45%
	Fairly reasonable	267	25%	58	28%	3	13%	206	25%
	Fairly unreasonable	154	14%	38	18%	4	17%	112	13%
	Totally unreasonable	96	9%	14	7%	11	48%	71	8%
	Don't know / not sure	87	8%	12	6%	3	13%	72	9%

Question		Online method of data collection									
		Total		Private Rented		Landlord / Agents		Other Residents		Other	
To what extent do you feel that £750 for up to five years is a reasonable figure if the scheme were to be introduced?	<b>Base</b>	<b>472</b>	<b>%</b>	<b>67</b>	<b>%</b>	<b>198</b>	<b>%</b>	<b>187</b>	<b>%</b>	<b>20</b>	<b>%</b>
	Totally reasonable	116	25%	21	31%	8	4%	84	45%	3	15%
	Fairly reasonable	51	11%	13	19%	8	4%	27	14%	3	15%
	Fairly unreasonable	41	9%	5	7%	21	11%	14	7%	1	5%
	Totally unreasonable	243	51%	20	30%	159	80%	54	29%	10	50%
	Don't know / not sure	21	4%	8	12%	2	1%	8	4%	3	15%
Based on the discounted fee, to what extent do you feel that £350 for up to five years is reasonable if the scheme were to be introduced?	<b>Base</b>	<b>472</b>	<b>%</b>	<b>67</b>	<b>%</b>	<b>199</b>	<b>%</b>	<b>186</b>	<b>%</b>	<b>20</b>	<b>%</b>
	Totally reasonable	131	28%	24	36%	18	9%	83	45%	6	30%
	Fairly reasonable	91	19%	18	27%	33	17%	35	19%	5	25%
	Fairly unreasonable	59	13%	7	10%	34	17%	17	9%	1	5%
	Totally unreasonable	171	36%	14	21%	109	55%	40	22%	8	40%
	Don't know / not sure	20	4%	4	6%	5	3%	11	6%	0	0%

Question		Face to face & online method of data collection									
		Total		Private Rented		Landlord / Agents		Other Residents		Other	
To what extent do you feel that £750 for up to five years is a reasonable figure if the scheme were to be introduced?	<b>Base</b>	<b>1543</b>	<b>%</b>	<b>276</b>	<b>%</b>	<b>221</b>	<b>%</b>	<b>1026</b>	<b>%</b>	<b>20</b>	<b>%</b>
	Totally reasonable	490	32%	79	29%	10	5%	398	39%	3	15%
	Fairly reasonable	344	22%	79	29%	10	5%	252	25%	3	15%
	Fairly unreasonable	245	16%	53	19%	26	12%	165	16%	1	5%
	Totally unreasonable	362	23%	43	16%	172	78%	137	13%	10	50%
	Don't know / not sure	102	7%	22	8%	3	1%	74	7%	3	15%
Based on the discounted fee, to what extent do you feel that £350 for up to five years is reasonable if the scheme were to be introduced?	<b>Base</b>	<b>1540</b>	<b>%</b>	<b>275</b>	<b>%</b>	<b>222</b>	<b>%</b>	<b>1023</b>	<b>%</b>	<b>20</b>	<b>%</b>
	Totally reasonable	595	39%	110	40%	20	9%	459	45%	6	30%
	Fairly reasonable	358	23%	76	28%	36	16%	241	24%	5	25%
	Fairly unreasonable	213	14%	45	16%	38	17%	129	13%	1	5%
	Totally unreasonable	267	17%	28	10%	120	54%	111	11%	8	40%
	Don't know / not sure	107	7%	16	6%	8	4%	83	8%	0	0%

## Option 1 – Implement a full borough wide scheme

Question			Face to face method of data collection							
			Total		Private Rented		Landlord / Agents		Other Residents	
Option 1 - Implement a full borough wide scheme	Extent of support for Option 1	<b>Base</b>	<b>1070</b>	<b>%</b>	<b>209</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>838</b>	<b>%</b>
		Fully support	513	48%	99	47%	5	22%	409	49%
		Partially support	268	25%	52	25%	2	9%	214	26%
		Do not support	246	23%	49	23%	16	70%	181	22%
		Don't know / not sure	43	4%	9	4%	0	0%	34	4%
	Impact of Option 1	<b>Base</b>	<b>1066</b>	<b>%</b>	<b>209</b>	<b>%</b>	<b>22</b>	<b>%</b>	<b>835</b>	<b>%</b>
		A positive impact	615	58%	115	55%	4	18%	496	59%
		No impact	171	16%	36	17%	3	14%	132	16%
		A negative impact	184	17%	40	19%	14	64%	130	16%
		Don't know / not sure	96	9%	18	9%	1	5%	77	9%

Question			Online method of data collection									
			Total		Private Rented		Landlord / Agents		Other Residents		Other	
Option 1 - Implement a full borough wide scheme	Extent of support for Option 1	<b>Base</b>	<b>470</b>	<b>%</b>	<b>66</b>	<b>%</b>	<b>197</b>	<b>%</b>	<b>187</b>	<b>%</b>	<b>20</b>	<b>%</b>
		Fully support	166	35%	39	59%	9	5%	110	59%	8	40%
		Partially support	46	10%	4	6%	24	12%	15	8%	3	15%
		Do not support	248	53%	22	33%	162	82%	56	30%	8	40%
		Don't know / not sure	10	2%	1	2%	2	1%	6	3%	1	5%
	Impact of Option 1	<b>Base</b>	<b>470</b>	<b>%</b>	<b>66</b>	<b>%</b>	<b>198</b>	<b>%</b>	<b>186</b>	<b>%</b>	<b>20</b>	<b>%</b>
		A positive impact	145	31%	34	52%	7	4%	95	51%	9	45%
		No impact	60	13%	2	3%	26	13%	30	16%	2	10%
		A negative impact	226	48%	21	32%	153	77%	43	23%	9	45%
		Don't know / not sure	39	8%	9	14%	12	6%	18	10%	0	0%

Question			Face to face & online method of data collection									
			Total		Private Rented		Landlord / Agents		Other Residents		Other	
Option 1 - Implement a full borough wide scheme	Extent of support for Option 1	<b>Base</b>	<b>1540</b>	<b>%</b>	<b>275</b>	<b>%</b>	<b>220</b>	<b>%</b>	<b>1025</b>	<b>%</b>	<b>20</b>	<b>%</b>
		Fully support	679	44%	138	50%	14	6%	519	51%	8	40%
		Partially support	314	20%	56	20%	26	12%	229	22%	3	15%
		Do not support	494	32%	71	26%	178	81%	237	23%	8	40%
		Don't know / not sure	53	3%	10	4%	2	1%	40	4%	1	5%
	Impact of Option 1	<b>Base</b>	<b>1536</b>	<b>%</b>	<b>275</b>	<b>%</b>	<b>220</b>	<b>%</b>	<b>1021</b>	<b>%</b>	<b>20</b>	<b>%</b>
		A positive impact	760	49%	149	54%	11	5%	591	58%	9	45%
		No impact	231	15%	38	14%	29	13%	162	16%	2	10%
		A negative impact	410	27%	61	22%	167	76%	173	17%	9	45%
		Don't know / not sure	135	9%	27	10%	13	6%	95	9%	0	0%

## Option 2 – A partial scheme

Question			Face to face method of data collection							
			Total		Private Rented		Landlord / Agents		Other Residents	
Option 2 - A partial scheme	Extent of support for Option 2	<b>Base</b>	<b>1069</b>	<b>%</b>	<b>209</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>837</b>	<b>%</b>
		Fully support	294	28%	59	28%	2	9%	233	28%
		Partially support	361	34%	73	35%	8	35%	280	33%
		Do not support	362	34%	66	32%	13	57%	283	34%
		Don't know / not sure	52	5%	11	5%	0	0%	41	5%
	Impact of Option 2	<b>Base</b>	<b>1068</b>	<b>%</b>	<b>209</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>836</b>	<b>%</b>
		A positive impact	442	41%	98	47%	3	13%	341	41%
		No impact	215	20%	38	18%	5	22%	172	21%
		A negative impact	287	27%	53	25%	14	61%	220	26%
		Don't know / not sure	124	12%	20	10%	1	4%	103	12%

Question			Online method of data collection									
			Total		Private Rented		Landlord / Agents		Other Residents		Other	
Option 2 - A partial scheme	Extent of support for Option 2	<b>Base</b>	<b>464</b>	<b>%</b>	<b>66</b>	<b>%</b>	<b>195</b>	<b>%</b>	<b>183</b>	<b>%</b>	<b>20</b>	<b>%</b>
		Fully support	27	6%	9	14%	6	3%	10	5%	2	10%
		Partially support	71	15%	8	12%	28	14%	31	17%	4	20%
		Do not support	341	73%	45	68%	151	77%	134	73%	11	55%
		Don't know / not sure	25	5%	4	6%	10	5%	8	4%	3	15%
	Impact of Option 2	<b>Base</b>	<b>464</b>	<b>%</b>	<b>65</b>	<b>%</b>	<b>199</b>	<b>%</b>	<b>181</b>	<b>%</b>	<b>19</b>	<b>%</b>
		A positive impact	43	9%	11	17%	7	4%	22	12%	3	16%
		No impact	89	19%	4	6%	33	17%	50	28%	2	11%
		A negative impact	255	55%	33	51%	131	66%	83	46%	8	42%
		Don't know / not sure	77	17%	17	26%	28	14%	26	14%	6	32%

Question		Face to face & online method of data collection										
		Total		Private Rented		Landlord / Agents		Other Residents		Other		
Option 2 - A partial scheme	Extent of support for Option 2	<b>Base</b>	<b>1533</b>	<b>%</b>	<b>275</b>	<b>%</b>	<b>218</b>	<b>%</b>	<b>1020</b>	<b>%</b>	<b>20</b>	<b>%</b>
		Fully support	321	21%	68	25%	8	4%	243	24%	2	10%
		Partially support	432	28%	81	29%	36	17%	311	30%	4	20%
		Do not support	703	46%	111	40%	164	75%	417	41%	11	55%
		Don't know / not sure	77	5%	15	5%	10	5%	49	5%	3	15%
	Impact of Option 2	<b>Base</b>	<b>1532</b>	<b>%</b>	<b>274</b>	<b>%</b>	<b>222</b>	<b>%</b>	<b>1017</b>	<b>%</b>	<b>19</b>	<b>%</b>
		A positive impact	485	32%	109	40%	10	5%	363	36%	3	16%
		No impact	304	20%	42	15%	38	17%	222	22%	2	11%
		A negative impact	542	35%	86	31%	145	65%	303	30%	8	42%
		Don't know / not sure	201	13%	37	14%	29	13%	129	13%	6	32%

### Option 3 – The voluntary London Rental Standard

Question			Face to face method of data collection							
			Total		Private Rented		Landlord / Agents		Other Residents	
Option 3 - The voluntary London Rental Standard	Extent of support for Option 3	<b>Base</b>	<b>1068</b>	<b>%</b>	<b>209</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>836</b>	<b>%</b>
		Fully support	171	16%	46	22%	4	17%	121	14%
		Partially support	325	30%	70	33%	8	35%	247	30%
		Do not support	438	41%	61	29%	10	43%	367	44%
		Don't know / not sure	134	13%	32	15%	1	4%	101	12%
	Impact of Option 3	<b>Base</b>	<b>1061</b>	<b>%</b>	<b>207</b>	<b>%</b>	<b>22</b>	<b>%</b>	<b>832</b>	<b>%</b>
		A positive impact	307	29%	68	33%	3	14%	236	28%
		No impact	363	34%	73	35%	7	32%	283	34%
		A negative impact	212	20%	32	15%	7	32%	173	21%
		Don't know / not sure	179	17%	34	16%	5	23%	140	17%

Question			Online method of data collection									
			Total		Private Rented		Landlord / Agents		Other Residents		Other	
Option 3 - The voluntary London Rental Standard	Extent of support for Option 3	<b>Base</b>	<b>465</b>	<b>%</b>	<b>66</b>	<b>%</b>	<b>196</b>	<b>%</b>	<b>184</b>	<b>%</b>	<b>19</b>	<b>%</b>
		Fully support	73	16%	14	21%	33	17%	23	13%	3	16%
		Partially support	86	18%	11	17%	50	26%	21	11%	4	21%
		Do not support	272	58%	35	53%	106	54%	122	66%	9	47%
		Don't know / not sure	34	7%	6	9%	7	4%	18	10%	3	16%
	Impact of Option 3	<b>Base</b>	<b>470</b>	<b>%</b>	<b>65</b>	<b>%</b>	<b>198</b>	<b>%</b>	<b>186</b>	<b>%</b>	<b>21</b>	<b>%</b>
		A positive impact	77	16%	13	20%	35	18%	26	14%	3	14%
		No impact	147	31%	8	12%	63	32%	72	39%	4	19%
		A negative impact	160	34%	29	45%	68	34%	57	31%	6	29%
		Don't know / not sure	86	18%	15	23%	32	16%	31	17%	8	38%



