

Consultation Questions on amendments to the Landlord Registration Scheme Regulations (Northern Ireland) 2014 and proposed answers

Information required at registration

Question 1

Do you agree with the proposal to expand the information requested for landlord registration as outlined in the consultation document?

Unsure

Please explain your answer below

The Council is unsure what benefit this information will have in relation to improving standards in the privately rented sector.

Question 2

Do you agree with the proposal that information on the following requirements should be provided as part of the registration process?

Fitness for human habitation	Unsure
Smoke, heat and carbon monoxide alarms	Unsure
Electrical safety checks	Unsure
Gas safety certificates	Unsure
Energy performance certificates	Unsure

Please explain your answer below

As stated above, the Council is unsure what benefit this information will have in relation to improving standards in the privately rented sector. The Council is disappointed that a simple declaration of compliance to ensure that a rented property meets the regulatory standards without ensuring compliance through an inspection does not go far enough.

In the absence of more robust regime which would provide for an inspection framework with appropriate additional resources, this declaration alone is unlikely to improve standards in the privately rented sector. Whilst some certification can be requested by the Council to verify the validity of a declaration, some aspects of compliance such as assessing the fitness standards and the presence of alarms cannot be verified without inspecting the property. Any requirement for inspections to support compliance will need to be resourced as such additional regulatory work could not be undertaken within our existing resources.

Regulation 9 – changes to data sharing

Question 3

Do you agree with the proposal to share information held on the Landlord Register with the Health and Safety Executive Northern Ireland to assist with gas safety enforcement in private rented properties?

Yes

Please explain your answer below

The Council has worked closely with HSENI in relation to gas safety enforcement for a number of years and welcomes this proposal to assist with enforcement activities.

Question 4

Do you agree with the proposal to share information (this will not include personal information that would allow an individual to be identified) held on the Landlord Register with the Department for Communities for research and statistical purposes, to assist with the formulation and development of policy and legislation relating to the private rented sector?

Yes

Please explain your answer below

The Council welcomes any proposals which assist in the development of policy and guidance in relation to the regulation of the private rented sector.

Schedule 2

Question 5

Do you agree with the proposal to amend Schedule 2 to bring this in line with the current practice of allowing a public online search by address function on the Landlord Registration Scheme website?

Yes

Please explain your answer below

The Council welcomes the additional functionality to allow online searches by the public, as this is an important tool in detecting unregistered landlords and assisting tenants in selecting a tenancy with a compliant landlord.

General

Question 6

Do you have any other comments on the proposed changes to the Landlord Registration Scheme Regulations?

Comments

This proposed amendments and declaration will not improve fitness standards in the privately rented sector. The current statutory fitness standard is 45 years old and in our view is no longer fit for purpose. BCC has been advocating on many housing related consultations responses to DFC for a review of the fitness standard for many years, Council would ask the Department to prioritise the review of this standard to introduce a new standard commensurate with modern living standards which will drive improvements in the private rented sector housing stock.

The Council is disappointed that the amendments are not directly linked to a more rigorous regime through an appropriately resourced inspection framework to ensure compliance with the current standards as the landlord's simple declaration that the property meets the regulatory requirements does not go far enough.

The Council does not have the resources to undertake any additional work to ensure compliance with the landlord registration scheme.

The Department should also be prioritising the resourcing of the regulation of the private rented sector as Councils are being asked to enforce a range of new regulations without additional resources which have been incrementally introduced under the Private Tenancies (Northern Ireland) Order 2006.