

Appendix **A**



Central Bedfordshire Council

Accreditation Code of Standards for
Privately Rented Housing
(Draft)

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Introduction to the Accreditation Scheme

The private landlords and agents in the region play a vital role in providing accommodation and the Council appreciates that many landlords are doing a good job. This is why it has introduced the Private Rented Sector Accreditation Scheme.

The aims of the Accreditation Scheme are to:

- Establish standards for the private rented sector
- Promote awareness of those standards with landlords and tenants
- Encourage and assist landlords to meet accreditation standards
- Give recognition to properties and landlords meeting these standards
- Enable potential tenants to choose accredited accommodation

What is accreditation trying to achieve?

Accreditation provides a way of giving recognition to landlords who take a responsible approach to renting and a means of identifying those properties which meet recommended standards and enables owners and tenants to acknowledge their respective responsibility towards one another. The Accreditation Scheme plays an important part in the Council's plans to work more constructively with those landlords who are providing good quality housing.

To achieve Accreditation in HMOs and single dwellings, the property standards that we consider are reasonable and realistic include gas, electricity and furniture standards, adequate kitchens, bathrooms and WC facilities and good management practices. Fire safety in HMOs has a high priority. The award also includes other measures such as security, energy efficiency and fire precautions in single dwellings.

These standards represent a balance of common sense obligations and responsibilities between owners and tenants. Some should already be a routine part of any letting, such as ensuring that furniture complies with fire safety regulations, making sure that the gas and electrical systems are safe and the provision of fire precautions in HMOs.

Overall the Accreditation Code requires that the physical condition of the property and the level of provision of basic amenities are reasonable and satisfactory and not liable to be prejudicial to health and safety of the occupiers.

Joining the Accreditation Scheme is voluntary and free but it does mean that the owner/managing agent have confirmed that they meet the criteria of the Scheme and have agreed to abide by the contents of this Accreditation Code.

How to join the Scheme

Properties may not be eligible under this scheme if any of the following apply to the owner(s) or managing agent(s) of the property in question:

- Conviction for illegal eviction or harassment of tenants within the last 10 years
- Conviction for violence or intimidating behaviour towards any persons within the last 10 years
- Having been responsible for failure to comply with the requirements of any statutory notice or House in Multiple Occupation requirements served by the Council which has resulted in prosecution or works being carried out in default within the last 10 years.
- Any other convictions relating to conduct or business practices which are considered by the Council to indicate their unsuitability to be the owner or managing agent for properties accredited under the scheme.

Landlords and agents wishing to become members of the Council's Accreditation Scheme should complete the application form and return it to the Council together with copies of current safety certificates.

Landlords and agents will be asked to make their properties available for inspection and their tenants may be asked to confirm that any problems or complaints are dealt with in a satisfactory manner.

Once a property has become accredited, the details will be recorded on a register that the Council will publish on their website.

Upon being accepted as a member of the Scheme, the landlord or landlord's agent will receive a certificate which they can display in the property and use when advertising the house to let.

Accreditation Code of Standards for Private Rented Housing

1. Equal Opportunities

Owners and Agents will ensure that:

In the provision and letting of housing or associated services and in the letting of contracts for services, no person or group of persons applying will be treated less favourably than any other person or group of persons because of their race, colour, ethnic or national origin, gender, disability or sexual orientation.

2. Marketing – Prior to Letting Property to Tenants

Owners and Agents will ensure that:

- a) All property details are reported accurately and without misrepresentation to prospective tenants.
- b) All prospective tenants are granted an opportunity to view the property having due regard to the rights of existing tenants.
- c) Prospective tenants are provided with a copy of any contractual terms under which a property is offered and where requested are permitted not less than 24 hours within which to seek independent advice regarding those contractual terms.
- d) A copy of the current energy performance certificate for the property will be made available for prospective tenants.
- e) A full set of agreement/s are issued to the tenant/s at the grant of the tenancy written in type size of not less 12 point.