Question			Face to face & online method of data collection									
			Total		Private Rented		Landlord / Agents		Other Residents		Other	
Option 3 - The voluntary London Rental Standard	Extent of support for Option 3	<b>Base</b>	<b>1533</b>	<b>%</b>	<b>275</b>	<b>%</b>	<b>219</b>	<b>%</b>	<b>1020</b>	<b>%</b>	<b>19</b>	<b>%</b>
		Fully support	244	16%	60	22%	37	17%	144	14%	3	16%
		Partially support	411	27%	81	29%	58	26%	268	26%	4	21%
		Do not support	710	46%	96	35%	116	53%	489	48%	9	47%
		Don't know / not sure	168	11%	38	14%	8	4%	119	12%	3	16%
	Impact of Option 3	<b>Base</b>	<b>1531</b>	<b>%</b>	<b>272</b>	<b>%</b>	<b>220</b>	<b>%</b>	<b>1018</b>	<b>%</b>	<b>21</b>	<b>%</b>
		A positive impact	384	25%	81	30%	38	17%	262	26%	3	14%
		No impact	510	33%	81	30%	70	32%	355	35%	4	19%
		A negative impact	372	24%	61	22%	75	34%	230	23%	6	29%
		Don't know / not sure	265	17%	49	18%	37	17%	171	17%	8	38%

## Option 4 – A proposal to do nothing

Question			Face to face method of data collection							
			Total		Private Rented		Landlord / Agents		Other Residents	
Option 4 - The proposal to do nothing	Extent of support for Option 4	<b>Base</b>	<b>1068</b>	<b>%</b>	<b>209</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>836</b>	<b>%</b>
		Fully support	125	12%	17	8%	12	52%	96	11%
		Partially support	194	18%	57	27%	4	17%	133	16%
		Do not support	641	60%	127	61%	6	26%	508	61%
		Don't know / not sure	108	10%	8	4%	1	4%	99	12%
	Impact of Option 4	<b>Base</b>	<b>1051</b>	<b>%</b>	<b>207</b>	<b>%</b>	<b>23</b>	<b>%</b>	<b>821</b>	<b>%</b>
		A positive impact	94	9%	17	8%	7	30%	70	9%
		No impact	398	38%	88	43%	8	35%	302	37%
		A negative impact	412	39%	87	42%	5	22%	320	39%
		Don't know / not sure	147	14%	15	7%	3	13%	129	16%

Question			Online method of data collection									
			Total		Private Rented		Landlord / Agents		Other Residents		Other	
Option 4 - The proposal to do nothing	Extent of support for Option 4	<b>Base</b>	<b>467</b>	<b>%</b>	<b>64</b>	<b>%</b>	<b>198</b>	<b>%</b>	<b>185</b>	<b>%</b>	<b>20</b>	<b>%</b>
		Fully support	205	44%	15	23%	135	68%	50	27%	5	25%
		Partially support	46	10%	5	8%	25	13%	13	7%	3	15%
		Do not support	191	41%	39	61%	27	14%	115	62%	10	50%
		Don't know / not sure	25	5%	5	8%	11	6%	7	4%	2	10%
	Impact of Option 4	<b>Base</b>	<b>470</b>	<b>%</b>	<b>65</b>	<b>%</b>	<b>198</b>	<b>%</b>	<b>187</b>	<b>%</b>	<b>20</b>	<b>%</b>
		A positive impact	109	###	12	18%	70	35%	23	12%	4	20%
		No impact	164	35%	10	15%	98	49%	49	26%	7	35%
		A negative impact	153	33%	34	52%	14	7%	99	53%	6	30%
		Don't know / not sure	44	9%	9	14%	16	8%	16	9%	3	15%

Question			Face to face & online method of data collection									
			Total		Private Rented		Landlord / Agents		Other Residents		Other	
Option 4 - The proposal to do nothing	Extent of support for Option 4	<b>Base</b>	<b>1535</b>	<b>%</b>	<b>273</b>	<b>%</b>	<b>221</b>	<b>%</b>	<b>1021</b>	<b>%</b>	<b>20</b>	<b>%</b>
		Fully support	330	21%	32	12%	147	67%	146	14%	5	25%
		Partially support	240	16%	62	23%	29	13%	146	14%	3	15%
		Do not support	832	54%	166	61%	33	15%	623	61%	10	50%
		Don't know / not sure	133	9%	13	5%	12	5%	106	10%	2	10%
	Impact of Option 4	<b>Base</b>	<b>1521</b>	<b>%</b>	<b>272</b>	<b>%</b>	<b>221</b>	<b>%</b>	<b>1008</b>	<b>%</b>	<b>20</b>	<b>%</b>
		A positive impact	203	13%	29	11%	77	35%	93	9%	4	20%
		No impact	562	37%	98	36%	106	48%	351	35%	7	35%
		A negative impact	565	37%	121	44%	19	9%	419	42%	6	30%
		Don't know / not sure	191	13%	24	9%	19	9%	145	14%	3	15%

# License Croydon's landlords

We, the undersigned,

Call for the licensing of all private landlords in the London Borough of Croydon, for the following reasons:

1. In 2013/14, Croydon Council received 1371 complaints from private renters and over a five month period dealt with 104 cases of illegal eviction and harassment from landlords
2. Landlords make very significant rental revenues and capital gain, yet often allow their tenants to live in sub-standard conditions.
3. Licensing would allow the council to carry out pre-licensing inspections of property, support for landlords wishing to improve and the banning from the Borough of those landlords who are unfit to provide this essential service.
4. Landlords taking tenants without first having a licence would be liable to pay Rent Repayment Orders, providing an effective financial sanction for those seeking to avoid the licensing regime.

This petition will be submitted to the London Borough of Croydon as a response to its public consultation.

Total signatures: 13

<b>Name</b>	<b>Comment</b>
1. Adrian Gatton	
2. Dan Wilson Craw	
3. Andrew Todd	
4. Seb Klier	
5. Tom Dewey	
6. Jenny Lockett	
7. Betsy Dillner	
8. Matthew Davis	
9. Sigovia Beare	
10. Glyn Robbins	
11. Metin Parlak	
12. Simone Johnston	
13. Emma Matthews	

# PRIVATE RENTED SECTOR LICENSING SCHEME

## Response to Croydon Council's Consultation

From Sean Creighton - resident of Norbury

### Introduction

1. I am submitting this response to the Council's proposed licensing scheme on the basis of support for the need to regulate the private rented sector because of the high level of poor conditions, high rents, evictions putting pressure on the Council through homelessness, and other problems caused by rogue landlords and agents. At various times over the last 40 years I have advised and advocated for tenants, researched landlord networks, lobbied for controls over the sector and tough action against bad landlords, helped form a co-operative initiative among private tenants, worked for a housing association which purchased tenanted property off landlords, advised OFWAT (water regulator) on controlling the resale price of water in multi-occupied properties, and run a private sector leasing purchase scheme for a housing association.
2. I attended the open discussion forum on 27 November and took part in the debate.

### High Court Enfield Judgement

3. In the judicial review hearing on 11 December a High Court judge decided against the Enfield Borough Council's licensing scheme. Until the full text of the judgement is made public the basis of the rejection appears to be that Enfield Council had failed to consult:
  - the people who should have been consulted (including in the 6 surrounding boroughs)
  - for the required time.
4. It is reported today that Enfield Council intends to appeal. The implications for Croydon will depend on what the Judge meant by this in detail and the outcome of the proposed appeal. Given the potential seriousness of this decision for Croydon the Council will need to wait the outcome of the appeal before finalising its decision on whether to implement its own scheme in the light of its consultation process. **The Scrutiny & Oversight Committee should hold a review of the consultation process in the light of the High Court decision and the outcome of the appeal. In doing so it should also take into account already identified flaws in the consultation process.**

### Consultation Flaws

5. At the 1 December Council meeting a question from Glen Hart, the prospective Parliamentary candidate for the Trade Union and Socialist Council, was answered by Alison Butler, the Cabinet member in charge of the consultation, asking if ward based public meetings for tenants were planned. Butler replied that none were planned but that Councillors could organise their own. (PW£089-14): <http://www.croydon.gov.uk/contents/documents/meetings/548170/691212/691218/1355632/1-dec-14-written-questions-from-public.pdf>.
6. On 5 December I emailed Labour Councillors asking them to let me know whether they have organised a meeting (date, time and venue) for tenants in their ward on the licensing scheme before the close of consultation on 12 December, or whether they have asked for the consultation period to be extended to give them time to organise such a meeting. Not a single Councillor has responded by today (12 December).
7. On 4 December it was reported that the Council had revised its proposals after pressure from the National Landlords Association, which claims to have at securing the council's agreement

to consider limiting the licensing scheme to only those specific areas suffering anti-social behaviour. <http://www.lettingagenttoday.co.uk/1252-council-rethinks-landlord-licensing-scheme>.

8. On 5 December I emailed Alison Butler, the Cabinet member in charge of the consultation asking whether this is correct or not. 'If it is correct it would appear to pre-empt the outcome of the consultation.'

9. In the same email I explained that I had gone into Croydon Access to pick up a print copy of the consultation document to send to a private tenant who does not have internet at home.

'I was told that there were no print copies but that people can access on line at Access Croydon and through the Libraries. This means that tenants who are not on the web or who do not have printers will not be able to access from home, and because so much Council information is now only available on line and through the emailed newsletter, many are not likely to know the consultation is on. This does not seem to be within the spirit of the administration's wish to be more open and transparent to residents.'

10. This concern was shared by the Croydon Unite Retired Members Branch which adopted the following resolution:

'This Unite, Croydon Retired Members branch, given the problems with rogue landlords, increasing rent levels, and a high incidence of unfitness and disrepair in the private rented sector, welcomes the Croydon Council's consultation on introducing a licensing scheme, under which all private rented sector landlords (other than those with houses in multiple occupation) will have to register.

It notes that few tenants appear to know about the consultation and that the period for public comment is short, at only four weeks ending on 12 December.

This branch urges Councillor Alison Butler, the relevant Cabinet member, to extend the consultation period to at least the end of January, and instruct the officers and the consultation consultants to concentrate their efforts on finding out the views of tenants.

It also requests the Croydon Assembly working group on housing, to start work on seeking to organise private tenants in the Borough, so that they can collectively lobby for a comprehensive strategy on the private rented sector by the Croydon Council.'

11. This was sent to Cllr Butler, but no reply had been received by the end of 11 December.

12. These issues raise serious questions about the seriousness and quality of Council consultation exercises, and contributes to a degree of cynicism about trying to engage with the Council is a waste of time.

### **The Context**

13. The consultation document is weak because it does not sufficiently set the proposal within the context of the growth and spread of the sector across the Borough. It makes assumptions about the nature of landlords without a detailed analysis based on publicly available information that is not restricted by data protection issues. There is no analysis of:

- the regulated rent sector on the Valuation Office Agency's website.
- the differences between wards and within wards of where private rented property is particularly concentrated.
- Census 2011 information cross-referencing private rented households with such other topics such as amenities, conditions, ethnicity, long-term illness and disability, etc.

14. This lack of in depth analysis is despite the fact that I raised such issues in my submission to the Scrutiny Committee on 18 June 2013, followed up with Freedom of Information requests. The replies revealed that the Council does not:

- record how many private sector landlords it has taken action against are multiple owners. (FOI reply 25 July 2013)
- research how many dwellings private sector landlords (whether individuals or companies) own and whether there are links between both individuals and companies as part of a property owning network, except 'this has been done on occasion if we have noted similarities in housing conditions/behaviour towards tenants in several properties.' (ditto)
- record the areas of the Borough where there are high concentrations of poor private landlord properties . (FOI reply 1 August 2013)

15. Nor as a matter of course does it ascertain from those seeking advice whether they live in private rented property whether their landlords:

- have undertaken the maximum energy efficiency measures to reduce heating bills or not;
- are complying with re-sale of electricity, gas and water requirements of the regulators or not
- have installed the maximum water efficiency measures possible to keep water meter bills down or not
- have provided the most energy and water efficient white goods which help reduce expenditure (FOI reply 9 August 2013)

#### **Who are the landlords?**

16. The representations made by landlords, especially those who responded to the consultation survey, suggest that the great majority are small landlords with few properties. The Council says that the responses 'indicate that a large number of landlords own only one or two properties in Croydon and therefore do not let these as a professional business.'

17. Over 9,000 landlords and lettings agents were sent details of the first phase of the consultation. The survey summary does not give any detailed analysis of these in terms of the type of landlord.

