



# **SUNDERLAND ACCREDITED LANDLORDS SCHEME**

## **CODE OF CONDUCT FOR LANDLORDS**

All Landlords will agree to the following Code of Conduct:

### **Equal Opportunities Commitment**

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 **age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.**

### **Landlords and their Agents**

Landlords and their Agents will meet and maintain this Code of Conduct, act in a responsible manner, and ensure compliance with all their other legal duties and responsibilities.

### **Financial status**

An accredited landlord must have appropriate finances and arrangements in place to ensure the proper management and maintenance of the property.

### **Professional Conduct**

Business will be pursued by the landlord or their agent in a professional, courteous and diligent manner at all times. All tenants are treated with respect and dignity, with consideration given to their diverse needs or vulnerability.

### **Redress Schemes**

All Lettings Agents or property managers must join 1 of 2 government approved redress schemes.

- The Property Ombudsman (TPO)
- The Property Redress Scheme

### **Personal Development**

Landlords and their Agents should where practical and reasonable engage in personal development opportunities which support continuous learning and growth of best practice. This includes keeping up to date with all relevant standards and legislation.

### **Safeguarding Training**

Private Landlords are in a unique position to see the warning signs of abuse and neglect. Accredited Landlords or their Agents must complete safeguarding training provided by the Virtual College. The course is free and can be completed over time via distance learning. Please contact Angela Howell at the Learning & Skills Service to register for the course.

Tel: 0191 561 2620 email: [angela.howell@sunderland.gov.uk](mailto:angela.howell@sunderland.gov.uk)

### **Fit & Proper person**

The Scheme requires you to be a 'fit and proper' persons to undertake the responsibilities of managing a private rented property. To assist the Council in making proper assessments of suitability, details about previous convictions for criminal offences and other matters must be disclosed.

The Fit and Proper person test applies to the landlord who is applying for accreditation. You are required to declare whether any of the matters listed apply to you. Not all convictions are relevant to a person's prospective role as an operator of rented property and may not necessarily prevent an applicant from being considered a 'fit and proper person'.

Under the Rehabilitation of Offenders Act 1974 there is no requirement to provide details

about previous convictions which have been spent. A conviction becomes 'spent' after a certain length of time, which changes depending on the sentence and the age of the person at the time of the conviction.

For more guidance please access <https://www.gov.uk/exoffenders-and-employment>

Please note if you are convicted of any relevant offence(s) following accreditation status being granted you must notify the Council immediately.

### **Breaches of the Scheme**

Landlords may be suspended from the scheme where:

- A property falls below the required standard
- The Code of Standards are breached
- Inaccurate or fraudulent information is provided

Please note that any landlord under housing related enforcement action by Sunderland City Council will be unable to apply for the scheme.

### **Marketing**

All property details are reported accurately and without misrepresentation.

### **Viewing**

All prospective tenants are granted an opportunity to view the property. Where there is an existing tenant living in the property their tenancy rights should be respected.

### **Energy Efficiency Measures**

The property should have a valid Energy Performance Certificate and this must be made available for prospective tenants to view. This must be a minimum of Band E or above. It will be unlawful to rent a property which breaches the requirement for a minimum E rating, unless there is an applicable exemption.

### **Contracts & Bonds**

Prospective tenants are provided with a copy of the contract conditions under which a property is offered and this will include details of the rent payable, and any other fees or service charges that are payable in addition to rent that comply with the Tenancy Fee Act.

### **Tenancy agreements**

There is a proper written tenancy agreement which clearly states who is responsible for the payment of all utility charges and Council Tax charges. A sample tenancy agreement is available from Sunderland Accredited Landlord Scheme.

### **Tenancy Guide**

A copy of the Accreditation Scheme Tenancy Guide and the Governments How to Rent booklet must be given to the tenant. These are available to download from the website.

### **Identity and Address of Owner**

The name and current registered address of the owner/agent should be stated on the tenancy agreement together with the address and telephone number of any agent or person/s acting on behalf of the owner.