3. At the Time of Letting the Property

Owners and Agents will ensure that:

- a) Tenants are issued with a clear statement of the rent due to be paid including the dates, amounts and method of payments due to be made during the contract.
- b) Tenants are informed about their responsibility, if any, for payment of water rates, utility charges and Council Tax

- c) Where service charges are levied by the owner, such services and charges are properly specified and detailed in the letting contract.
- d) Letting agreements will be written in clear English in type size of not less than 12 point containing no contractual terms in conflict with any statutory or common law entitlement of the tenant or the terms of this Accreditation Code.
- e) That where a fee is charged for arranging a letting agreement, then prospective tenants should be clearly informed of this.
- f) Any damage deposit taken is lodged with an approved tenancy deposit protection scheme.
- g) That the name and the current registered address of the owner/agent are stated on the agreement together with the address and telephone numbers of any managing agent or person acting on behalf of the owner.
- h) That at the commencement of the tenancy or other date mutually agreed with the tenants, all obligations on the part of the owner in regard to the repairs and property maintenance and improvements have been fully discharged.
- i) That any agreed pre-tenancy repairs or any intentions on the part of the owner to undertake improvements should be confirmed in writing.
- j) For each property, owners/managing agents will be expected to have adequate buildings insurance to cover the accommodation, accidental damage and injury to tenants or third parties caused by circumstances for which the landlords may be held liable and to provide proof of this to the Council if so required.

4. During the Tenancy

Owners and Agents will ensure:

- a) That they will not purport to let a property which is already let without taking appropriate steps (including the issue of all relevant notices) to determine the existing tenancy in order to mitigate any potential delay or hardship.
- b) That (subject to reasonable performance by tenants of their obligations under the terms of the preceding tenancy), the incumbent tenant/s are offered first refusal for any subsequent letting of property.

- c) That where access is required for routine inspections, the tenants receive a notification of the date, time and purpose of the visit not less than 24 hours in advance save in circumstances where issuance of such notice is impracticable and that tenant privacy and entitlement to freedom from unnecessary intrusion is respected.
- d) That business is pursued by him/her in a professional, courteous and diligent manner at all times.
- e) Full compliance with the provisions of (a) Section 11 of the Landlord and Tenant Act 1985 which relates to landlord/agents repair obligations, (b) Part 1 of the Housing Act 2004 relates to the Housing Health and Safety Rating System. (c) Sections 1 and 3 of the Defective Premises Act 1972 relating to duties in connection with the liability for injury or damage caused to persons through defects in the state of the premises. The landlord and agent must also comply with statutory powers relating to overcrowding and owners of properties in multiple occupation shall comply with their statutory duties to keep premises fit for the number of occupants. Advice is available from the Private Sector Housing Service.
- f) Where reasonable and practical to provide notification to occupants prior to attendance by contractors to undertake repairs.
- g) That contractors and trades persons are requested to remove all redundant components and debris from site on completion of works in a reasonable time and behave in a professional and courteous manner at all times whilst at the premises.
- h) All furnishings and furniture are clean and in reasonable condition at the commencement of the tenancy and comply as appropriate with the Furniture and Furnishings (Fire) (Safety) Regulations. *See Appendix 2.*
- i) Each kitchen contains facilities for the storage and preparation of food suitable for the number of occupants using the kitchen and will be capable of cleaning with suitable products. If a cooker is not supplied, the kitchen should have either an electric cooker point or a mains gas point supplied.
- j) All floor coverings in kitchens, bathrooms and WC's are capable of cleaning with suitable products.
- k) An adequate number of suitable located WC's bath and/or showers and washbasins are provided with constant hot and cold water supplies as appropriate, which are suitable for the number of occupants.
- l) All properties will be provided with refuse disposal facilities sufficient for the number of occupants.

- m) Decorative finishes for which owners/agents have responsibility should be made good within a reasonable timescale.

Repairs Performance

Landlords are responsible for carrying out repairs and maintenance to properties and for operating a repairs reporting service for tenants. Repairs are to be classed into three categories as follows:

Priority A (Emergency Repairs) - Repairs required in order to avoid a danger to health and safety of residents or serious damage to buildings or residents belongings.