18. I have undertaken an analysis of the Valuation Office Agency's regulated rents register. The preliminary results suggest that out of 258 tenancies with regulated rents between 2011 and the end of November 2014:

- 66% are owned by property companies, many of them are linked through common Directorships with other property companies, including the Newcastle-upon-Tyne Grainger Group (15%), the Pears family (10%) and Mountview Estates (n.6%), whose activities are not restricted to Croydon. Their combined % is 31%
- Several properties are owned by individuals, who are also Directors of property companies.
- The Directors of some lettings agents have linked Directorships with the registered landlords.
- Many lettings agents are not based in Croydon.

19. The Council states that while ‘there are several landlord associations operating in Croydon, including the National Landlord Association (NLA), these only represent a small number of the total landlords and although they have been keen to engage and make representations to the council regarding the proposal, this can only be seen as reflecting the views of a small minority of landlords.’ If analysis of the type cited above was carried out on the other data sources used to construct the 9,000+ consultation invitations, it may be found that the level of small landlords is much lower than the NLA and others claim.

20. Several of the regulated rent tenancies are in converted houses and blocks of flats. Therefore it is possible that other dwellings in these houses and blocks are also private rented and possibly owned by the same companies.

#### Difference Within Wards

21. I have looked at the spread of private rented households in the ward I live in, Norbury, as indicated in the Census 2011 statistics on the Croydon Observatory. Each ward is divided into small areas (LSOAs - EDs). The following table shows the great variations between the LSOAs in Norbury.

	083	084	085	086	087	088	089	090	091
No Private rented households: landlords, lettings agency	53	96	154	96	313	91	197	266	114
%	9.98	14.44	25.16	15.92	36.91	15.38	27.55	25.85	20.29

Source: Croydon Observatory

#### Specialist Rentals

22. There are at least two specialist areas of renting on which clarification is needed as to whether the proposed scheme will cover them.

- Holiday lets : see e.g. <http://www.homeaway.co.uk/lettings/united-kingdom/croydon/r25299>; and <http://www.ownersdirect.co.uk/croydon.htm>
- Serviced apartments: see Flexistay Croydon

#### Rogue landlords

23. A substantial majority of those responding to the consultation survey and of those at the consultation meeting were against a Borough wide licensing scheme, but were in favour of action against rogue landlords.

24. However, there is big difference between stating this and taking action. I suggested at the consultation meeting that the NLA should convene a working group of those present to work on a comprehensive strategy on rogue landlords. The representative did not indicate agreement and ask for volunteers. This is not recorded in the official note of the consultation nor the comments of Cllrs Butler and Dudley Mead (Conservative).

#### Landlords Objections

25. The main objections of the landlords against the scheme appear to be:



- (1) that the licence fee of £750 for five years, even with the proposed discounts, will have to be passed on to tenants, many of whom cannot afford to pay it.
- (2) that as they do not have the legal right to enter a tenant's home without the tenant's permission, their ability to act against anti-social behaviour is limited.
- (3) that it is wrong to seek to pass over to landlords responsibility for tackling anti-social behaviour which is legally the responsibility of the Council and the police.
- (4) that mortgage lenders will withdraw their loans if the property is subjected to registration.
- (5) that insurance companies will withdraw their cover if the property is subjected to registration.
- (6) that rogue landlords will not register and will try and remain undetected by the Council.
- (7) that it is a tax to fund the continued employment of Council officers.
- (8) that if forced to register many of them will withdraw from the market which will be a loss of housing stock.

Lets look at these arguments.

### **Licence Fee**

26. As Councillor Alison Butler, the Cabinet member for housing under whose responsibility the consultation is taking place, has pointed out that the cost spread over 5 years is very cheap, and that it can be set off as a taxable expense therefore reducing the actual amount. Since owning a private rented property is an investment **the fee is just another business expense**. Rents are rising anyway, so there will be not need to specially pass the fee onto the tenants.

### **Anti-social Behaviour**

27. The Council will need to carefully review the legality of its attempt to involve landlords in tackling anti-social behaviour, and if necessary should seek specialist legal advice both in criminal and landlord/tenant legislation. See discussion below.

### **Mortgage and Insurance Issues**

28. The Council will need to:

- (a) check whether any of the mortgage lenders and insurers withdrew their loan support to landlords on its HMO register because of the register as opposed to other reasons.
- (b) consult other Councils operating licensing schemes whether there has been any evidence of mortgage lenders and insurers withdrawing their loan support to registered landlords.
- (c) consult mortgage lenders and insurance companies known to be supporting private landlords, especially those through the but-to-let scheme, to ask whether they would withdraw support if landlords went onto the register.

### **Tackling Bad Landlords**

29. The Council makes it clear in the document that it will be focus most of its inspection and enforcement work under the scheme on the private rented properties that pose the most problems, and these are likely to be mainly owned by bad landlords and managed by and lettings agents. This could be done by having the registration scheme covering those areas of the Borough where the majority of the offending properties are located. If the Council continued to monitor the private

rented sector in those areas not covered by the scheme it could add additional areas later on. e.g. on a yearly basis.

### **Tax to Employ Council Staff**

30. If 'good landlords' want the Council to act against 'bad' landlords then it needs to resources to employ the inspection and enforcement staff. Cuts in Government funding of local authorities has already been drastic and the Chancellor of the Exchequer's recent autumn budget statement means that even greater cuts will happen. The rules governing Council Tax increases mean that most Councils will not feel able to increase Council Tax, many of whom see such increases as a tax on the poorer members of the community, most of whom live in either private rented or social housing. Therefore the licensing scheme will need to generate the funds to ensure the employment of the necessary staff.

31. A selective area approach may not generate enough income at the proposed £750 [per licence minus the loss of revenue from the proposed discounts] to employ the number of staff needed to carry out inspections and enforcement. **The 'good' landlords in the select areas would still have to register.** This would mean that there would be two classes of 'good landlords', those outside the select areas and those inside the select areas. **This could be regarded as discriminatory.**

32. If all 'good' landlords want action taken then a Borough wide scheme would spread the cost and they would all be investing in action by the Council which if successful would improve the image of the sector which the 'good' landlords say they want to see. 'Good' landlords should remember that if they have tenants who are eligible for housing benefit their rents are being subsidised by the Government. There are several ways in which 'good' landlords could have their registration fees reduced in addition to those proposed by the Council - see discussion below.

### **Withdrawal from the Market**

33. The private rented market has continually seen the exit of existing and entry of new landlords. The argument that there will be a loss of housing stock is bogus. They will either sell the tenanted properties to another existing or a new landlord, or evict the tenants and sell as vacant on the property market. The properties will remain as housing. The only decrease in units might be if a house converted into several flats is brought back into family housing use. This will be counteracted by the continuing conversion of houses into flats where the floor space is higher than that used by the Council to define what a 'small family house' is. With new private rental apartment blocks being built, and some old office blocks outside the Town Centre being converted to residential, there is going to be an increase in the private rented stock. If 'bad' landlords decide not to withdraw from the market, then their properties can be purchased by new 'good' landlords.

### **Tenants' Views**

34. If there is a small response to the consultation from tenants then other sources of information about their views will need to be considered.

35. A recent survey conducted by London-based polling company, Populus, on behalf of tenancy software company OnBoard Pro painted a very bleak picture of the rental property market. The survey was carried out both online and over the telephone with data collected from 1,000 Private Rental Sector (PRS) tenants chosen randomly by geographical location and demographic profile. Five questions were asked relating to the following matters with the following outcomes:

- Fees charged by agents and landlords are high: 45%
- Poor value for money: 60%

- Use of slow and outdated technology for tenancy applications: 52%
- Interest in pre-completion of applications before meeting an agent which would save them time: majority positive
- A more innovative technical solution would advance the UK letting industry more than increased Government regulations: 61%

36. OnBoard Pro CEO Stephen Purvis said: "These results show that not only do tenants feel they are paying a lot for the services but that they're not getting good value. These results are inescapable evidence of the lack of confidence in the industry perceived by tenants and that's something that agents and landlords need to address."

(<http://www.onboardpro.co.uk/wp-content/uploads/2014/11/TenantSurvey2014.pdf>)

37. One way of addressing the situation is through a licensing scheme.

38. Attention should also be paid to the views of the Generation Rent campaign - see its contribution to the local debate on *Croydon Citizen* at <http://thecroydoncitizen.com/economics-business/poor-housing-licensing>.

**Basis for Scheme: low demand or anti-social behaviour**

39. The Housing Act 2004 requires the Council to justify a licensing scheme on the basis of problems of low demand or anti-social behaviour (ASB) associated with private rented housing. The Council has assumed that there is no low demand problem and is therefore justifying the proposed scheme on the basis of anti-social behaviour.

**Is There Low Demand for Private Rented Accommodation?**

40. The current state of the current private rented market suggests that there is low demand, and that there is no low supply problem.

The Home.co.uk website analyses the market in the area three miles around the Town Centre. Therefore it is likely that some properties included are outside the Borough boundary, but it gives an idea of the state of the private rented market. This is what it stated earlier this week.

Total properties for rent in Croydon:	1,141
Properties for rent in Croydon listed in the last 14 days:	285
Average* property rents in Croydon:	£1,126 pcm
Median* rent:	£1,101 pcm
Average Time on Market (ToM) in Croydon*:	139 days

41. 139 days is just over 4.5 months. It is even longer in respect of those with monthly rents between £250 and £1,000. It takes longer to rent two bedroom properties.

- **Rent Levels**

No. of properties	Average ToM*
-------------------	--------------

<a href="#">Rent under £250 pcm</a>	2	131 days
<a href="#">£250 to £500 pcm rent</a>	84	167 days
<a href="#">£500 to £1,000 pcm rent</a>	398	168 days
<a href="#">£1,000 to £2,000 pcm rent</a>	608	119 days
<a href="#">£2,000 to £5,000 pcm rent</a>	46	91 days
<a href="#">Rent over £5,000 pcm</a>	3	190 days

- **Property Rents in Croydon by Number of Bedrooms**

	No. of properties	Average rent	Median rent	Average ToM
<a href="#">One bedroom</a>	296	£802 pcm	£849 pcm	161 days
<a href="#">Two bedrooms</a>	388	£1,173 pcm	£1,149 pcm	144 days
<a href="#">Three bedrooms</a>	194	£1,411 pcm	£1,374 pcm	110 days
<a href="#">Four bedrooms</a>	88	£1,751 pcm	£1,726 pcm	113 days
<a href="#">Five bedrooms</a>	22	£1,973 pcm	£2,101 pcm	97 days

- **Property Rents in Croydon by Type**

	No. of properties	Average rent	Median rent	Average ToM
<a href="#">Room</a>	25	£459 pcm	£459 pcm	230 days
<a href="#">Flat</a>	693	£1,018 pcm	£997 pcm	138 days
<a href="#">House</a>	355	£1,402 pcm	£1,352 pcm	124 days

### Dwellings for rent at 10 December

42. As at 10 December a look at various agency sites shows the following re-currently advertising of vacant private rented properties:

- 904 - Right Move's website
- 830: Gumtree
- 554 - Zoopla, Prime Location, Homes 24, All the agents
- 479 Adzouna

- 304 - Nestoria
- 131 - Choices at Coulsdon
- 110 - Paul Meakin, Estate Agents
- 61: Open Rent
- 19: Bairstow Eaves
- 18 each - James Chilten, Estate Agents; Martin & Co (on Brighton Rd); Haart

There will inevitably be duplication and some properties will be outside the Borough boundaries.

43. The length of time it takes to let private rented properties suggests that the demand is not as high as may be popularly suspected. It certainly demonstrates that there is no shortage of private rented units. The trend over the next few months on the length of time will need to be watched into order to ascertain whether demand is increasing or not. It also suggests that there are many properties which could either be sold for owner occupation or could be offered to a private sector leasing scheme.

### Housing Benefit

44. The extent of the subsidy to private rented landlords from housing benefit claimed by their tenants is reflected in these figures as at 1 July 2013 (Freedom of Information reply 29 July 2013) supplied to me in a Freedom of Information reply. The Council had 16,641 local housing allowance (LHA) private tenant customers receiving housing benefit in Croydon broken down into the following.

Bedroom Size required	Number of Customers
1 Bedroom	3724
2 Bedrooms	6371
3 Bedrooms	2628
4 Bedrooms	1068
A Shared Room	2850

### Anti-Social Behaviour

45. The Council states that it is 'aware that there has been an increase in ASB from within the private sector particularly neighbour nuisance.'

46. However, the evidence base is very thin, and is not related to the spread of the sector between wards or inside wards. Nor is there sufficient differentiation between anti-social behaviour associated with HMO registered and non-HMO private rented properties.

47. There is a danger of stigmatising private tenants with the label of being anti-social, along with the already stigmatised portrayal of them as benefit scroungers because of payment of housing benefit. Some categories of anti-social behaviour are in any case caused by wider factors.