Tenants are notified of any changes to the owner, managing agent or contact addresses and details within 7 days.

### **Tenancy Deposits**

The tenancy agreement should also provide information about any deposits that are taken i.e. how the deposit is held and in which scheme. At the end of a tenancy deposits are administered efficiently and reasonably by the landlord and balances on deposits shall be returned to the tenant in accordance with the current legislation.

### **Receipt for payments**

Written receipts should be issued for all monies paid irrespective if it is for rent, deposit, utility or service charge. Payment by Direct Debit is acceptable as a receipt.

### **Anti-Social Behaviour**

The tenancy agreement should include a clause requiring the tenant and any visitors of the tenant to not engage in anti-social behaviour that may cause a nuisance or annoyance.

### **Waste Management**

All properties will be provided with suitable refuse disposal facilities for the number of occupants. Landlords will ensure that there is a blue recycling bin and green general waste bin provided to each property they let at the start of the tenancy and actively promote Council waste and bulky waste collection services to tenants.

Landlords are to require tenants to store and present waste and/or waste containers in accordance with the collection arrangements prevailing in the location of the property.

Members of the scheme will have one free waste permit per annum.

In addition, Accredited Landlords can obtain a cost price quotation from the council for the removal of domestic waste by contacting [commercial.services@sunderland.gov.uk](mailto:commercial.services@sunderland.gov.uk)

### **Vetting and Pre Tenancy Checks**

Appropriate vetting checks are undertaken including, where relevant, the use of the Council's Tenant Vetting Scheme provided to accredited landlords. All tenants must undergo the Right to Rent check without exception.

### **Pre-tenancy Repairs**

All obligations on the part of the landlord with regard to repairs and property maintenance have been discharged or copies of any property improvement plans should be provided to the tenant.

### **Inventory**

An inventory is completed at the start of the tenancy, including within it a list, and the condition, of furniture, fixtures and fittings and each page signed and dated by the landlord and tenant. A copy of the inventory should be provided to the tenant.

### **Furnishings**

All furnishings or fittings are clean and in reasonable condition at the start of the tenancy and comply with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended).

### **HMO**

Any application for a HMO licence has been made and those properties meet or will comply with licence conditions within any timescales specified in the licence. All licensed properties meet with the licence conditions and relevant legislative standards. See the information on our website regarding HMO licensing, HMO standards and LACORS fire safety guidance.

### **Safety Certificates**

Copies of relevant safety certificates are provided to the tenant and when requested, to

Sunderland City Council.

### **Non-Licensable HMO Properties and Other Properties**

All non-licensable HMO properties must meet the 2006 and 2007 Regulations and other properties occupied by single households meet with the relevant legislative standards. See the information on our website regarding HMO standards and LACORS fire safety guidance.

### **Anti Social Behaviour**

In cases of anti-social behaviour or domestic violence the landlord will work jointly with the Council's Anti-Social Behaviour Unit, and/or other relevant agencies to find solutions to the problem and take any necessary actions.

### **First refusal**

In order to maintain stability within a neighbourhood the incumbent tenant/s are offered first refusal for any subsequent letting of property, subject to reasonable performance by tenants of their obligations under the terms of the preceding tenancy.

### **Access**

Where access is required for routine inspections, the tenants should receive notification of the date, time and purpose of the visit not less than 24 hours in advance save in circumstances where such a notice is impracticable or there is an emergency situation. Otherwise the tenant privacy and entitlement to freedom from unnecessary intrusion is respected.

### **Repairs and Maintenance**

All properties are maintained in a satisfactory state of repair in line with Health, Housing and Safety Rating System framework as contained within the Housing Act 2004.

Except where there is some unavoidable reason for delay, the following repairs completion performance standards should be achieved:

**Priority One – Emergency Repairs:** any repairs required in order to avoid a danger to health, risk to safety of residents or serious damage to buildings or residents belongings – within 24 hours of report of defect.