- Maximum time for completion or provision of an alternative will be 24 hours from report of defect, or no later than the next working day.
- Procedures must be in place by the landlord to meet emergency repairs that may occur outside normal working hours, on weekends or public holidays
- If an emergency arises outside normal working hours, it is the responsibility of the landlord to ensure that appropriate repairs are carried out in line with health and safety standards.

Priority B (Urgent Repairs) - Repairs to defects, which materially affect the comfort or convenience of the residents.

- Maximum time for completion will be 10 days from report of defect.

Priority C (General Repairs) - Non-Urgent day to day repairs that do not fall within the categories above.

- Maximum time for completion will be 28 days from report of defect.

The following three lists show examples of Priority A, B and C repairs and should not be considered exhaustive lists.

Priority A

- Interruption of supply of drinking water (this can be mitigated by another source of drinking water)
- Provision of temporary heating and hot water to tenants whilst system defects are being remedied
- Electrics unsafe
- Defective drains and sanitation
- No lighting to communal areas (complete failure)

- Burst pipes, defective tanks or serious leaks causing flooding
- Gas leaks (normally reported to National Grid)
- Dangerous structures – floors, ceilings, walls etc.
- Defective fire detection and protection measures
- Broken glazing
- Defects to security measures
- Dangerous staircase, balustrade, guarding etc

Priority B

- Heating and hot water (between 1st Nov and 30th April)
- Temporary repairs to cover defective flat at or pitched roofs where there is water penetration
- Mending minor leaks on water pipes
- Repairing leaking cone/soil joints to toilets
- Repairing leaks to soil pipes/soil vent pipes generally
- Repairing or renewing ball valves (overflows, water hammer)
- Repairing defective extractor fan (internal bathroom/kitchen only)
- Replacing broken wash hand basin
- Repairing defective entry-phone system
- Broken fridge/freezer (if provided by landlord)
- Infestations (Begin remedial action)
- Blocked down pipes/guttering

Priority C

- Replacing fittings to windows and /or external doors
- Repairing faulty taps, stop valves, drain down cocks etc.
- Replacing rotten or defective flooring
- Replacing defective bath
- Replacing kitchen units (including sink units/taps)
- Repairing or replacing wall tiling/splash backs
- Fixing or replacing air bricks
- General brickwork repairs (rebuilding piers, boundary walls)
- Replacing or repairing external fascia/soffit/barge boards
- Repairing or replacing fencing/gates
- Redecoration following repair works
- Non-Urgent drainage work
- Plaster repairs to ceilings or walls
- External rendering
- Repairing external paving

Planned programmes of repair/ improvement and cyclical repair

programmes - Maintenance and Servicing tasks which can be carried out in a planned and cyclical manner such as gas appliance servicing, gutter and window cleaning, exterior and interior painting are carried out with due regard to the convenience of the occupants.

Where a dispute occurs between the owner and the tenant as to when a repair has been reported, then the date on which the repair was reported to the owner in writing shall be the accepted date.

5. Health and Safety

Owners will ensure that:

- a) All means of use and supply of mains gas and alterations and repairs to gas installations shall comply with current Gas Safety (Installation and Use) Regulations.
- b) Documentation giving verification of servicing will be provided to tenants and shown or made available to prospective tenants on request.
- c) Clear, written instructions are available on request for the safe use of all central heating and hot water systems.
- d) Portable bottled gas or paraffin heaters will not be provided as a heating source and will not be permitted in any accredited property.
- e) All electrical installations provided by the owner are certified as safe by an approved electrician in accordance with the current relevant Electrical Regulations. A document in the form of a periodic inspection report shall be obtained every five years showing that the electrical wiring of all properties are in a safe and satisfactory condition.
- f) All repairs and improvements in electrical installations should comply with the current Institute of Electrical Engineers Wiring Regulations and all components used in electrical wiring installations and repairs should comply with the relevant international standards and all appliances will be installed in accordance with manufacturers instructions.
- g) All reasonable steps are taken to ensure that all electrical appliances provided by them are functioning effectively and in a safe manner. Appliances should be regularly visually inspected for wear and tear and any defects remedied. Portable Appliance Testing (PAT) is one way of making sure of this.