- The lack of control over conversions into flats has increased population densities in some parts of the Borough with growing tensions over the inevitable increase in noise between neighbours due to poor sound proofing between flats and with neighbouring properties.
- Some categories of anti-social behaviour alleged to be perpetrated by nuisance neighbours such as begging seem unlikely to be caused by tenants, as most beggars are homeless and originally have come from all stratas of society and all tenures.
- Anti-social drinking has been aggravated by the laws easing the sale of alcohol, and the absence of fast track procedures to detoxification, on going recovery support programmes and sober living houses. The same procedural problems apply to drug abuse. Some street drinking is linked to the growing level of low wages and benefit cuts because it is cheaper to buy cheap alcohol than go to the pub. This may also be more associated with HMOs because people need to get out of the over-crowded conditions they live in order to socialise. None of this is helped by the general failure in society to understand the medical/neurological nature of addictions, which effect people from all stratas of society and can led them to spiral down to living and begging on the streets.
- Graffiti, fly tipping, litter and waste, are general problems caused by people in every tenure. It is made worse by the failure of landlords and letting agents to provide sufficient waste disposal bins and the Council's guidance on waste collection and disposal. This leads some tenants, especially those living over shops, to have to put their waste out on the street. Fly-tipping can also occur as landlords and agents or their buildings clear out furniture and mattresses, or do not help incoming tenants to do so. The situation is aggravated by the failure of the Council up to the local elections to take effective enforcement action on fly-tipping, and by its charge to take away bulky items.

48. The Council also talks about 'transient tenants' being particularly at fault with some aspects of anti-social behaviour. Most are transient because so many landlords only give 6 to 12 month tenancies, and do not always renew them forcing tenants to move. Others may have to move to areas with cheaper rents as rents rise.

49. If the Council decides on either a Borough wide or a selective areas licensing scheme it needs to present a more robust case of the link with the private rented sector, and to be more careful about how it discusses that behaviour to minimise stigmatising private sector tenants. One way to do this will be to support moves to support collective organisation among private sector tenants.

50. Given the wide range of problems caused by the private rented sector and its growth within the Borough, the Council can only begin to solve some of the problems by using powers available to it. It is unfortunate that its case for a discretionary licensing scheme has to rest on allegations of a high correlation of criminal anti-social behaviour as opposed to the non-criminal anti-social management of many landlords and lettings agents. In view of the lack of robustness of its case about anti-social behaviour, the Council leaves itself open to judicial review.

51. Where there is anti-social behaviour by tenants the Council has just proved that it can take action with the need for a licensing scheme. It has announced successful action as follows:

'Two nuisance flats in Ashburton that were the cause of anti-social behaviour have been "shut down" by the council. Three month closure orders were yesterday granted by Croydon Magistrates' Court for 79 and 125 Stroud Green, which are located in a seven-storey high-rise block of 28 flats. This followed a series of complaints from neighbours about the tenants shouting, fighting and swearing inside the properties and in communal areas. Residents reported groups arriving on a daily basis with carrier bags full of alcohol. Allegations were also

made about drug use in connection with both homes. The closure orders mean nobody can enter the two properties for the next three months.’

### **Recommended Amendments to the Proposed Scheme**

52. Bearing in mind the analysis above, I recommend that the Council should:

- (1) check the landlords’ concerns re-their expected role in dealing with anti-social behaviour and their belief that mortgage lenders will withdraw loans and insurance companies cover. It will need to discuss these matters in detail in the final report emerging from the consultation. If these are shown to be serious issues then the Council will need to give further consideration to them, and this may be best done through an additional open discussion meeting and then a pre-policy review session of the Scrutiny and Oversight Committee.
- (2) offer free registration to the licensing scheme s to those landlords who join one of the Council’s private sector leasing schemes (Croybond, Croylease), or enter similar agreements with housing associations.
- (3) introduce into the scheme a two tier fee scheme so that landlords who are members of recognised associations and who only use as lettings agents those registered under one of the three ombudsman schemes will pay a lower fee than the proposed £750. Those not so registered will pay a higher fee (with no discounts), the latter to be set at a figure higher than membership of a recognised landlord association and the highest of the ombudsman schemes. The proposed discounts should only be available to the first tier landlords.
- (4) require landlords to register with the licence covering their lettings or management agents so as to enable landlords to change their agents within the 5 year period without the need to seek a new licence.
- (5) publish the register recording property address and name and address of landlord and lettings/management agent, so that tenants and prospective tenants and their advisors can check on registration status.

### **Additional actions**

53. The proposed licensing scheme is only part of the potential raft of measures to improve the private rented sector. I recommend that the Council should consider:

- (6) signing up to Shelter’s Evict Rogue Landlords Statement of Support as a sign to ‘bad’ landlords that their activities will no longer be tolerated.
- (7) publishing the details of what action its officers have been taking since 1 October 2014 to check that all lettings agents and property manager service providers to private landlords are either now registered with one of the three Government approved ombudsman schemes or are in the process of registering, and what action is it planned to take against those who do not register by 31 December. (Property Ombudsman, the Ombudsman Services Property or the Property Redress Scheme.)
- (8) initiating CPO action against landlords who are convicted of breaches of legal requirements.
- (9) collaborating with other London local authorities to commission research into landlords with multi-ownerships and involvement in networks of companies.
- (10) publishing a register of landlords and lettings agencies known to it from the HMO register, the London scheme, from the Council/landlord partnership schemes, from the Valuation Office

Agency regulated rents register, from information received from tenants as a result of housing casework, from the various enforcement teams, from planning approvals for converted or new private rented housing developments, and any other source that is not restricted by data protection issues. This register would sit alongside the register of the licensing scheme if adopted.

- (11) issuing an information booklet to all tenants known to be in the private rented sector to go out with housing benefit information and to all tenants of properties on the landlord register(s).
- (12) submitting a quarterly report to Cabinet or the Health, Social Care & Housing Scrutiny Subcommittee on the action taken in respect to dealing with all the problems relating to private rented housing, with the address, the name of the landlord and lettings/management agent, and in particular to monitor the length of time it takes to implement notices issued.
- (13) supporting residents and community associations to target membership recruitment to new private tenants moving into their areas.
- (14) assisting the formation of private tenants groups in the area based on (a) shared landlord; (b) shared lettings/management agent; (c) same neighbourhood to improve their ability to negotiate with landlords and agents and to feed information to relevant Council officers.

#### **Further Action on HMOs**

54. It is clear that further action is needed on Houses in Multiple Occupation. **I recommend that the Council should consider:**

- (15) publishing the HMO register (with property address and names and addresses of landlords, and lettings/management agents) so that tenants and their advisers can find out about the licensed status of their homes.
- (16) adopting an Article 4 Direction to remove permitted development rights allowing change of use to HMOs so as to control their spread, as advised by the Government.
- (17) officials inspecting HMOs should undertake an annual check on whether landlords are complying with the energy and water regulators requirements on the sharing of energy and water bills where units in the same building are not individually metered.

#### **Towards a Wider Strategy**

55. It is clear that the licensing scheme needs to be part of a wider strategy towards the private rented sector. At the moment the information on this is fragmented across different strategy and other Council papers. **I recommend that the Council should consider:**

- (18) drawing the strands together into a draft strategy document. This should then be open to public consultation with public meetings at which there should be a speaker from the National Landlords Association, and either Shelter or the Generation Rent campaign.
- (19) lobbying the Government with other local authorities for legislative measures which will strength the action they can take against 'bad' landlords.

#### **Shelter Advice**

56. In doing this it should look at the advice issued by Shelter. Shelter argues that: 'Any proactive local authority intervention in the private rented sector should be driven by a thorough understanding



of local market dynamics and need. For this reason good practice will vary considerably; what works in one area will not necessarily work in another. .... However, our extensive conversations with local authorities suggest that there are several common themes, across which examples of good practice consistently emerge.'

57. It publishes a guide looking at how local authorities can use the following actions to tackle rogue landlords and improve conditions in their private rented sector:

- Proactively manage and proactively inspect properties to make sure that they are appropriate homes for renters.
- Adequately resource and support their local enforcement teams.
- Take tough enforcement action against rogue landlords. And publicise their tough stance in the local press.
- Advise renters and give them the support they need to bring complaints to the council.
- Implement a clear complaints procedure and harness the skills of other agencies.
- Proactively manage their local private rented sector through accreditation and licensing schemes.
- Work to educate tenants and landlords of their rights and responsibilities

58. Crucially, one element will usually not make the difference. It is important to develop a combination of different initiatives and interventions. Equally important is a willingness to try new, innovative approaches, even when facing increasing resource constraints. Many of the examples within this guide prove how possible this is.' (Shelter. *What works? Tackling rogue landlords and improving the private rented sector*. September 2013. p.4)

59. I recommend that the Council should consider:

(20) the following ideas operating in other local authority areas, as discussed in the Shelter report.

- Periodically survey private sector stock condition. (Reading)
- Undertake a thermal imaging aerial map to identify where the properties that are losing the most heat in cold conditions are located, as a high proportion may be in the private rented sector. (Slough)
- Use public health strategy to target the poor condition of properties in the private rented sector. (Sheffield)
- Employ a team of specialist private sector advisers to advise private tenants and landlords about their rights and responsibilities and ensure compliance with the law. (Lewisham)
- Work with the area health authority to ensure it can refer vulnerable tenants with infectious lung diseases such as tuberculosis. (Slough)
- Investigate all allegations of poor conditions within three days of receipt. (Rushmoor)
- Set up a cross-department Rogue Landlords Working Group. (Haringey)
- Have generic neighbourhood teams dealing with the whole range of local issues. (Manchester)

Sean Creighton  
6 Oakhill Rd, London, SW16 5RG  
12 December 2014.

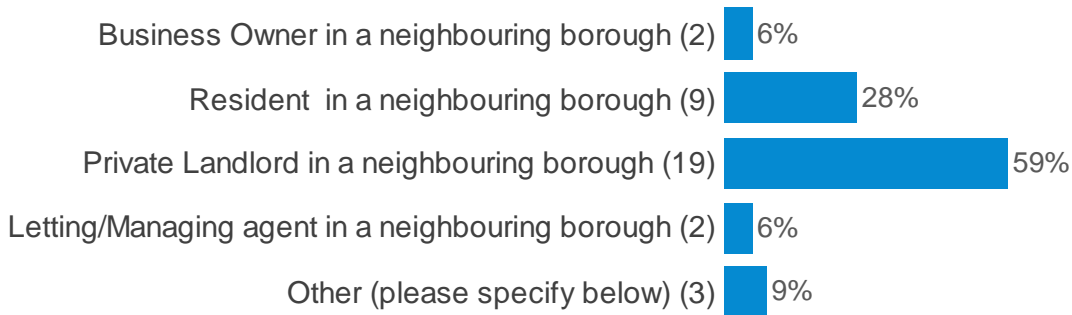
[sean.creighton1947@btinternet.com](mailto:sean.creighton1947@btinternet.com)

# Selective Licensing Questionnaire

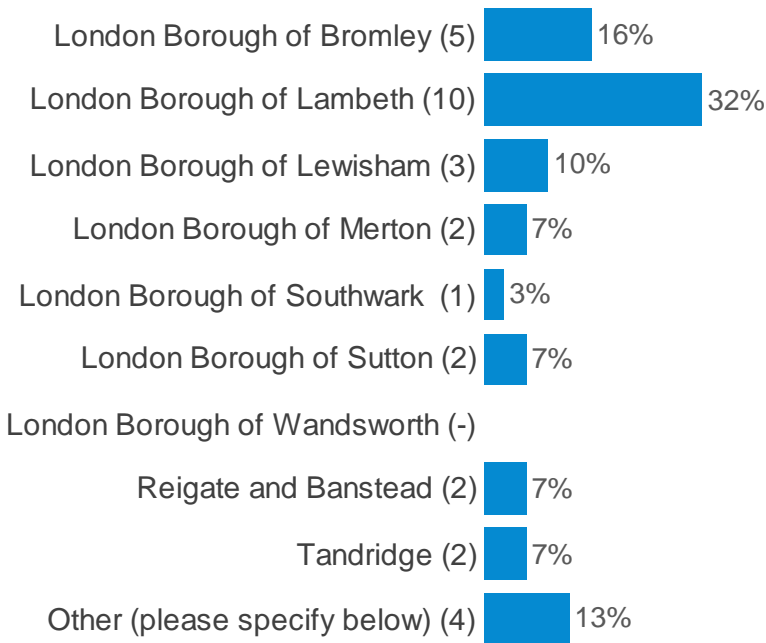
This report was generated on 03/03/15, giving the results for 32 respondents. A filter of 'All Respondents' has been applied to the data.