**Priority Two – Urgent Repairs:** repairs to defects which materially affect the comfort or convenience of the residents – within 5 working days of report of defect.

**Priority Three – Non Urgent Repairs:** reactive repairs not falling within the above categories – within 28 working days of report of defect.

Where a dispute occurs between the owner and tenant/s as to when a repair has been reported then the date on which the repair was reported in writing shall be the accepted date. Decorative finishes are made good within reasonable timescales if damaged or disturbed during repairs.

### **Planned Maintenance**

Maintenance and servicing tasks which can be carried out in a planned and cyclical manner such as gas appliance servicing, gutter and window cleaning, etc are completed having due regard to the convenience of the tenants.

Where reasonable and practical, tenants will be notified prior to attendance by contractors and trade persons to undertake repairs and any debris and refuse will be removed from the property and disposed with in an appropriate manner within a reasonable agreed timescale upon completion of the works.

### **Visual Appearance**

The visual appearance of properties, outbuildings, gardens, recycling and waste containers and yards and boundaries including hedges are maintained in a reasonable state so as not to detract from the visual amenity of the area.

### **“To Let” & “Let By” Sign Boards**

‘To let’ sign boards are used responsibly.

### **Overcrowding**

Properties are not knowingly overcrowded.

### **Housing Health and Safety Rating System (HHSRS)**

The property and all land within, and including, its boundary is maintained, as reasonably practicable, and free of any avoidable or unnecessary hazards as defined in the Housing Health and Safety Rating System (HHSRS).

### **Gas Appliances and Supply**

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.

All gas appliances must be serviced annually by a Gas Safe registered engineer and safety certificates then be provided to all new tenants at the start of the tenancy, and copies of the gas safety check record for any subsequent safety checks undertaken during the period of the tenancy will be supplied to tenants within 28 days of that safety check being conducted.

Portable bottled gas or paraffin heaters will not be allowed as a heating source

In the absence of a central heating system all heaters should be wall mounted with no trailing flex or wire. Sufficient insulation should also accompany electrical heating. Electrical heating should be controllable, efficient and economic.

### **Electrical Installations and Appliances**

All fixed electrical installations provided by the owner are certified as safe by an approved electrician in accordance with the current relevant Electrical Regulations. A document of verification shall be obtained every 5 years showing that the electrical wiring of all properties is in a safe and satisfactory condition.

All repairs and improvements in electrical installations comply with the current institute of Electrical Engineers Wiring Regulations.

All components used in electrical wiring installations and repairs comply with the relevant International Standards and all appliances will be installed in accordance with manufacturers instructions.

All reasonable steps are taken to ensure that all electrical appliances provided under the terms of the tenancy are functioning effectively, in accordance with manufacturers’ operational limits, and in a safe manner. Portable Appliance Testing (PAT) will be a satisfactory method of ensuring this.

### **Energy Efficiency**

A property must have a minimum band E energy performance certificate (EPC).

### **Legal forms and possession**

Tenancies will only be terminated in accordance with the terms of the tenancy agreement

and the statutory provisions of the Housing Acts. Landlords should seek appropriate legal advice when ending a tenancy.

If the landlord or agent are issuing possession proceedings against a tenant, they must inform the Council immediately. Call the Housing Options Team on 0191 520 5551.

At the end of a notice period, if the tenant has not vacated the property, the landlord will follow the correct legal procedure to obtain a court order for possession.

Tenants should be made aware of the standard of cleaning and other arrangements for bringing the tenancy to an end.

Tenancies are terminated by mutual consent or by serving the prescribed statutory notice and subsequently the use of the Court's Possession Procedure.

### **Empty Properties**

Unoccupied properties are secured and maintained in such a way that they are safe and do not detract from the neighbourhood and will be re-let within a reasonable timescale.

Guidance on returning an empty property into use can be obtained upon request to the Council.