6. At the end of the Tenancy

Owners will ensure that:

- a) Deposits are administered efficiently and responsibly by the landlord or their nominee and are not withheld for any purpose other than for which they were levied.
- b) Tenants are issued with clear written guidelines regarding the standard of cleaning and other arrangements for bringing the tenancy to an end so as to avoid misunderstandings regarding the standard of cleanliness and condition of the property expected at the end of the tenancy.
- c) Once fully receipted invoice accounts have been provided to tenants, it should be confirmed in writing, within 2 weeks, that the deposits (or balances on deposits) shall be returned to the tenants within 6 weeks of the end of the tenancy.
- d) Where monies from a deposit have been retained to off set owners reasonable incurred costs such balances that are remaining shall be returned within 6 weeks together with a written statement of account providing reasonable details of any and all deductions to the former tenant.

7. Disputes

Owners undertake to:

- a) Respond reasonably and promptly to tenants or tenant representatives in regard to any complaints or difficulties raised by tenants.
- b) Make written response to correspondence from tenants or their chosen representative within two weeks.
- c) Ensure that all settlements and agreements reached are honoured within two weeks of such settlement being agreed.
- d) Maintain courteous professional relations with tenants during any dispute.

8. Complaints

Owners and Agents undertake to:

- a) Within two weeks of receipt of any written complaint from a tenant (or their representatives) rectify any breach of this Accreditation Code or in the alternative enter into correspondence with any tenants or their representative where such an allegation is contested.

- b) Recognise in the case of a contested breach of the Accreditation Code, or where rectification is not made in accordance with (a) above, the authority of the Private Sector Housing Service. Any breach of the Accreditation Code will be made public to prospective tenants and the Council will have the ultimate authority to exclude any owner from the Accreditation Scheme for a period as determined or indefinitely.

The Council will seek to promote details of the Accreditation Scheme amongst current and prospective tenants searching for housing. New tenants should be given a copy of the Accreditation Code by the owner at the commencement of the tenancy. The Accreditation code is supported by private landlords, letting and managing agents. The business reputation of those that maintain compliance will be enhanced in contrast to those that either choose not to operate within the Accreditation Code or fail to honour their agreement to work within it.

The Council, in administering the Accreditation Scheme reserves the right to refuse to accept any application, subject to a right of representation to a review panel and final appeal.

9. Fire Detection and Alarm Systems

For Houses in Multiple Occupation Only – does not apply to single dwellings

Owners and Agents will ensure that:

- a) All Houses in Multiple Occupation will be fitted with a form of fire detection incorporating an audible alarm and detection system to the satisfaction of the Local Authority and in accordance with LACORS National fire safety guidance.
- b) A fire blanket to BS6575 should be provided in each kitchen.
- c) All exit routes within a property such as hallways, landings and staircases, so far as they are under the control of the owner/landlord, as far as reasonably practicable, will be maintained safe, unobstructed and free of fixtures and fittings to enable the evacuation of the property in the event of a fire.
- d) Clear guidance of basic fire safety issues will be provided to residents at the commencement of the tenancy.

10. Harassment

The Council can take action under the Protection from Eviction Act 1977 where things are done deliberately in order to interfere with someone's peaceful occupation of their home, knowing that the likely effect will be for the

occupier to leave or stop making demands (e.g. for repairs to be made). Properties relating to any landlords, agents etc found guilty under this legislation will be excluded from the Accreditation Scheme.

11. Antisocial Behaviour

The landlord/agent should take all reasonable measures to deal with antisocial behaviour or hate crime committed by their tenants or guests of their tenants in and around the property. Particular vigilance should be shown with regards houses in multiple occupation and multiple lets. The landlord/agent should involve the relevant organisations (e.g. Police, Council etc) where necessary.