The following charts are restricted to the top 20 codes. Lists are restricted to the first 0 rows.

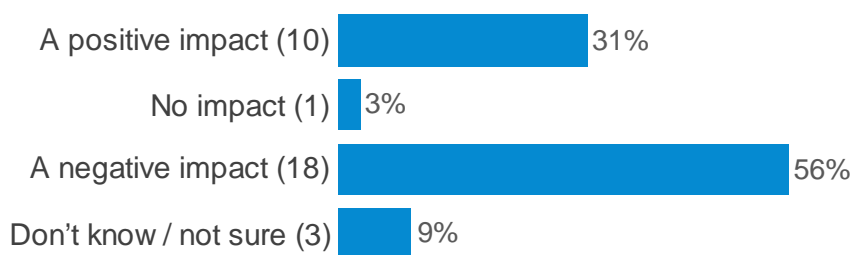
## Which of the following best describes you?



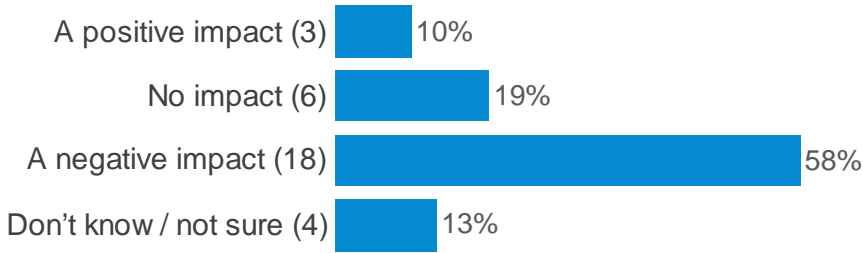
## Which of the following best describes where you are based?



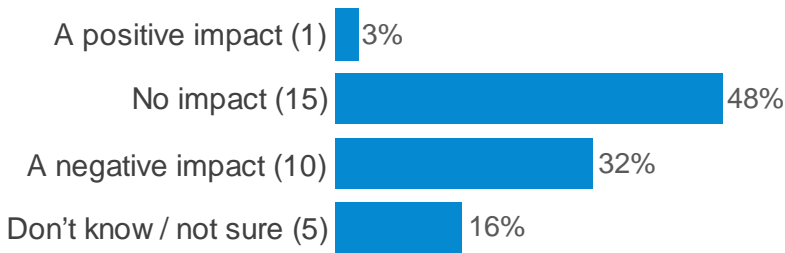
## What impact, if any, do you feel implementing a full borough wide scheme would have on you if it were introduced? (Option 1 - Implement a full scheme)



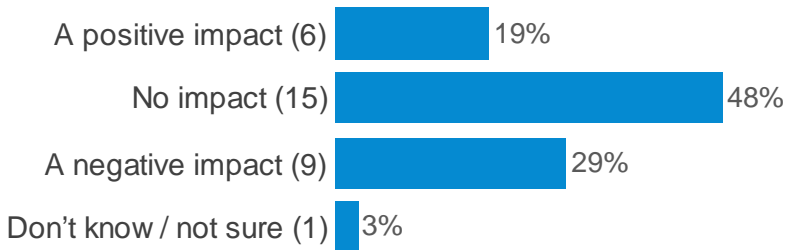
**What impact, if any, do you feel implementing a partial scheme would have on you if it were introduced?**



**What impact, if any, do you feel implementing the voluntary London Rental Standard would have on you if it were introduced?**



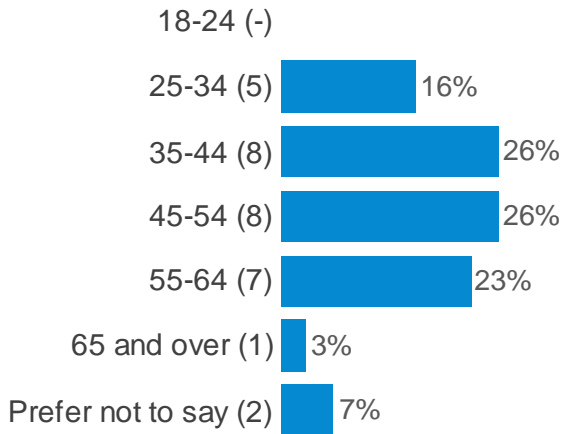
**What impact, if any, do you feel doing nothing would have on you?**



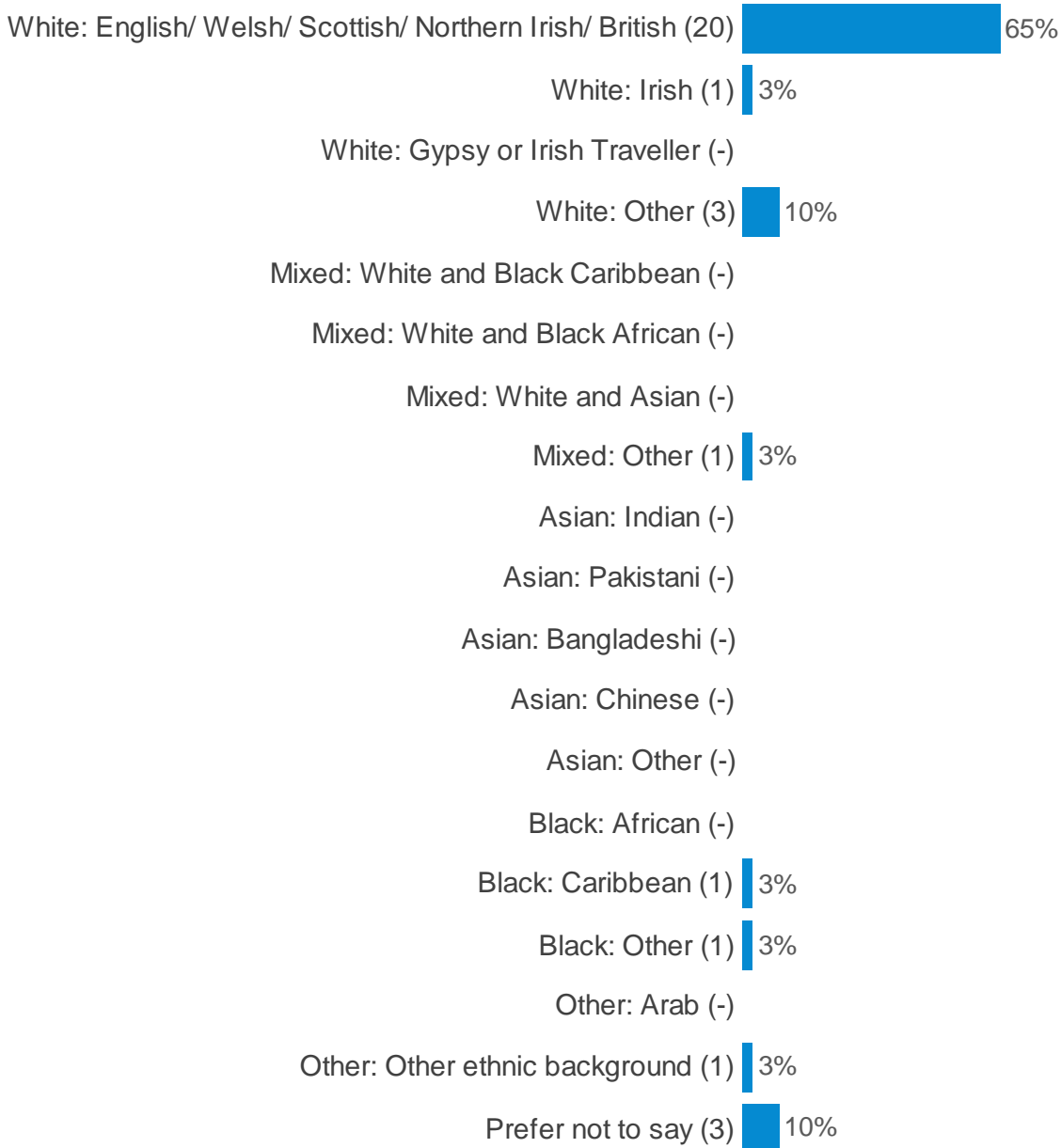
**Are you.... (Q12. Interviewer record gender)**



**How old are you? (Q13. How old are you? )**



**What is your ethnic background? (Q14. And how would you describe your ethnicity? )**



## Appendix 11 - Stage 3 consultation - online feedback

Respondent	Consultation Representation	Consideration & Action	Action & Date
A landlord of Croydon	I do not believe this would improve housing. There are many good landlords who have only one or two properties privately rented as an income who would go out of the market or pass the costs on to tenants. Efforts should be put in place to tackle poor landlords with support for affected tenants. There also needs to be support for landlords where tenants abuse their properties. This feels like another tax on people who have worked hard to raise money to buy properties. Please reconsider the proposals.		
A landlord of Croydon	The proposed licensing scheme is not going to yield anything to the resident and the tenants in Croydon. It is a money spinner for Croydon Council. The anti-social behaviour will not improve by licensing the landlords. This is a matter for the police to deal with. They are powerless to control the tenant. If the landlord could afford to bring up his place they will do it as it is their property. If condition of the property needs improvement, council should give grant rather than licensing. Licensing the landlord is not going to address any of the issue the council plan to address, therefore I do not support any plan for landlord licensing scheme.		
A Landlord of Croydon	I am a private landlord, I manage my property carefully, with respect to my tenants and the locality. I feel Option one is a money raising exercise and will bring no value. My immediate reaction will be to pass on the cost to my tenants and the second action will be to ensure I don't take Housing Benefit tenants in future in case you bring in further restrictive policies that mean I may need to sell up and move Boroughs at short notice. With regard to a positive suggestion, why not manage properties where Housing benefit is paid more closely, my tenants never hear from anyone as to how their property is being managed, or the quality of the property. As a landlord I would welcome this move and feel it appropriate - after all the state is paying me.		
A landlord of Croydon	The area of Park Hill where I let my flats has little or no problems with anti- social behaviour. For that reasons landlords like me who provide high standard flats and offer an on the same day response to issues raised by tenants most of which become friends and stay for years,		

	<p>object to this plan. Would it not be fairer and better for Croydon to start selectively where the problems are currently being experienced. If the scheme works you could then use it on an area by area basis as and when an area becomes a hot spot for anti-social activity. This approach would keep good landlords on side rather than encouraging them to sell up and buy elsewhere.</p>		
<p>An agent in Croydon</p>	<p>Anti Social Behaviour is nothing to do with Landlord or Licensing. This is a matter for the Police to deal with. I am sorry to say Croydon council has taken a wrong direction on Licensing the Landlords. Further it is the landlord's interest to keep the property in good condition as they own the place. Licensing will not improve the condition of rented property. This scheme is not fit for purpose. Therefore, I will not support this proposal.</p>		
<p>A resident of Croydon</p>	<p>Law-abiding tenants should be given extra support as many times they are faced with aggressive landlords who evict at 'will'. Some landlords have also taken part of the deposit claiming that they need to clean the house/room or the tenant destroyed something etc. This they get away with because they only provide the deposit either on the day the tenant is leaving or some weeks after when the tenant can not do much about it and just wants to get away from the situation. Council should have selected landlords only who will be the main providers of tenancies both for private and council tenants. Many private tenants are suffering due to lack of legal support. Landlords who provide lodging should also be checked as the law used under normal private tenancies differs, giving the landlord power to evict tenants without reason. I have moved more than 25 times within the last 8 years of living in London because landlords have decided to evict me...albeit no valid reasons prevailing. Because I am single, highly educated, working (but not earning enough) and have no 'diagnosed mental health problems' I have been sent around in circles and can not gain access to a flat of my own as I can never get a deposit enough to get onto the property ladder.</p>		
<p>A resident of Croydon</p>	<p>A licensing scheme for Landlords who use a Letting Agent would have no effect other than to increase the rent to tenants as the Landlord is already paying the agent to manage the letting of the properties plus VAT. How would the options 1 to 3 have any benefit to the tenant as the Agent acting on behalf of the Landlord is being paid to manage the letting on behalf of</p>		