12. Important Notes

Adoption of the Accreditation Code and compliance or non-compliance with the provisions of this Code do not affect the statutory rights of people seeking housing. The Council reserves the right at any time to amend the content of the Accreditation Code or its operation subject to consultation with the relevant parties.

The Council shall not be liable to any person or persons for any information contained in the Accreditation Code or supplemental document or reliance upon it or for any loss, damage or injury or any disputes proceedings or claims by or between any person or persons (and whether or not including or against the Council) whatsoever or howsoever arising from any information herein containing or any supplemental document.

Appendix 1

Certificate of Accreditation

In order to achieve certificate of accreditation, the property must meet the following standards set out in Appendix 1 and must also meet the additional requirements set out in Appendix 2-4:

Free from Category One Hazards

All rented property must be free from category ones hazards as specified under part one of the Housing Act 2004.

The Housing Health and Safety Rating System (HHSRS) is used to assess hazards, and sets out standards relating to aspects such as stability, repair, dampness, water supply, lighting, heating, ventilation, facilities for the preparation and cooking of food, provision of W.C. washbasin, bath or shower and drainage and applies to both HMOs and single dwellings.

If you are unsure whether or not your property has any category one hazards, please contact the Private Sector Housing Service who will advise you.

Further information relating to HHSRS can be obtained from <http://www.communities.gov.uk/publications/housing/hhsrsoperatingguidance>

Appendix 2

Furniture and Furnishings

The Furniture and Furnishings (Fire) (Safety) Regulations 1988 and as amended in 1989 apply to upholstered furniture which is supplied in conjunction with let accommodation. This includes armchairs, sofas and dining chairs, beds, divans and mattresses, sofa beds, pillows and cushions and nursery furniture such as playpens, cots and high chairs.

They do not apply to bedclothes including duvets, loose covers for mattresses, pillowcases, curtains, carpets sleeping bags or goods made before 1st January 1950 and the materials used to re-upholster or re-cover them.

The Regulations require:-

- Furniture to pass a cigarette resistance test;

- Cover fabric, whether for use in permanent or loose covers, to pass a match resistance test and:
- Filling materials for all furniture to pass ignitability tests as specified in the regulations.

New furniture bought since 1st March 1990 should already meet these standards, as should second hand furniture bought after 31st December 1996 to ensure that their upholstered furniture meets the requirements of the 1988 Regulations.

Any replacement and additional furniture bought on or after 1st March 1993 will have to comply with these requirements immediately. All properties let for the first time after 1st March 1993 may only be supplied with furniture which complies with the 1988 Regulations.

Although it should not be possible to buy new or used furniture from a shop which does not comply, it is still possible to obtain such furniture through private sales. It is, of course, illegal to supply such furniture in your accommodation. Agents, as well as owners, may be liable for compliance with these Regulations and will therefore need to check with the owner that the furniture complies.

More information is available in the booklet published by the Department of Trade and Industry, "A Guide to the Furniture and Furnishings (Fire) (Safety) Regulations" and is available from the Trading Standards Department who enforce these Regulations.

Appendix 3

Security

Security is a major concern to both owners and tenants alike. Security precautions are important and should be designed to make getting into the house as difficult as possible. Once inside an occupied house any internal lock will make no difference to the burglar and breaking through locked internal doors or cupboards will simply increase damage during the burglary.

Owners will ensure that:

- a) **For single households**_ external doors are of a strong, solid, safe construction and fitted with a five lever mortice deadlock conforming to BS 3621 or is of an equivalent standard. The doorframes should be strong and well secured to the jambs.
- b) **For Houses in Multiple Occupation**_to help avoid delay in escaping in case of fire, all accommodation doors, final exits doors and any other doors through which a person may have to pass on their way out of the premises in the case of fire should be so fastened and maintained that they can be easily and immediately opened from the inside **without the**

use of a key. To combine fire safety with security requirements, a 6 pin cylinder mortice lock or night latches are recommended, operated by thumb turns or level handles on the inside.

For All Properties

- **Window Locks** - Ground floor and upper storey windows accessible from ground level should be of sound construction and with the exception of windows used for means of escape from fire, fitted with window locks. Keys should be kept permanently available near the windows.
- **Burglar alarm systems** – where fitted, should have a 20 minute cut out, a nominated key holder, and details of this key holder passed to the Council.
- **Hedges** - around external doors and windows will be kept trimmed low wherever practicable to avoid screening for burglars.
- **External security lighting** – where deemed necessary by the Council, side and rear main entrances used for access should be illuminated at night.

Energy Efficiency Measures

A requirement of the basic award is that owners will commit themselves in principle to improving the overall energy efficiency of their houses. A procedure used in assessing the energy efficiency of a property is known as a Standard Assessment Procedure Rating (SAP). A SAP rating of 55 on the whole property is required for the basic award.

The general requirements are:

- An efficient and economic system of heating must be provided throughout. Hot water must be a piped supply either heated instantly from a gas multipoint or combination boiler or stored in a well insulated tank with good thermostatic control.
- Owners should provide tenants with instructions and advice on how heating and hot water controls should be used.
- Minimum 300mm loft insulation to loft and eaves, forming access where necessary.
- Effective lagging to pipe work and water tanks in roof spaces and to any central heating and hot water pipe work in unheated spaces.

- Draught stripping to doors and windows, except windows in kitchens and bathrooms.

Properties should be insulated to retain heat efficiently. Insulation and energy efficiency improvements should be incorporated wherever practicable when properties are being improved or converted. A list of improvement measures can bring about significant energy savings in a cost effective way and are available from your Local Council or Energy Efficiency Advice Centre.

Visual Appearance

The external visual appearance of a property can contribute to the character of an area. Peeling paint, rotten window frames and doors and an unkempt garden can have a detrimental effect on an area. The property owner should ensure that the external appearance of a property is maintained and regularly decorated and that the garden is kept in a neat and tidy condition.

Fire Safety

Houses in Multiple Occupation should comply with the Means of Escape from Fire and other Fire Precautions as set out in Appendix 4.

Single Occupied Dwellings should have:-

- Mains smoke detectors with a battery back up fitted one per floor level (hallway & landings)
- Fire Blanket in kitchen

In 4 or more storeys, any doors that provide access between the stairway and the ground floor rooms are to be fitted with fire resisting, self-closing doors. Further advice on fire safety can be obtained from the Private Sector Housing Service.

Appendix 4

Means of Escape from Fire and other Fire Precautions for HMOs (This section relates only to houses in multiple occupation).

All Houses in Multiple Occupation shall be provided with an adequate means of escape from fire and other fire precautions including detection and warning system to the satisfaction of the Local Authority and in accordance with LACORS Fire Safety Guidance which gives advice on means of escape in

case of fire. Further details can be obtained from the Private Sector Housing Service.

The means of escape from fire will generally consist of a protected escape route, the level of protection depending on the size and layout of the building and type of occupancy, fire resistance between units of accommodation, a restriction on storage within the escape route, walls and ceiling linings to be of a low combustibility and restrictions on travel distances within escape routes and lettings.

Flat layouts need to be such that escape is possible without having to pass through a room of higher risk. This usually means access from any other room within a flat, other than a bathroom and kitchen, should be to a flat entrance lobby or protected escape route.

The common protected escape route should be adequately lit and it is recommended that the light fittings be of the bulkhead, fluorescent or Edison Screw type to reduce the incidence of theft of light bulbs. In certain types of house in multiple occupation, emergency lighting is required to the escape route.

Automatic fire detection systems are required with smoke/heat detectors within each letting and throughout the escape route, all either interlinked or monitored and with sounders capable of reaching 70dB(A) within each bedroom.

The level of protection required varies depending on the size and category of house in multiple occupation and you must consult with the Council before carrying out any works. Some type of fire fighting equipment is required in all categories of HMO.

It is important that landlords of houses in multiple occupation understand the purpose and importance of fire safety measures and that they give proper advice to tenants on the use of fire safety provisions installed.

Further advice can be obtained from the Central Bedfordshire Private Sector Housing Service on 0300 300 8007