	<p>the landlord. Would Letting Agents need to be licensed for each of the properties they manage for a Landlord? This would increase the rental charges as the Agent is already managing the letting of the properties. Any increase in costs for letting or licensing would be passed directly on to the tenant plus VAT. This would increase rents in boroughs implementing a licensing scheme which could result in a reduction of landlords operation in those boroughs and preferring to operate in adjacent boroughs which do not operate such a scheme. What would be gained by forcing elderly landlords attending courses when those landlords are paying for an Agent to take the responsibilities of managing the letting of the property. Therefore Option 4 would be more appropriate for landlords who use reliable Letting Agents take responsibility for managing the letting on behalf of the landlord.</p>		
A resident of Croydon	<p>There is certainly a need to prevent landlords from exploiting the housing shortage by charging excessive rents for accommodation in poor condition and by failing to make improvements and repairs. Also some landlords evict without notice when tenants ask for necessary repairs, intimidating them from insisting on these. If the accreditation scheme will prevent such practices and provide legal enforcement for tenants rights, then I would support implementation across the borough. Clearly this works both ways and tenants must do their part to report leaks etc promptly and to take reasonable care of their landlord's property. There is also an argument for regulating rents to an affordable level based on average incomes, as recommended by D. Johnson 2013 'Crumbs for Londoners' - sorry i dont have the weekly amounts to hand but could provide these in mid =january if that would be helpful.</p>		
A resident of Croydon	<p>Good idea but should be run in tandem with laws to protect landlords from undesirable and dishonest tenants who are the ones creating noise, litter, fly-tipping and anti-social behaviour!! I cannot see how landlords create this undesirable situation and tenants should be taken severely to task for ASB. Likewise there is a scam by tenants to obtain council housing by deliberate rent arrears at cost to the landlords and the taxpayer! Likewise single parent girls need to be scrutinised as to their prospects of living with their parents. It seems pregnancy is an easy path to council housing and benefits. In summary are you looking at the wrong end of the situation?</p>		



A resident of Croydon	I would suggest Option 1 as the best option in my own view, not representative of my organisation. As a housing options caseworker for a local charity up to September 2014 I have come across many decent standard private rented flats, but unfortunately far more substandard properties, many of which are owned by non-resident landlords with a large portfolio of properties. One of the most common problems is damp and mould and clients living in these properties present a high cost to the NHS and acute services because of health problems relating directly to their living conditions. Licensing charges should be kept as low as possible so as not to penalise good landlords, and so high costs are not passed on to tenants. I agree that Option 2 would cause a displacement of problems, and might be seen to be unfair. Option 3, The London Rental Standard would be welcome but is not enforceable as far as I can see, and not particular to the problems we face in Croydon specifically. I do not feel that Option 4 would do anything to address the problems faced by either landlords or the rental tenant population. I am glad Croydon Council is consulting residents about this important issue.		
A resident of Croydon	Strongly support Option 1		
A resident of Croydon	option 1 would be the fairest then all landlords in this borough would have to meet Croydon's criteria then making it less costly and easy to implement. Living next door to a (b&b/hmo)? we have already seen what can happen if the landlords are not up to standard and checked.		
A resident of Croydon	IT is necessary to distinguish and regulate rented properties with live-in and live-out landlords differently. A blanket licence to cover all types are unfair and restrictive. Live in landlords tend to offer spare rooms for rent and there tends to be higher levels of conscientiousness about the homes and lower incidence of litter. Threshold licensing for Live-in landlord should increase to 4 rather than 3.		
A resident of Croydon	I believe that all landlords based in Croydon or otherwise should be held responsible for the providing a safe living space for their tenants. This means ensuring that all aspects of health and safety in the home are adhered to including suitable fire exits and tested gas/electrical equipment where provided. They should also be responsible for completing repairs within a specified period depending on the type of repair. As an example we do not want to see young children		

	sleeping in damp rooms. This should be policed in such a way that a council employee can access a database and straight away determine if the works have been carried out and when.		
A resident of Croydon	Option 4		
A resident of Croydon	Having been hit by your HMO license i'm very much against any further restrictions!! As a good, honest, tax payer, i should have the right to rent with two friends, but due to the HMO wasn't as none of us are related. I don't see how three working professionals wanting to rent a three bedroom house is unreasonable or illegal! Yet we were turned down by every estate agent because they didn't want to help us try and find a property that had the license. Imposing more restrictions and paperwork is just going to make it near impossible for those who have to rent, and i can only see this driving up the rental prices more in Croydon. Please stop!		
A landlord of Croydon	Team, It's really difficult (politically and morally) to argue against a campaign to protect tenants and reduce Anti-Social Behaviour. Against this context, however, the details of how this scheme will do this are light. The government requires stringent evidence (see section 5.1) before such legislation can be implemented but, when you read the proposal's problem statement, it is very hard to see such evidence (i.e. hard numbers) of the problems that Croydon Council believes the borough is experiencing, and therefore to logically link this through to how the scheme will make things better. Thus, whilst the scheme may seem politically expedient, I don't believe it has the real teeth needed to make a difference and also appears highly likely to be open to legal challenge from the vast majority of law-abiding landlord's resident in the borough. Here are further specific points that I believe need more rigorous thought: - Section 1 is the entire summary of the case and contains a complete absence of data that makes the problem compelling, or the type of 'burning platform' any business would need to recognise before taking decisive action. Rather, the first point raised is it will 'dispel the poor image of the sector' - reviewers may wish to reassure themselves the real drive is making things better, rather than a populist political sticking plaster. - Section 2 (the business case) contains only one hard data point, tacked onto the end of the final paragraph of section 2.1, which states that [the		

	<p>lack of safety, compliance, etc.,] 'is particularly evident in noise pollution and antisocial behaviour where the private rented sector is responsible for around 50% of the complaints and casework managed by these teams'. Is this the reason for the proposed legislation? If so, and if we put aside any questions this uncited data may raise (the period over which this has been measured, the accuracy of collection processes, etc) and take on trust that these are true, what is the real cost to the borough of this, and shouldn't this be stated clearly in a section calling itself a business case? This is key because it gets to the heart of whether this proposal is a 'sledgehammer to crack a nut'. It's also important, because 16% of the new costs of this scheme relate to ASB / Noise control (&gt;£0.5m per year - see appendix 8). Reviewers may wish to satisfy themselves that these numbers are linked (and legitimate), and also understand how much of these numbers represent costs associated with 'new' activities, vs. transfer from an existing enforcement budget (a cost reduction opportunity?). - Section 3 - it states there is evidence for 'displacement' - i.e. Landlords selling their properties and buying new ones in areas with less control. This seems quite an arduous (and costly) process for most landlords give the vast majority (75% - section 3.3) only own one property. Does actual, quantifiable evidence exist of this happening? If so, would this be a good thing to have in a case such as this? - In section 3.1, the document states 'In the last 5 months alone Croydon's Tenancy Relation Team has dealt with 104 cases of illegal eviction and of harassment from landlords'. If this is already illegal, how exactly does this new legislation help, and therefore, why is this data relevant and therefore able to result in a cost saving for the council and better service for tenants? Section 4.8 touches on some aspects but, again, no hard data is cited of a real problem that cannot be resolved by existing legislation. - In section 3.3, the Newham scheme is quoted as evidence of success. When you read through the quoted metrics of success, does this sound like compelling evidence to you? Are there any numbers to accompany the quoted benefits? - In section 5.1, it clearly states that the council can only introduce Selective Licensing in Croydon where 'persistent issues with anti-social behaviour' can be shown, because 'low demand' conditions do not exist. For all the reasons above, reviewers may wish to check whether they feel compelling evidence of this 'persistent issue' has been demonstrated to</p>		
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	<p>such an extent that the council is not left open to legal challenge. Furthermore, given most tenancy agreements contain a clause allowing an eviction of tenants for ASB / Noise abuse, is it really more cost effective for the borough to set up a 'Croydon Rental Standard' (section 7.1) a whole host of enforcement teams and associated infrastructure, rather than putting much simpler legislation through to insist all landlords have this in their contracts in Croydon, and ensure they enforce it. It appears to me this type of legislation would meet the stated aim (or at least as it is laid out here) at a fraction of the cost. - Finally, the report cites appendix 2 as the sole evidence that the issue is endemic across the borough. If you conduct even basic statistical analysis you can see that the data has 'significant statistical differences' between wards. What, therefore, is the compelling evidence that this problem is endemic? Given all of the above, I'm minded that this proposed course of action is overkill, and believe there to be more cost-effective, and efficient, solutions available to the council, that would result in a lower level of legal exposure. My hope is that the committee will consider these accordingly.</p>		
A landlord of Croydon	<p>It is just another scheme to make more money! The landlord get no help with anti social behaviour, and is not and should never be their responsibility. If the landlord has anti social behaviour in his property the council should take the tenants to court, or rehouse them! Referencing means nothing to future anti social behaviour unless the tenant has a criminal record and declares it! I accept a scheme that is free as this helps good landlords and good communications. Any bad landlords that don't apply will not be on the register and any tenant will know this automatically and the council can fine and get the money off the bad landlords and not penalise the good ones with fees.</p>		
A landlord of Croydon	<p>Would suggest that better protection to landlords be introduced. Particularly where tenants play the system to enforce a desired state of eviction. Landlords already comply with a property licensing scheme for HMO's. The law is there is take rogue landlords to task, further red tape and back door taxes are not required.</p>		
A landlord of Croydon	<p>I agree in principle that buy to let properties should be registered due to the number of bad landlords and bad tenants. However the proposed fees cannot be justified. The fees would also be passed on to the tenants. Why</p>		

	<p>penalise a good landlord and a good tenant. (why would it require £10m per annum to run the scheme) I think £250 would be more than sufficient possibly for a 5 year license. Income should be generated from the landlord's fines for evading the scheme or landlords who are fined for falling short of requirements.</p> <p>Landlords who do their job properly should not be penalised for the behaviour of the bad, and not penalised for the tenants who fall short of their own duties. Landlords who own several properties should receive a discount and landlords who conform should receive a ongoing "no claims" discount. I think all tenants should also be registered automatically with <a href="http://www.tenantshistory.co.uk">www.tenantshistory.co.uk</a> a local Croydon non-profit organization. If the scheme goes ahead a facility for both the landlords and tenant to enter details against their own property while notifying the licensing dept and the other party at the same time in order that all parties are aware of any issues. A time limit could be set for issues to be sorted as it were internally and then cleared on the register before any action is necessary by the council dept. A separate address register should be set up for members of the public to check if the property is let, or identity properties that are overcrowded, or may housing illegals. Also to report Council and Housing Association tenants sub-letting their properties. The neighbours are the best source of information not other landlords as the government committee on this subject wrongly believe.</p>		
<p>A landlord of Croydon</p>	<p>Dear Sirs, We rent 4 houses in South Croydon (Croham Ward) and as responsible landlords we object to your blanket appraisal of landlords in the Croydon Council area. You blame us for:</p> <ul style="list-style-type: none"> <li>• Anti-social behaviour</li> <li>• Poor housing conditions</li> <li>• Negligent practices</li> </ul> <p>This is outrageous since in our ward:</p> <ul style="list-style-type: none"> <li>• There is no anti-social behaviour</li> <li>• Housing is generally of good quality stock</li> <li>• Houses are mostly owner occupied</li> </ul> <p>Why should we fund your initiative, a scheme that will put up the cost of rent in South Croydon and probably drive out the private rental market to other areas? Looking at the ASB data there were 7 complaints of ASB in our ward over a 20 month period the Council does not state what percentage of these were even proven. According to your data the PRS accounts for 54% of complaints, so on the basis that our ward has a similar profile this means there have been 4 PRS complaints attributable to the PRS in 20 months To charge us £3000 for 4 houses together with a raft of administration is simply outrageous on the basis that there are an</p>		

	<p>average of 2.4 ASB complaints in our ward per year. Plus some of the compliance you refer to is a legal requirement anyway and Estate Agents invoke this when they are finding tenants. If landlords are not doing the legal stuff then you need to find and fine the culprits. You are mistaken if you think that your scheme will help solve the problems you blame landlords for. It will drive up the cost of rents, particularly if a percentage of landlords either sell up and move on or don't register because supply will be short and demand driven even higher. This may even drive up the number of people claiming housing benefits. Croydon has approximately 30,000 privately rented properties if 10% move outside the Croydon boundary and some landlords fail to register then you have 3,000 less homes...is that what you want? Brixton is one such area which Croydon is now having to deal with the fallout from. Its gentrified housing is no longer in reach of the average tenant. House prices have shot up and so have rents. Also the ASB data does not show what percentage of complaints were not addressed in a satisfactory way by the Landlord...this is a key question. If the complaints are being dealt with satisfactorily by Landlords anyway, a licensing scheme is not going to improve the situation. It is extremely difficult under current laws to evict anti-social tenants and takes quite a length of time if you have a savvy tenant who knows how to play the system and many do. Are you going to offer help to landlords when they have this problem? No of course you're not – the scheme is all about stick and no carrot. Not once have you suggested helping landlords who have an anti-social tenant. Anti-social behaviour is a policing issue. What are the police doing about it in the other wards? Landlords should be responsible for maintaining their houses not policing anti-social problems. Who is going to enforce after landlord licensing? Apparently our funds won't pay for that? The recent changes in Council Tax rules whereby you charge landlords even if the property is unoccupied for a day. This drives the exact opposite of the behaviour you say you want landlords to adopt ie maintaining their properties to a high standard. If a landlord wants to freshen up a property between tenancies he now has to pay the Council for the privilege of doing so. Yet another case of landlord bashing without considering the wider consequences! Your proposed scheme will not only not solve the problems but will create others. Where do you think the anti-social sector of the market will move to? Do you think that there is sufficient social housing to take</p>		
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	<p>this on? Often poorly managed private rented housing is the low rental end of the market. You need to be quite sure that you have sufficient stock before you knock it out. You conveniently refer to The Housing Act 2004 which has given councils the power to introduce the licensing of privately rented properties to improve conditions for tenants and the local community. Actually the spirit of the legislation is that it should be used where there is a problem. The legislation is meant to target areas where there are significant and persistent problems. Whilst we would agree that this may be the case in certain wards, Croydon Council are proposing to designate the whole of the Borough as having significant and persistent problems, and you have simply failed to make this case and this may well be legally challenged, involving the Council Tax Payers in more unnecessary expense because of an ill thought out and politically motivated scheme. It's nonsense to brand areas such as Purley, Coulsdon or Sanderstead as anti-social. Designating the whole of the borough as an area of persistent anti-social behaviour will only devalue "Brand Croydon". You can rest assured that in the battle for inward investment from businesses, developers etc other local authorities will use this to Croydon's detriment. We suggest you implement a targeted scheme in the worst affected areas. Test it first to see what knock-on effect there is. This is more of a business approach, not to go in full guns blazing so that you lose your socks because you clearly don't have a full understanding of the consequences. If you have a displacement problem further down the line then you deal with it then. Of course displacement will extend over Croydon Council boundaries and then other councils will have the problem. Have you spoken to other councils in case this happens? What is their reaction? We live in one - Tandridge and as residents we wouldn't be happy for you to displace your problems onto us because you had not adequately thought about the consequences. What about offering some inducement i.e. help for landlords with anti-social behaviour. If you do then you may be lumbered with the rehousing issue which is precisely our point above...where are you going to move the low rental sector on to? Why should we fund whole departments in Croydon Council to take on; a) something that there is not currently a problem with in our ward; b) administration that is already in some respects a legal requirement, and c) a problem which would be better managed by law enforcement. If you want to do something useful, offer</p>		
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	<p>landlords help, don't keep blaming landlords for something that government and local policy has helped to bring about. Don't keep landlord bashing because it's not going to help your cause. The so called rogue landlords you are trying to target will not be deterred by a licencing scheme. These people are criminals and should be prosecuted under existing legislation. Slapping extra cost on the vast majority of good landlords will not achieve your aim. You should instead be positively engaging with the vast majority of good landlords in the borough, by supporting them. The return on our capital investment is around 3-4% something that most businesses wouldn't offer you a damp squid for. Put more cost on us and we can assure you that this will not be absorbed as you seem to think. With rental lease cycles an average of 18 months there are some tenant markets and particularly those in South Croydon that will not thank you kindly for your proposals.</p>		
<p>A landlord of Croydon</p>	<p>As a landlord we are already obliged to meet a multitude of statutory and contractual obligations and the licensing of landlords is another burden to make it more difficult to operate as a legitimate landlord. I note that the Council already has to operate the Croybond scheme, (which I have signed up to) to help get priority customers in to rental accommodation. The Croybond scheme is not an act of generosity but the reaction of the Council because there are not enough suitable homes and the Council need to incentivise landlords to make quality property available for priority housing customers. I am unlikely to sell my existing rental properties in the borough unless the obligations under the licencing requirements are very onerous because I would not wish to waste the costs of buying the property. I anticipate that the licensing obligations will be: i. direct cost, which I would assume should be small because my accommadation is good quality; and ii. extra liability where for example I am made liable for an action of a tenant. I am significantly more concerned about where I can be made liable for the actions of a tenant or another party. The licensing regime make it less likely that I buy any further properties for rental in the borough, reducing the boroughs available stock of available properties. As an example of moving the problem, I am much more likely to purchase a property in a borough or ward where licensing is not required. Note also that licensing requirements in a specific ward would also put off prospective buyers (whether for rental or to</p>		



	live in) because it signifies that the ward is a problem location, depressing prices and exacerbating the situation.		
A landlord of Croydon	<p>Dear Sirs We, the undersigned landlords, disagree with the council's plans to introduce a licensing scheme for the reasons given below. Further to this we have organised a public meeting regarding this on 18 March, so that landlords and tenants in the borough are made fully aware of what is being proposed, in particular to make tenants aware that if the scheme goes ahead, their rent is likely to be increased. DETAILS OF PUBLIC MEETING Venue The Ranyard Room, Croydon Conference Centre, 5-9 Surrey Street, Croydon CR0 1RG Date: 18 March, 18.30 – 21.30 hours Yours sincerely Charles Price Geoffrey West Bernie Sullivan Gerry Meredith-Smith Claire Dunn Paul Norris Andy Saunders James Walker Sue Walker Alex Hughes Judith Wordsworth Sheila Cox (n.b. Mrs Cox signs with the proviso that she strongly disagrees with the part 2 below, stating that landlords, not properties, should be taxed. If the scheme goes ahead, since many landlords have just one property she feels each property should be taxed, rather than just the landlord) Stephen Collingwood (N.b. Mr Collingwood also strongly disagrees with part 2 below, as Mrs Cox does) FACTS TO CONSIDER 1. RE ANTI-SOCIAL BEHAVIOUR, HOUSING ACT 2004 S 79,80 and 81 of the Housing Act 2004 provides for the introduction of licensing private landlords and is INTENDED to tackle (1) anti-social behaviour and (2) reduce the impact of poor quality landlords. HOWEVER 1. Anti-Social Behaviour, Crime and Police Act 2014 Part 1 S9 (arrest without warrant) s13 (power to exclude person from their home in cases of violence or risk of harm) may well be used by the Croydon Council to give powers to landlords BUT Part 3 s34 (authorisations to use powers given by s35) and only a person of a description specified in an order made by the Secretary of State may be designated, i.e. each individual landlord will have to have an order made by the SS! If not then any landlord acting on the behalf of Croydon Council re tenants anti-social behaviour is taking the law into their own hands and could be prosecuted by the tenant under various legislation e.g. Human Rights Act 1998: if the tenant was "in fear of any physical harm" even if just having a finger laid upon them then S39 Criminal Justice Act 1988; S2 Protection from Harassment Act 1997 if a landlord has to contact the tenant(s) more than three times</p>		

	<p>over the same matter and the tenant(s) feel victimised i.e. repeated attempts to impose unwanted communications and contact upon a victim by a landlord in a manner that could be expected to cause distress or fear in any reasonable person. unwanted conduct on the grounds of race, gender, sexual orientation etc. which has the purpose or effect of either violating the claimant's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. Therefore causing distress could be enough. 2. Also would Croydon Council require Landlords to "police" the pavement outside their property/properties to stop drinking, swearing, racial abusive comments etc. etc. and other anti-social behaviour? Chap 2 Anti-Social Behaviour, Crime and Police Act 2014. 3. Part 5 s97 Anti-Social Behaviour, Crime and Police Act 2014 already gives Croydon Council more than enough powers to address ASB as does Part 1 of Schedule 2 Housing Act 1988 (Ground7A) and s 98 Part 1 of Schedule 2 Housing Act 1988. 4. It is not the fault nor responsibility for private landlords to do Croydon Council's job for them to combat anti-social behaviour. LANDLORD FINANCE REPERCUSSIONS NatWest Bank has already stated that: "We do not lend on properties which need a selective licence. This means that we are unable to lend on Buy to Let [which will also include properties that have had monies raised on them in the normal way and subsequently let their NatWest Bank's approval]" SELECTIVE LICENSING Many properties which are let to Housing Benefit tenants are by their very nature in the more socially deprived and less affluent parts of Croydon. If Croydon Council follow one of their options to only impose Selective Licencing in these areas this is a direct discrimination to those landlords who are renting to anyone, not necessarily on housing benefit in these areas, i.e. positive discrimination, and may possibly be challenged under the Human Rights Act 1998. UNFAIR SIDE ISSUES CONNECTED WITH LICENCE REQUIREMENTS Courtesy of Judith Wordsworth: 1. Currently there is no legal requirement to have electrical safety certificates, unlike gas safety certificates. Therefore to impose this under Croydon Council's "How will landlords get a licence" is unfair and unjust UNTIL it is a legal requirement, as is their proposed requirement for the need to obtain references for prospective tenants. 2. Many landlords do get references, though the vast majority of these references are a waste of paper. Tenants obtained via Croydon Council on one of their</p>		
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	<p>Bonded schemes are not able to get references from Croydon Council, so how can Croydon Council impose this requirement if they do not adhere to it themselves? 3. Under Croydon Council's "How will landlords get a licence" the imposition for landlords to demonstrate satisfactory procedures for dealing with ASB is again unrealistic apart from a document stating the legislation under which a landlord can stop ASB. If the council cannot stop this behaviour with all the additional powers they have, then how do they expect an individual to be able to ESPECIALLY as that individual now cannot hide their address behind that of a managing agents. Tenants who exhibit ASB will have no compunction in retaliating, possibly violently or with criminal damage, against any landlord who tries to deal with the tenants' ASB. This could lead to not only a landlord but his/her family being put into danger and fear: Offences Against the Person. 4. Whether or not there are areas of Croydon which are delegated selective licensed areas this will not mean that these areas become "attractive places to live". Croydon Council is stating that where there are tenants who are poorer/ethnic/on housing benefit these areas are less attractive places to live. What about New Addington? The landlord is generally Croydon Council itself. BUT Croydon Council have stated in their documentation (Option 2) that they can impose selective licencing in areas where there is low demand so areas which are attracting + £1,300 per month will not escape!!!!</p> <p><b>KEY POINTS</b></p> <p>1. The main point we can all agree on and that may be most likely to get the council to stop and think could be the fundamental legality of the scheme given evidence that ASB in Croydon has gone down by 10% over several years. Whether pursuing a policy which was rejected by pretty much 100% of people consulted is legal in itself is an interesting sidebar vs whether the council can use ASB legislation to introduce this scheme given lack of ASB evidence (or evidence that ASB has been improving!).</p> <p>2. When less than 5 per cent of landlords are bad, targeting should be far more effective than a non-selective 100 per cent comprehensive licensing scheme.</p> <p>3. Would the implementation of this scheme genuinely significantly reduce the provision of rental housing stock, risk of increased rent levels and homelessness, etc.?</p> <p><b>IF THE SCHEME GOES AHEAD – FACTORS TO CONSIDER</b></p> <p>1. Points around fees: high fees would possibly lead to more cost pass-through to tenants, resulting in increased homelessness etc..</p> <p>2.</p>		
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	<p>Each landlord should simply be charged once, not per property – as it stands this is property licensing, not landlord licensing. 3. this scheme has not been fully costed (there is no cost provision whatsoever to deal with higher homelessness rates that may result, for example). 4. They tell us there are 30-32,000 private rented properties in the borough. That must mean there are at least 20,000 landlords. How can consulting with only 400 meet their obligations? OPINIONS BASED ON FACTS + CONCLUSIONS 1. There will be increased demand for properties, only because many landlords will be off-loading their properties and therefore reducing the housing stock available to Housing Benefit tenants and those unable to afford to live in the not-so-affluent areas of Croydon. 2. A licencing scheme will not improve a private landlord's reputation. The Rackman image of the 1950s and 60s is out of date and actually an insult to all private landlords. Legislation has come into force to regulate tenancies. 3. If Croydon Council are raising money by a licence scheme their own figures suggest that monies raised will not cover the administration costs. Therefore within the first year the could increase these fees to anything they deem appropriate. 4. What are these monies supposed to be used for in addition to admin costs? 5. S106 notices on ALL new developments are imposed to improve areas of Croydon. Monies raised by any licensing scheme cannot be used to enhance the Borough NOR police for ASB. 6. If, as appears likely, it is already decided by Cabinet to implement this scheme surely this whole consultation exercise has been a huge waste of local council taxpayers money and should be queried at the highest levels. 7. We need to find out, in the light of Council transparency, some idea of the Market Research Company's fees i.e. MELS for this Consultation process as Councillor Michael Neal stated the Cabinet want this scheme, and no matter what results the consultations bring up these results will be ignored, i.e. Landlord Selective Licencing is a fait accompli. 8. Surely that is an abuse of the Council Cabinet's power and can be, and should be if the scheme goes ahead, challenged under Judicial Review under the grounds of : "the procedure followed by the public body is unfair or biased" i.e. a public body must act impartially. Specifically, the scheme cannot be impartial if they are just "going through the motions" of consultation</p>		
An agent of Croydon	I would suggest the best option is Option 4 (Do Nothing). According to my experience as a		

	<p>estate agent in Croydon, Implementing the scheme is not going to address any of the issues raised. First of all, all the property in the private residential rental is in fairly good condition and there is no so called anti social behaviour associated with it. These problems are largely related to houses owned by housing association and council properties. To effectively tackle these problem, the council should self regulate itself first before imposing such a big burden on the rental industry by rolling out the licensing scheme. As a result, it will be quite a waste implementing licencing in Croydon.</p>		
Other Respondent (Not Specified)	<p>I feel that Option 4 is the best option. I do not feel that the other options will improve the situation, and where improvements are necessary there are other means already available. The time and efforts of the Councils would be better spent enforcing the current requirements rather than introducing more work in setting up and operating new schemes. Registering landlords who currently do not comply with the most basic of requirements will not improve their future conduct, and if they are not complying with the existing standards and requirements and this is not being enforced then why would they even be bothered about registering? The landlords who are already letting to an acceptable standard will be put to additional costs time, and effort and nothing will be gained as the council will be spending their time licensing good people who already comply rather than going after the poor landlords who they could use existing legislation against. Any chance this could be extended to freeholders? I was about to buy a flat on birdhurst rise, but pulled out prior to exchange of contracts. I found out that the freeholder has been taken to tribunal 7 times, with the same issues recurring and felt that I too didn't want to have to be in the situation of taking the freeholder to tribunal. The property looked incredibly unloved from the outside ie very untidy front garden, drain pipes missing from external walls, holes in external walls (from where drain pipes should have been), terrible loft conversion (I have no idea why croydon council planning department approved it), poor back garden where cars had been dumped etc. A lot of flats within the property were rented out, but I think landlords struggled to do anything because the freeholder and managing agents are difficult to get hold of and don't seem to care about the property.</p>		
Bromley	Borough wide selective licensing is using a		

<p>HMO Landlord</p>	<p>sledgehammer to crack a nut, and should NOT be implemented From the figures provided in the appendices (1) the 3300 noise complaints in 2013 relating to private tenants amount to just 11% of Croydon's 30,000 PRS properties (2) the 140 ASB complaints amount to less than 0.5% of Croydon's PRS and (3) even if all the 10k flytipping cases were attributable to the PRS then only 30% of it could be responsible. One would expect the survey respondents to be more responsible than the public generally, in view of their co-operation, yet a significant proportion did not regard any of the issues to be a problem. Borough wide licensing therefore lacks justification, yet would impose costs on the Croydon PRS. Economic research has consistently shown the demand for housing to be inelastic, meaning these costs would be passed on to tenants in the form of higher rents, making tenants poorer. There is a danger of exacerbating the housing shortage as the PRS might shrink in Croydon, leading to greater homelessness in Croydon, which could spill over into neighbouring boroughs. The most efficient way of dealing with these problems is to tackle them directly by prosecuting the culprits, not indirectly by targeting their landlords. Croydon promotes these problems when it advises these culprits to stay in their accommodation. It is also a bit rich to expect landlords to tackle these problems, when the council not only refuses to advise landlords, but helps such tenants against them. Nevertheless, some landlords are an embarrassment to the PRS. A more effective solution might be to exempt all landlords from the proposed scheme where they already meet specified BASIC criteria, thereby only imposing licensing on those who deserve to have it imposed on them. Such criteria might include (1) a gas certificate was in force before the council asked for it (2) proper landlords insurance (ie not domestic) was in force before it was requested by the council (3) there have not been any complaints etc</p>		
<p>Private Tenant in Croydon</p>	<p>As a private rental tenant myself, is the sudden explosion of properties for sale especially in Croydon, a result of landlords not being prepared to be bothered in this new scheme or is it a mere coincidence, judging by the landlords summary? If it is the former case, then maybe these measures have uncovered a hornets nest. What will be the consequence and how will it be resolved? Surely this will create a crisis in the rental of private property as there is a dire depletion of rental housing stock caused by previous</p>		

	governments selling allocated rental property which should have not been allowed in the first place.		
Neighbour Local Authority (LB Lambeth)	Lambeth is considering our own approach and is watching the introduction of licencing in neighbouring boroughs with interest to see the impact that it has. We are having meetings with Greenwich, Lewisham and Southwark to discuss licensing and a possible joint operational approach. There is little or no evidence of landlord migration from other schemes introduced and we do not envisage the introduction of a scheme in Croydon having any significant effect on the private rental market in Lambeth.		

Ref	Date actioned	Date sent	Correspondence type	Correspondence representation	Respondent	Respondent type	Response to proposals
1	04/10/2014	04/10/2014	Email	Request to be kept informed	Naadir Akhtar	Landlord	
2	08/10/2014	08/10/2014	Email	Request to be kept informed	Phillip Leonard, Mountview Estates	Managing Agent	Against
3	09/10/2014	09/10/2014	Email	Request to be kept informed	Jagat Ramtahal	Landlord	Against
4	13/10/2014	13/10/2014	Telephone call	Request to be kept informed	Grant Waller	Landlord	Against
5	14/10/2014	13/10/2014	Email	Request to be kept informed	Nicholas Rowe	Landlord	
6	15/10/2014	04/10/2014	Fwd Email	Cost seen as tax, penalises good landlords	Steve Collingwood	Father of landlord	Against
7	15/10/2014	04/10/2014	Fwd Email	Do not agree with scheme	Catriona Lumiste	Landlord	Against
8	15/10/2014	04/10/2014	Fwd Email	No need for SL. Can use break clauses in contracts	Stuart Butcher, Halcyon Design	Landlord	Against
9	15/10/2014	06/10/2014	Letter via email	No link to PRS ASB	Richard Applebee	Landlord	Against
10	15/10/2014	04/10/2014	Agent fwd email	Would no longer rent	Ian (D. Withers)	Father of landlord	Against
11	15/10/2014	05/10/2014	Fwd Email	Request for clarification, revenue raising scheme	Dave Read	Landlord	Against
12	15/10/2014	09/10/2014	Fwd Email	No local ASB problems experienced, boroughwide scheme not required	Mary and Stephen Wingrove	Landlord	Against
13	15/10/2014	08/10/2014	Fwd Email	Landlords cannot be responsible for policing ASB	Sheila Cox	Landlord	Against
14	15/10/2014	04/10/2014	Fwd Email	Use agents, boroughwide scheme not needed, penalises good landlords, will sell up	Gerry Meredith-Smith	Landlord	Against
15	15/10/2014	04/10/2014	Fwd Email	No local ASB problems experienced, boroughwide scheme not required	Alan Bedford	Landlord	Against
16	15/10/2014	13/10/2014	Fwd Email	Licensing landlords is essential	Ann Creighton		For
17	15/10/2014	05/10/2014	Fwd Email	Tax, passed onto tenants, penalises good landlords	Michael Gough Cooper	Landlord	Against
18	15/10/2014	05/10/2014	Fwd Email	Copy of above email, but sent to Councillors	Michael Gough Cooper		
19	15/10/2014	14/10/2014	Fwd Email	Will stop renting, costs passed to tenants, revenue raising scheme	Hilary Judge	Landlord	Against
20	15/10/2014	04/10/2014	Fwd Email	Will stop renting, costs passed to tenants, revenue raising scheme	Gerry Meredith-Smith	Landlord	Against
21	15/10/2014	10/10/2014	Fwd Email	Penalises good landlords, use management agents, cost too high	Peter Pullar-Strecker	Landlord	Against
22	15/10/2014	14/10/2014	Fwd Email	Will not tackle ASB, Council does not support landlords, requiring baliffs if on benefits, Council does not police HMOs	Paul Burch, Kingsbury Lettings Ltd	Managing Agent	Against
23	15/10/2014	12/10/2014	Fwd Email	Tax, passed onto tenants, penalises good landlords	Ashley Purcell	Landlord	Against
24	15/10/2014	12/10/2014	Letter via email	Will not tackle ASB, revenue raising exercise	David Selwyn	Landlord	Against
25	15/10/2014	06/10/2014	Scanned letter	Use agents, ASB from Council recommended tenants only, boroughwide scheme not needed, penalises good landlords	James and Susan Walker	Landlord	Against
26	15/10/2014	06/10/2014	Fwd Email	Use agents, boroughwide scheme not needed, penalises good landlords, will sell up	Gerry Meredith-Smith	Landlord	Against
27	15/10/2014	13/10/2014	Fwd Email	No evidence of ASB, no benefits shown	Maria Watson	Landlord	Against
28	15/10/2014	09/10/2014	Fwd Email	No evidence of local ASB, boroughwide scheme not needed, costs passed to tenants	Nigel Moyle	Landlord	Against
29	15/10/2014	09/10/2014	Letter via email	No evidence of local ASB, boroughwide scheme not needed, revenue raising exercise	Peter Phillips	Landlord	Against
30	15/10/2014	12/10/2014	Fwd Email	Use existing legislation on rogue landlords, penalises good landlords, costs passed to tenants	David Eacott	Landlord	Against
31	15/10/2014	05/10/2014	Fwd Email	Use letting agents, use existing powers for ASB if problem actually exists, costs passed to tenants	Ernest Abbott	Landlord	Against
32	15/10/2014		Fwd Email	Tax, use letting agents, costs passed to tenants	Michael Hewson	Landlord	Against
33	15/10/2014	13/10/2014	Fwd Email	Tax, no evidence of ASB, no benefits to landlords	Sally Kennett	Landlord	Against
34	15/10/2014	15/10/2014	Telephone call	Request for more information	John Gore		
35	16/10/2014	16/10/2014	Email	Request to amend online survey	Alex Hughes		
36	16/10/2014	16/10/2014	Email	Request to be kept informed	John Adamthwaite	Landlord	
37	16/10/2014	16/10/2014	Email	No evidence of local ASB, boroughwide scheme not needed, costs passed to tenants	Stephen Collingwood	Landlord	Against



38	17/10/2014	14/10/2014	Fwd Email	NLA response (attached as separate appendix)	Gavin Dick , National Landlords Association	Policy Officer	
39	21/10/2014	21/10/2014	Email	Tax, revenue raising exercise, would sell up	Mrs S Masson	Landlord	Against
40	22/10/2014	22/10/2014	Email	Request for further information via telephone call	G Rodrigues	Landlord	Against
41	05/11/2014	05/11/2014	Email	Legal challenge due to lack of publicity on consultation	Keith Makin	Landlord	Against
42	08/11/2014	08/11/2014	Email	Request to attend November meeting	Alan and Moira White	Landlord	
43	10/11/2014	10/11/2014	Email	Request to be kept informed	Michael Hewson	Landlord	
44	13/11/2014	13/11/2014	Email	Request for more information	Shabbir Halai	Landlord	Against
45	20/11/2014	20/11/2014	Email	Penalises good landlords, costs passed to tenants	Arif Mohiuddin	Landlord	Against
46	21/11/2014	21/11/2014	Email	Penalises good landlords, blanket approach, boroughwide not needed	Matthew Ashmore	Landlord	Against
47	28/11/2014	28/11/2014	Email	Request to forward landlord forum idea	Geoffrey West	Landlord	Against
48	29/11/2014	29/11/2014	Email	Request for consultation costs, no real support from landlords	Judith Wordsworth	Landlord	Against
49	08/12/2014	08/12/2014	Email	Blanket approach, penalises good landlords, no evidence of significant ASB problems, charges too high, tax, consider landlord registration scheme instead. Discount for accredited landlords, like in Brent.	Paul Norris, Marden Oak Ltd	Landlord	Against
50	09/12/2014	09/12/2014	Email	Query on length of consultation and request for paper copies	Ann McGillivray, Norbury Green Residents' Association	Chairperson	
51	12/12/2014	12/12/2014	Email	Revenue raising scheme, boroughwide approach not needed	Maureen, East Coulsdon Residents Association		
52	12/12/2014	12/12/2014	Letter via email	14 page response (attached as separate appendix)	Sean Creighton	Resident	
53	15/10/2014	09/10/2014	Fwd Email		Stephen Wingrove	PRS tenant	Against
54	12/12/2014	12/12/2014	Email	Request for paper copies and indication that received late notice of consultation	Ian Clarke, Scots Estate Norbury Residents Association	Chairperson	For
55	13/12/2014	13/12/2014	Email	Request for paper copies of survey	George Stewart		
56	19/12/2014	11/12/2014	Fwd Email	Petition (attached as appendix)	Jenny Lockett, Generation Rent	Policy & Communications	For
57	13/01/2015	11/01/2015	Fwd Email	Tax, enforcement needed	David	Resident	For
58	16/01/2015	16/01/2015	Telephone call	Request for further information via telephone call	Sandie Tracey-Birchmore	Landlord	
59	21/10/2014	17/10/2014	Fwd Email	Response from RLA (attached as appendix)	William Keunen, Residential Landlords Association	Policy Officer	

Notified of extended consultation



| period, paper copies sent